



CITY COUNCIL MEETING AGENDA

June 12 – 7:00 pm

This is an in-person meeting at Saugatuck City Hall, 102 Butler St, Saugatuck, MI 49453.

The meeting will also be available live, virtually on Zoom.

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Mayor's Comments**
- 5. City Manager Comments**
- 6. Agenda Changes (Additions/Deletions)**
- 7. Guest Speakers: None**
- 8. Public Comment on Agenda Items Only (Limit 3 minutes)**
- 9. Consent Agenda: (Roll Call)**
 - A. Regular City Council Meeting Minutes – May 22, 2023. Pg. 3**
- 10. Staff Reports, Boards, Commissions & Committees: Starting on Pg. 8**
 - A. Staff Reports:**
 - 1. City Manager**
 - 2. Treasurer**
 - 3. Planning and Zoning**
 - a. Short Term Rental Task Force**
 - 4. Department of Public Works**
 - 5. Police**
 - 6. Engineer**

NOTICE:

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:

ryan@saugatuckcity.com

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

Wolters@saugatuckcity.com for further information.

B. Boards, Commissions & Committees:

1. Fire District Administration Board
2. Interurban Board
3. Kalamazoo Lake Sewer & Water Authority
4. Kalamazoo Lake Harbor Authority
5. Zoning Board of Appeals
6. Historic District Commission
7. Planning Commission
8. Parks & Public Works Committee
9. Tri-Community Non-Motorized Trail Study Committee
10. Tri-Community Recycling Ad-Hoc Committee

11. Request for Payment: None

12. Approval of Accounts Payable: *(Roll Call)*

- A. Accounts Payable in the amount of \$119,177.47 Pg. 28

13. Introduction of Ordinances: None

14. Public Hearings: None

15. Unfinished Business: None

16. New Business:

- A. AT&T Update *(voice vote)* Pg. 34
- B. MDOT Cat B Application Pg. 83
- C. Ordinance 230612-A- Temporary Waterfront Moratorium *(roll call)* Pg. 112
- D. Revocable License- Pumpernickels *(voice vote)* Pg. 118
- E. Revocable License- Scooters Café & Pizzeria *(voice vote)* Pg. 130
- F. Special Event- Movie in the Park *(voice vote)* Pg. 136
- G. Special Event- Saugatuck Film Festival *(voice vote)* Pg. 142
- H. Special Event- Spear Street Block Party *(voice vote)* Pg. 147
- I. Special Event- Fourth of July Parade *(voice vote)* Pg. 153
- J. Special Event- Fourth of July Extravaganza *(voice vote)* Pg. 159
- K. Set Budget Hearing Date
- L. 443 Park Street Boat Slip *(roll call)* Pg. 164

17. Public Comments *(Limit 3 minutes)*

18. Correspondence

- A. Board and Commissions Vacancy Notice Pg. 168

19. Council Comments

20. Adjourn *(voice Vote)*



CITY COUNCIL MEETING MINUTES - *Proposed*
May 22 , 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 and Councilmembers Baldwin, Gardner, Lewis, Muncey.
Absent: Councilmember Leo.

Others Present: City Manager Heise, Director of Planning, Zoning & Project Management Cummins,
Department of Public Works Superintendent Herbert, Clerk Wolters, City Attorney Witte.

Mayor's Comments: Mayor Dean noted that Memorial Day is coming, the City is ready.

City Manager Comments: City Manager Heise- opened the floor for any questions regarding his City Manager Report.

Agenda Changes:

Motion by Baldwin, second by Lewis to add Dean Kapenga as guest speaker. Via voice vote, motion passed 6-0. Dean Kapenga is added as Guest Speaker, Item #7A.

Motion by Muncey, second by Stanton to include the right of way signage request by Duck Alley. Via voice vote, motion passed 6-0. Duck Alley right-of-way signage is added as New Business, item #16K.

Guest Speakers:

Dean Kapenga, Allegan County Commissioner-

Mr. Kapenga updated the Council on current county happenings.

- Judge Kengis announced his retirement.
- Next year there will be voting on two judges next year.
- The Sheriff's annual report stats showed 25,636 complaint calls for service, historically the highest.
- Bodycams have alleviated complaints against the Sheriff's office.
- Cyber crimes and domestic violence have increased.

- County hired their own lobbyist.
- Community Action update for last year:
 - 95,000 meals delivered.
 - 3,700 homes received groceries.
 - 1,000 monthly commodity boxes distributed to 207 seniors.
 - 88 seniors receive door to door transportation and 566 rides from volunteer drivers.
 - 7,086 seniors receive project fresh.

Public Comment on Agenda Item Only: None.

Consent Agenda:

A. Regular City Council Meeting Minutes – May 8th, 2023.

Motion by Lewis, second by Baldwin to approve the consent agenda. Via roll call vote, motion carried 6-0.

Staff Reports:

City Manager, Director of Planning & Zoning, Treasurer, DPW Superintendent and Engineer submitted status reports of current activities since the last Council meeting on May 8th, 2023, for their respective departments.

Boards, Commissions & Committees:

Fire District Administration Board: Dan Fox-

Updated Council about the two meetings held on May 15th.

1. Cost analysis regarding Short-Term Rental fees and process.
2. Fire budget presented.

Interurban Board: Councilmember Muncey-

Updated Council about the meeting held on May 16th.

1. April there were 680 more passengers than last year.
2. 120 more riders than last year.
3. Free parking shuttle starts the first Saturday in July.
4. A fourth bus has been added earlier due to an increase in business.
5. QR code project almost finished.

KLSWA: Mark Bekken-

Update since last meeting:

1. Annual hydrant flushing of almost 600 fire hydrants.
 - a. 2.5 million gallons of water flushed.
 - b. 8 hydrants need repair.
 - c. Fire hydrant flow test completed.
2. Approved payment of almost \$39,000 for an ongoing expense for generator upgrades.

Kalamazoo Lake Harbor Authority: Mayor Pro-Tem Stanton-

No meeting in May.

Zoning Board of Appeals-

None.

Historic District Commission: Councilmember Lewis-

Met in May, items discussed are highlighted in the Planning and Zoning report.

Planning Commission: Chair Councilmember Gardner-

Update from the meeting held on May 18th:

1. 2 accessory dwelling units discussed and both approved.
2. Discussion regarding some of the planning for the waterfront development zoning ordinance review.

Parks and Public Works Committee, Councilmember Baldwin-

None.

Tri-Community Non-Motorized Trail Study Committee:

None.

Tri-Community Recycling Ad-Hoc Committee, Councilmember Lewis-

Waiting on EGLE electronic screen.

Request for Payment: None.

Approval of Accounts Payable:

A. Accounts Payable in the amount of \$ 99,746.50.

Motion by Gardner, 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:

Resolution 230522-A- Water System Improvements:

Motion by Lewis, second by Gardner to approve the Drinking Water State Revolving Fund Project Plan as presented. Via roll call, motion carried 6-0.

Public Meeting-Public Comment on Water System Improvements:

Dan Fox, resident- Questioned why KLSWA is working the money and not the City.

Mark Bekken, resident- Gave a historical overview on the method of charging water bills in the township. He spoke in brief about the water system in the City.

Fire Budget:

Motion by Lewis, second by Baldwin to approve the budget as presented for the Saugatuck Township Fire budget. Upon roll call, motion carried 6-0.

Road Maintenance Approval:

Motion by Muncy, second by Stanton to approve the bid award as recommended by engineer for \$138,000.00 with A-1 Asphalt for asphalt repairs, \$13,275.00 for spillway and drainage work with Bruce's Blacktop, and \$37,000.00 for pavement markings with Ace Parking. Upon roll call, motion carried 6-0.

4th of July Celebration Update from City Manager:

City Manager Heise gave an update on the July 4th celebration:

1. Fireworks were quoted at \$15,000.
2. Drone Show quoted at \$18,000.
3. 4 barges quoted at \$2,000 each.
4. DJ quoted at \$5,000.
5. City is asking the following for donations:
 - a. Douglas for \$4,000.
 - b. Township for \$4,000.
 - c. SDABA for \$2,000.
 - d. CVB for \$10000- awarded to City.

FEMA Floodplain Ordinance Update:

Motion by Lewis, second by Baldwin to approve Ordinance 230522-A Floodplain Management Provisions of the State Construction Code. Upon roll call, motion carried 6-0.

Revocable License- Grow:

Motion by Stanton, second by Muncy to approve the Revocable License Agreement for temporary restaurant seating in the public right-of-way for GROW Café and Bistro (Grow Estate, LLC). Via voice vote, motion carried 6-0.

Revocable License- Tree of Life:

Motion by Baldwin, second by Lewis to approve the Revocable License Agreement for temporary restaurant seating in the public right-of-way for Tree of Life Juice (JSL Juice LLC). Upon voice vote, motion carried 6-0.

Special Event- Waterfront Invitational Fine Art Fair:

Motion by Stanton, second by Gardner to approve the Waterfront Invitational Fine Art & Craft Fair to take place on July 1st, 2023, and July 29, 2023, organized by the Saugatuck Douglas Art Club. Via voice vote, motion carried 6-0.

Proclamation No. 230522-P1- Pride Month:

Motion by Lewis, second by Muncy to approve Proclamation No. 230522-P1 designating June 2023 as Pride Month in the City of Saugatuck and proclaiming that Pride flags will be on display at Saugatuck City Hall throughout the month of June. Via voice vote, motion carried 6-0.

Rules of Procedure Amendment- City Council Agenda:

Motion by Stanton, second by Lewis to approve the amendment to the City Council Rules and Procedures for Meetings originally adopted on July 23, 2007, and last revised on January 9, 2023. Via voice vote, motion carried 6-0.

Right of Way Signage- Duck Alley:

Motion by Stanton, second by Muncey to approve the revocable license agreement for a sign in the public right of way for Weidman Outdoors, LLC. Via voice vote, motion carried 6-0.

Public Comment:

Dan Fox, resident- On behalf of the Fire Board, Chief Janik and all the firefighters and EMTs, extended their appreciation for the Council's prompt involvement and questions on the Fire budget.

Correspondence: None.

Council Comments:

- Councilmember Lewis: She has been appointed to the economic and land use committee through the Michigan Municipal League. The committee discussed ten pieces of legislation that are coming forward. Remote meetings were one of the topics. Sixth grade salmon fishing takes place on May 23rd.
- Councilmember Gardner: Parking comments came up during the Planning Commission meeting. It was also brought up during the Sheriff's meet and greet. Gardner suggested the City begin working with the police and the fire district to look at the streets and have parking along one side only in critically narrow streets. Noted Herbert Street was named after DPW Scott Herbert's great grandfather.
- Councilmember Stanton: Short Term Rental Task Force meets every two weeks. They worked on understanding the Ordinance. McKenna the Consulting firm has provided a dozen or more communities to study.
- Councilmember Muncey: Saugatuck Douglas Garden Club is working with sixth graders on the importance of beautifying the town. They will be planting flowers around the City. The Memorial Day parade is at 9am in Saugatuck and 10am in Douglas.
- Councilmember Baldwin: None.
- Mayor Dean: It will be a busy and fun holiday and looks like wonderful weather. Thursday at 5:30pm, in the Rose Garden will be a very generous gift from Amazwi Contemporary Art. Thursday at 6:00pm will be the High School commencement.

Adjournment:

Motion by Gardner, second by Muncey to adjourn. Upon voice vote, motion carried 6-0. Mayor Dean adjourned at 8:35 p.m.

Respectfully Submitted

Jamie Wolters, City Clerk



City Managers Report – June 12, 2023

Newish! 4th of July Celebration

It's a go, City staff has secured vendors for a laser, fireworks and music extravaganza. A Special Event meeting was conducted with Fire, Sheriff, and City staff. Special Event application is on the agenda and social media image attached.

Newish! Cellular Service Discussions Continue with AT&T

On your agenda- The continuation of an excellent private/public partnership and a fantastic repurposing of Mt. Baldhead Tower, with a new twist. As part of the due diligence for the AT&T project, a Phase 1 archaeological survey and cultural resources report was provided to the City. The findings for three (3) test sites at the location for the restroom and equipment room facility resulted in a finding of "adverse impact."

City staff is working closely with AT&T and the Historical Society to work through the logistics of addressing the existing antenna within the radar dome; including 3-D imaging of the interior of the dome and equipment contained within. Continued discussions with the AT&T government liaisons to review install/service agreements, permitting and identifying easements. City legal has provided their red-line version of a lease agreement provided by AT&T, which has been provided to both Council and AT&T. Lease agreements are being collected from around the state, including monthly rental rates charged to telecom.

Discussions with AT&T on Potential Downtown WiFi

Meetings with AT&T on a potential downtown WiFi project were conducted last week. There appears to be enthusiasm and motivation to tackle this project from both the City and AT&T. Budgetary pricing meeting scheduled for later this week, more to come.

Blue Star Highway Multi-Modal Path

Kickoff meeting to be scheduled with engineer. Construction design work approved by City Council. Township voted to approve the same, along with the Intergovernmental Agreement; I'm checking on the status from Douglas.

MDOT Exit 36 and 41 Bridge Work

Information on traffic detours provided through social media and

Parks and Recreation Master Plan- Tri-Community Effort (Including Saugatuck Public Schools Community Recreation).

A Tri-Community effort- A draft request for proposals (RFP) for professional services to assist in updating plan has been created and after staff review will be brought to Council.

Harbor Dredging Funding- Tri-Community Effort

The Army Corp of Engineers (ACOE) has confirmed that Saugatuck Harbor will be receiving \$895,000.00 for dredging this year. The focus is now on timing; this is a major unknown now. A note from the Army Corp revied on March 28th: Municipal Managers are waiting to receive the dredge survey conducted by ACOE. It's unlikely that any dredging will be conducted this summer season, however the results of the survey will trigger a new discussion amongst the government entities on safety precautions for this summer season.

Parks and Public Works Update

Attention remains on the following projects: playground/village square, Blue Star Trail multi-modal path (on your agenda), Airport Property, Mt. Baldhead and Park Street. The PPW Committee has organized study groups to perform "fact finding" to present to the PPW Committee. This is designed to be a bottom-up process with many opportunities for citizen input.

Ongoing- Kalamazoo Lake Sewer and Water (KLSWA) Agreement- Tri-Community

City/Township Managers continue to discuss the Asset Management Plan, along with our respective attorneys and engineers. The Tri-Communities have directly engaged with EGLE to ensure that our respective municipalities stay in compliance. KLSWA prefers to begin with negotiating the asset management plan for sewer to utilize as a roadmap for the water agreement. KLSWA has requested an extension from EGLE to provide the agreement. I've been sorting through historical water agreements in anticipation of the next phase of discussions. Discussions with City Council needed for collecting funds for long-term asset management.

Ongoing- Oval Beach Staffing and Operations

Compliments to staff on their excellent efforts and success in recruitment and staffing Oval Beach operations for the '23 season. Discussions on safety improvements, operational improvements, staff retention and recruitment continue.

City Hall

Phase one (1) complete with paint removal. We now move to wood repairs, sealing and painting.

Discussions continue with Allegan County Conservation District

Presentation made by Allegan Conservation District (ACD) regarding a survey conducted for treating Hemlock trees for hemlock woolly adelgid (HWA). A reminder that they are willing to assist with other invasive species treatment in the area, including Phragmites on city owned property. Please look forward to a budget recommendation for treating city owned property.

Old news- Dune Ridge Waterfront Update

Litigation continues...we typically do not discuss ongoing litigation.

Meetings

- AT&T WiFi meetings
- Special Event meetings
- AT&T Cell meetings
- 4th of July potential sponsor meetings
- Lakeshore Advantage Economic Development meeting
- MME Advocacy meeting

Council-Manager form of Government Tid-bit

The council-manager form is a workable and adaptable governmental structure. It has grown, in just a little over seventy-five years, from a mere experiment to one of the most popular plans for municipal government, used throughout the country in cities of all sizes even a few of the largest cities.



Treasurer Report

Below is a summary of notable activities carried out by the Treasurer's Office since the last council meeting on 5/22/2023:

- Paid routine bills
- Completed and disseminated bi-weekly payroll
- Proceeding with the 2023-2024 budget process
- Oval Beach working through the process



Planning, Zoning and Project Report

June 12, 2023

Planning and Zoning

- Prepared for and attended Short Term Rental Task Force meeting.
- Worked with McKenna to gather further data and information for the STR Task Force.
- Met with the STR Task Force Chair.
- Prepared for and attended ZBA meeting.
- Prepared for and attended Historic District Commission meeting.
- Reviewed City Attorney opinions regarding pending litigation with Dune Ridge.
- Followed up on numerous complaints of code violations throughout the City.
- Met and talked with numerous property owners and applicants to answer questions and provide resources.
- Completed planning and zoning casework as outlined in the chart below.

Planning and Zoning Casework

133 Butler St	Short Term Rental	STR application, renewing unit B. Application initially incomplete. Owner advised unit A is no longer an STR. Talked with agent and advised of required information in applications to process. Complete application received and sent to Fire Authority for inspection. Still pending.
320 Mason	Enforcement	New agent checked on status of certificates. Previously a bed and breakfast. Accessory structure also on the property. Reviewed history and gathered further information from new agent. Reviewed with legal and consultant. STR options sent to applicant. Property still being advertised contrary to options presented. Sent agent and owner an e-mail. Met with owner and agent to answer questions and discuss options.
449 Water St	Enforcement	Complaint that a large outdoor fireplace was not indicated on approved site plan. Reviewed site plan. No outdoor fireplace shown or mentioned. Reviewed consent judgement. Reviewed zoning regulations for site plans. Reviewed with legal. Sent owner an e-mail requesting amended site plan to review. Owner consulted with her attorney. City Attorney conversed with owner's attorney. Amended site plan application received and reviewed. Approval was denied due to the setback not being met. Owner submitted revised plans that are under review. Fire Department requested additional information. Owner provided additional information to Fire Department. Awaiting final Fire Department review.
615 Park St	Structural Improvements	Zoning permit application received for exterior wall, deck and foundation work. Some units will also receive interior re-builds due to water damage. Reviewed with legal and consultant. Advised applicants of issues related to substantial improvements in a floodplain, zoning, and current moratorium. Discussed further with applicant. Discussed market value questions with FEMA. Met in person with HOA president and applicant to discuss findings and options. Answered questions from independent appraiser.

Planning and Zoning Casework Continued

412 Mason	Short Term Rental	STR application. Renewing. Sent to Fire Department for inspection. Fire Department advised inspection is scheduled.
129 Griffith #12	Short Term Rental	STR application. Previous STR under new ownership. Applicant did not provide contact information of a local representative within 45 miles of the City. Requested update of application. Owner provided updated application. Sent to Fire Department for inspection.
402 Elizabeth St	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Pending inspection.
703 Pleasant	Short Term Rental	STR application to rent ADU. Previous STR several years ago. Requested further info from applicant on how they would like to rent ADU and advised of zoning ordinance requirements to rent ADU. Owner advised they wish to rent just the ADU and not the main home. Advised SLU approval required. Applicant applied for SLU approval. Planning Commission approved. Pending Fire Department inspection.
237 Francis Apt B	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Fire Department advised inspection scheduled but owner now wants additional time. Requested delay reason from owner.
149 Griffith	Historic District Application	Historic District application for various work. Replacing siding, decks, fencing, windows, and doors. Repair and modify existing roof. Remove existing chimney, basement hatch, walk-in cooler, steps, shrubs and ivy. Add new deck and steps. HDC approved work with conditions. Discussed additional work the applicant is considering and issues with a front window. A second HDC app was submitted to replace fence, modify window, add new patio space and freezer, and remove a rear door and infill. HDC approved with conditions. Applicant working on submitting for zoning approvals next.

Planning and Zoning Casework Continued

560 Mill	Enforcement	Written request to extend fence onto City property. Also received a complaint of hardscape in right of way and lack of parking along Simonson Dr. Reviewed history. Sent to legal for review as no prior formal approval for landscaping or hardscaping on city property and fencing can't be placed in right of way per zoning ordinance. Discussed with City Manager, City Attorney, City Engineer and insurance carrier. Homeowner asked to remove hardscape items from right of way. Met with homeowner and landscaper. Discussed options. Applicant and neighbor planned to approach City Council. Still have not done so. Will be following up.
860 Mill	Enforcement	Complaint of hardscaping in the right of way along Simonson Dr and parking issues in area. Observed site. Found stone wall in the City right of way. Work occurred sometime after 2019. Was not permitted or licensed. Sent owner e-mail requesting hardscaping to be removed. Owner requested an in person meeting. Met with owner to discuss options. Owner plans to work with neighbor to approach City Council. Still have not done so. Will be following up.
727 Butler	Historic District Application	Historic District application to replace windows, siding, and concrete steps, enclose porch, replace roof above back porch, and move kitchen window. Additional information requested from applicant. Scheduled for June HDC meeting but applicant requested to be heard at July HDC meeting.
312 St. Joseph	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Failed inspection. Sent reinspection invoice.

Planning and Zoning Casework Continued

405 Park	Enforcement	Complaint of possible retaining wall, gravel fill, and window/door additions without permits. Researched history and investigated concerns. Asked EGLE whether gravel was allowed without a permit. Asked MTS whether doors and windows require permit. No permits found for retaining wall which is in city ROW. Previous discussion of work but no final plans. Sent email to property owner. MTS advised permits are needed. They sent a letter. EGLE logged a complaint and advised work appears to be a violation of Part 31 and may not be permittable "after-the-fact". They stated they will process accordingly. Additional complaint of new dumpster without screening. Discussed with legal. Sent letter to owner to remove dumpster and apply for appropriate permits when moratorium is no longer in place.
842 Lake #4	Short Term Rental	STR application. Previous STR, new owner. Needed copy of property transfer affidavit and additional \$100. E-mailed new owner. Owner provided documents and paid additional fee. Sent to Fire Department for inspection. Still pending inspection.
184 Park	Setback Variance	ZBA application for front setback variance. Scheduled for June 8 ZBA meeting.
322 Culver	Enforcement	Scooters Pizzeria has seating on sidewalk but no revocable license agreement. Some prior zoning approvals for seating outside CALA building. Sent e-mail and application to owner. Corresponded with owner via e-mail and in person. Application received. Scheduled for Council review of revocable license agreement.
775 Manchester	Enforcement	Expired STR certificate. Unsuccessful response to letters. Was able to reach owner by phone and discussed the expired certificate. STR app and fee received. Sent to Fire Department for inspection.
201 Butler	New ATM	Request for an ATM outside the Drug Store. Applicant is proposing a different location than the original request. HDC again denied request.

Planning and Zoning Casework Continued

129 Griffith #101	Enforcement and Sign Permit	Call that the Cigar Shoppe has a sign in the city right of way at corner of Griffith/Culver. Also observed sandwich board sign outside business. Only one allowed. No permits and permits are required for sandwich board signage. Sent owner an e-mail to remove sign at Griffith/Culver and apply for a permit for the other. Talked to owners wife twice on phone. Sign app received to place sign in right of way across street from business along Griffith. Denied request as sandwich board sign on plan was taller than allowed and not in right of way adjacent to business. Observed sign placed in right of way after denial on both 6/5 and 6/6. Civil infraction notice issued. Owner paid civil infraction fine and submitted revised app to have sandwich board sign on private property outside business. Permit issued.
901 Allegan	Addition, Pool, Deck and Hot Tub	Zoning app for addition, pool, pool equipment house and deck. Additional information requested and provided by applicant. Under review.
418 Park	Dangerous Building	Complaint that roof is caving in and home is abandoned. Reported to previous Zoning Administrator (ZA) who sent a letter on 7/29/22. Taxpayer contact e-mailed prior ZA on 8/8/22 but ZA was retired. Followed up with the contact on the status of having an engineer and/or architect evaluate the structure. No response via e-mail. Sent written letter.
120 East	Enforcement	Complaint of trailer and other equipment in front yard. Refuse containers also improperly screened. Numerous prior complaints over several years. Sent owner a letter with 10 days to correct.
246 Culver	Signage and Flower Planters	HDC app to install flower boxes and add signage. Flower boxes will encroach into ROW and will need revocable license agreement. Need fees paid and property transfer affidavit to further process.
555 Mason	Short Term Rental	STR app. New. Sent to Fire Department for inspection.

Planning and Zoning Casework Continued

547 Water St #4	Short Term Rental	Observed STR being advertised for rental. Certificate expired several years ago. Contacted owner. Owner advised she was working with City during COVID to renew but didn't. STR app received. Sent to Fire Department for inspection.
129 Hoffman	Enforcement	Uncommon Coffee has seating on sidewalk but no revocable license agreement. Contacted owner. Owner advised his staff will apply.
202 Butler	Enforcement	Pumpenickels has seating on sidewalk but no revocable license agreement for 2023 season. Sent e-mail and application. App received. Scheduled for Council meeting.
Sugar Hill	Land Division	Land Division application for lots 1, 2 and 7. Under review.
1044 Holland	New Home	Revised zoning app and plans for a new home. Water/sewer connection app. Under review.
790 Lake	Short Term Rental	STR app. Renewing. Under review.
339 Lucy	Short Term Rental	STR app for ADU. ADU and main home will be rented under a single contract. Sent to Fire Department for inspection.
345 Mary St.	Enforcement	Expired STR certificate. Did not respond to reminder letter prior to expiration. Sent first notice letter.
445 St. Joseph	Enforcement	STR shows suspended. No Fire Department inspection listed after app in 2021. No notes. E-mailed Fire Department on status of any inspections. Fire Department advised inspection was scheduled in 2021 but no record of it occurring. Asked agent to work with owner to submit new app.
Vacant Lot - Lake St.	Enforcement	Complaints of a tree down, overgrown vegetation and damaged fence. E-mailed owners. Owner working with a contractor to clean up property. Delays due to labor shortage. Owner will provide updated timeline.
321 Water St	Inquiry	Questions about installing a fence. Discussed issue with fence height being over 6'. Discussed options. Owner also had questions about items that are damaged that she believes are in the city right of way. Passed along concerns to DPW Superintendent.

Planning and Zoning Casework Continued

898 Holland St	Inquiry	Questions about setbacks. Answered questions.
331 Grand	Accessible Ramp	Zoning permit application to add an accessible ramp to front of structure. Permit issued.
349 St. Joseph	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Failed inspection. Sent reinspection invoice. Now paid. Passed reinspection. STR certificate issued.
143 Van Dalson	Short Term Rental	STR application. Previous STR. Re-applying after previous fire. Sent to Fire Department for inspection. Failed inspection. Passed reinspection. STR certificate issued.
726 Water St	Short Term Rental	Existing STR units. Renewing. Sent to Fire Department for inspection. Unit 2 failed. Sent reinspection invoice. Reviewed PUD history. Reinspection passed. STR certificates issued.
245 Spear	Rental of ADU	Special land use application for a rented accessory dwelling unit. Planning Commission reviewed. The PC tabled the request to their next meeting and asked the applicant to provide additional information. Applicant provided additional information. PC approved with conditions. Permit issued with noted conditions. Advised applicants inspection will be needed to ensure compliance and before certificate of occupancy can be issued. Advised STR certificate will be needed for STR
500 Block S Maple	Inquiry	Questions about parking regulations and concerns with rental units. Advised east side of the street is the Township who may have different regulations. Provided resources and options for parking concerns.
1044 Holland St	Enforcement	Complaint of construction signage in the city right of way. Construction signs cannot be placed in the city right of way. E-mailed owner asking them to remove the sign. Sign has been moved to private property.
640/650 Water St	Inquiry	Questions about temporary food trailers and zoning options. Reviewed with consultant and legal. Food trailers are not an allowed temporary use or temporary structure and are therefore prohibited by the zoning ordinance. Advised inquirer.

Planning and Zoning Casework Continued

220 Water	Enforcement	Complaint of trash cans overflowing along Coral Gables docks. E-mailed owner.
132 Mason St	Expanded Outdoor Dining	Expanded outdoor dining area application for Round the Corner Ice Cream Shop. Permit issued.
201 Culver	Enforcement	Tree of Life Juice had picnic tables on the sidewalk but no revocable license agreement. Sent e-mail and application to owner. Application received. Council approved revocable license.
142 Butler	Enforcement	Complaint of a damaged sign. Talked with business contact. Sign is now repaired.
350 Mason	Revised Bed and Breakfast Plans	Revisions to bed and breakfast plans. Amended permit issued.
220 Culver	New Sign	Sign app for a projecting sign into the city right of way. City Council approved a revocable license agreement. Permit issued.
339 Lucy	Inquiry	Questions about zoning for an in ground hot tub. Provided resources.
759 Mason	Complaint	Complaint of a dumpster and renovations sign on the property but no visible building permit. No zoning permits. Sent MTS an e-mail inquiring about any building permits. MTS advised permit was issued for kitchen remodel.
214 Butler	New Roof/Dumpster in ROW	HDC app for roof replacement with same type of shingles. Also received a request for a dumpster right of way. Permits issued for both.
842 Lake #5	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Passed inspection. STR certificate issued.
141 North	Short Term Rental	STR application. Previous STR. New owner. Sent to Fire Department for inspection. Owner called and updated rental rep. Passed inspection. STR certificate issued.
312 Hoffman	Enforcement	Complaint of unkept lawn. No prior complaints for long grass. New owners as of October 2022. Observed site and measured grass. Over 16". Sent owner e-mail on 5/25. Owner had grass cut on 5/27.

Planning and Zoning Casework Continued

649 Pleasant	Enforcement	Complaint of trash receptacles being left out. Second complaint this year. Owner previously advised they hired someone to take care of the trash receptacles. Sent owner e-mail advising of second complaint. Owner advised they still have someone hired to take care of this and will follow up to make sure the issue is addressed.
302 Culver	Enforcement	GROW Café had seating on sidewalk but no revocable license agreement. Some prior zoning approvals for seating outside CALA building. Sent e-mail and application. Sidewalk seating app received. Council approved license agreement. Permit issued.
Shorewood	Inquiry	Questions about setbacks and lot coverage. Provided resources. Also discussed variance options.
400 Culver	Inquiry	Questions about right of way signage for Farmers Market. Advised right of way signage was approved by the City Council. Also provided requested Farmers Market definitions.
1010 Holland	Inquiry	Questions about STR regulations. Returned call answering questions.
901 Allegan	Inquiry	Questions about setbacks for pools and accessory structures. Answered questions.
350 N Maple	Water Line Replacement	Galvanized water line being replaced on private property. Owner's plumber asking if City would like City side repaired by their plumber at same time. Previous review by City Engineer related to lead and copper rule. City Manager approved. Permits issued. Contractor found line in right of way was proper material and did not need to be replaced.
646 Francis	Inquiry	Questions about dimensional requirements. Provided resources. Advised of storm sewer easement along this property.
435 Water St	Enforcement	Merchandise displayed in the public right of way. Business not registered. Sent owner e-mail to remove right of way items and register business. Items removed from ROW. Business now registered.
731 Pleasant	Inquiry	Questions about kitchens and ADUs. Provided resources.

Planning and Zoning Casework Continued

647 Butler	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Passed inspection. STR certificate issued.
546 Butler	Inquiry	Questions about use of property and history. Provided resources.
828 Park	Short Term Rental	STR application. New STR. Did not provide contact within 45 miles. Requested update to the application. Applicant provided agent info. Sent to Fire Department for inspection. Owner advised home not ready for inspection. Application denied. Owner can reapply when home meets requirements for inspection.
727 Butler	Short Term Rental	STR application. New STR. Sent to Fire Department for inspection. Failed inspection. Sent reinspection invoice. Passed reinspection. STR certificate issued.
N/A	Inquiry	Questions about STR regulations and application process. Provided resources.
345 Hoffman	Inquiry	Request for contact information of STR agent for noise concerns. Info provided.
985 Singpaore	Egress Window	Zoning permit app to add an egress window well. Zoning permit issued.
134 Butler	Enforcement	Observed Brass Anchor continue to place clothing rack on city sidewalk. Business not registered. Obtained owner contact. Talked with owner and advised of ordinance. She will work to get business registered and not place rack on sidewalk.
31 Butler	New Power Pedestal	Sergeant Marina inquired about permits and approvals to add electrical pedestals on public property at street end. Street end license agreement requires written approval of work on City property. Advised inquirer of agreement language. Reviewed zoning requirements with legal. Moratorium in place on accepting applications for site improvements. Advised applicant and returned app and check.
895 Holland	Inquiry	Questions about fence replacement, both discretionary and to repair damage. Provided resources.
727 Butler	Inquiry	Questions about setbacks for decks and patios and applying for permits. Provided resources.

Department of Public Works

Below is a summary of notable activities carried out by the Department of Public Works since the last council meeting on 05/22/2023:

Oval Beach:

Oval Beach is fully open and operational for the 2023 summer season. The Oval Beach Manager, DPW Administrative Assistant, and Public Works Superintendent met after the initial holiday weekend to debrief about how first weekend went. Also, the Oval Beach Manager, Public Works Superintendent, Beach Patrol, and the STFD met on site for the second meeting geared towards preparing for emergency situations.

Spillway Work:

Bruce's Blacktop installed asphalt spillways along Mason Street and the Oval Beach parking lot as discussed.

Miscellaneous:

- Speed bumps were installed on Park Street.
- Swim Buoys were installed at Oval Beach by the STFD.
- AED Units were installed at Oval Beach, City Hall, and Department of Public Works
- No Wake Buoys were installed in the harbor by Boat Lifts Unlimited.
- Century 21 held a beach cleanup event at Oval Beach on May 23rd.
- Assisted with the Memorial Day Parade.
- Meridian hosted an Archer 1200 demo at Public Works.
- Assisted with the "Whispers" sculpture dedication.
- Assisted the Community Pride Day event.
- Truck and Trailer is currently working on finishing our 2023 International Work Star dump truck.
- Seasonal staffing continues

Meetings:

- **05/22/2023** – DPW Weekly Goals Meeting
- **05/26/2023** – DPW Weekly Goals Follow Up Meeting
- **05/26/2023** – Beach Safety Meeting with STFD
- **05/30/2023** – DPW Weekly Goals Meeting
- **06/02/2023** – DPW Weekly Goals Follow Up Meeting
- **06/02/2023** – Beach Safety Meeting with STFD
- **06/05/2023** – DPW Weekly Goals Meeting
- **06/09/2023** – DPW Weekly Goals Follow Up Meeting
- **06/08/2023** – Town Crier Safety Meeting
- **06/08/2023** – 4th of July Parade Safety Meeting
- **06/08/2023** – 4th of July Extravaganza Safety Meeting



Sheriff's Report

Below is a summary of notable activities carried out by the Sheriff's Department since the last council meeting on 5/22/2023:

- Sargent Ben Haas attended the Great Lakes Active Assailant training.
Training included debriefs from actual emergency staff involved in US mass shootings:
 - Nevada- Las Vegas shooting at Mandalay Bay
 - Florida- Orlando shooting at Pulse nightclub
- Deputy Jason Kruithoff attended the Great Lakes Active Assailant training.
Training included debriefs from actual emergency staff involved in US mass shootings:
 - Michigan- Oxford High School Incident
 - California- The Southern California Spree Killing and Manhunt
 - Texas- The Rob Elementary School Incident
 - Illinois- The Fourth of July Parade Incident
 - Texas- The 6th Street Incident
 - Canada- The Nova Scotia Attaches
 - Florida- The Major Stoneman Douglas Public Safety Findings

City of Saugatuck
Status Report of Engineering Activities
June 8, 2023

General Consultation

- Olde Mill Apartments Water Service: This work could be combined with other work on Maple Street or the Drinking Water State Revolving Fund project.
- City Hall Exterior Renovations: Construction is expected to be completed soon.
- Mason Street and Oval Beach Drainage Asphalt Spillways: Work is anticipated to begin soon.
- 2023 Asphalt Repairs: The contract has been executed with A-1 Asphalt and work is expected to begin soon.
- 2023 System-wide Pavement Markings: The contract has been executed with Ace Parking Lot Striping and work is expected to begin soon.
- 2023 System-wide Crack Sealing: The project is out for bids with a June 21 due date. The work will take place in September/October.
- Category B Application: The Category B program funds 50% of eligible road construction costs up to a maximum grant amount of \$250,000. Prepared the application package for the Maple Street project to be submitted following council adoption of the resolution of support at the June 12 meeting. Construction would be scheduled for 2025.
- Grants Workshop: We are discussing the possibility of having grant experts from F&V put together a workshop for council, staff and other interested parties to review the various programs used in the past, recent applications and brainstorming for new opportunities.

Blue Star Highway Bridge Navigation Lighting

- The project is being rebid with a more flexible schedule. Bids are due July 27 with construction scheduled to be complete prior to Memorial Day 2024.

EGLE Drinking Water State Revolving Fund

- The Project Plan has been submitted.
- The final project priority list is anticipated to come out in the fall. If the project is funded, design would begin in late 2023 or early 2024 for construction to begin in late 2024 or early 2025.

2023 Street Improvements (West, East, Takken, Taylor and N. Maple)

- The EGLE permit is expected to be issued any time.
- The project is out for bids with bids due June 29. Bids will be presented at the July 5 council workshop.
- Construction is scheduled for fall 2023 (after Labor Day to mid-November).

Mt. Baldhead Conceptual Planning

- We are working on scheduling a public workshop to begin soliciting community input.

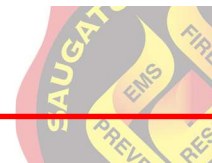
Mt. Baldhead AT&T Project Assistance

- The AT&T team is taking the lead on design of the building “shell” but will not be including the restroom finishes in their bid package due to concerns about timing.
- F&V will prepare a separate bid package for utility connections and restroom finishes.
- F&V is taking the lead in obtaining the EGLE/USACoE Critical Dunes permitting for the overall project. That work will begin as soon as the AT&T site plan progresses to the point that limits of vegetation disturbance is established.

Airport and Landfill Property Environmental

- Collected background data from various sources, including the City records.
- Site walks have been completed.
- Soil samples were obtained at the airport property showing elevated levels of lead. Working on a plan and cost estimate to remove and replace contaminated material.
- Reports will be completed soon.

Incidents end of May 2023



Incidents 2023

2021-2023 Incidents by Month



May recorded **81 calls**. Same level as May 2022 that showed 82 calls. 365 is the number of incidents so far in 2023, compared to 353 at the same time last year.

Response times 2023

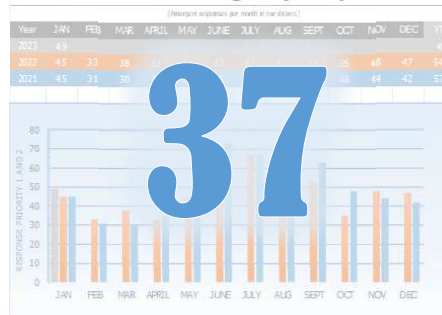
2021-2023 Response Times by Month



Our May response time of **5:50** was higher compared to May 2022 that registered **5:22**. Year to month is **6:00**, slightly higher overall than the response time in **2022 of 5:57**.

Emergent Calls 2023

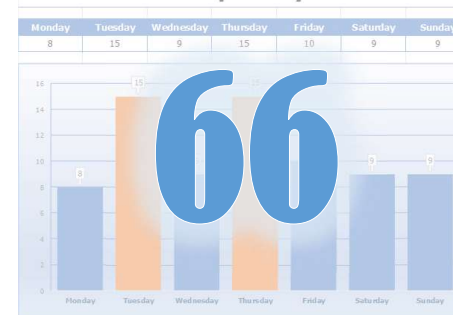
2021-2023 Emergency Responses



May showed **37 emergent calls** (lights and siren) down from 44 in May last year. Overall for 2023 we responded 176 times as priority 1 or 2.

Time of Day Day of the Week

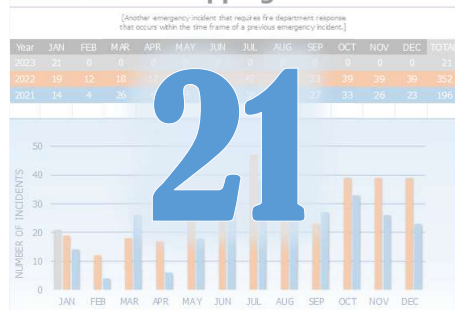
2023 Incidents per Day of the Week



Friday is the most busy day with 66 calls followed by Thursday with 60. The rest of the week within the **46-50 range**. The hours from **8AM-9PM** count for the busy time of day.

Overlapping Calls 2023

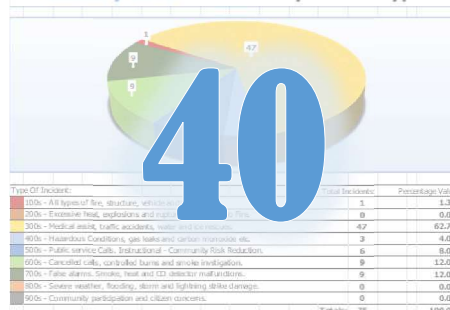
2021-23 Overlapping Incidents YTD



21 overlapping calls in May shows a drop compared to 30 in 2022, a decrease of 30%. 26% of our calls in May were overlapping. For all of 2023, 32% of our calls were overlapping.

Type of Calls 2023

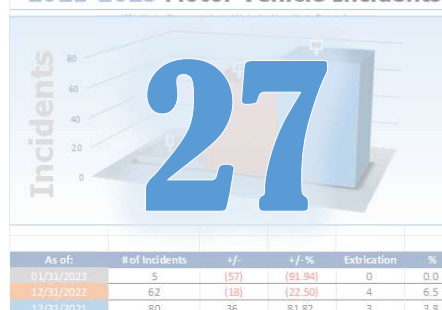
January 2023 Incidents by NFIRS Type



May recorded **40 calls in EMS or 49% of all calls**. The most common of EMS call types are **falls with 40 or 18% of all EMS calls**, followed by general sickness at **28 or 13% so far**.

MVI 2023

2021-2023 Motor Vehicle Incidents



27 MVIs (motor vehicle incidents, i.e., crashes, fires etc.) **compared to 21 at the same time last year**. Last month we had a double fatality involving a dump truck and an SUV.

Municipality 2023

2023 Key numbers for Tri-Community



Location of calls shows **Saugatuck Township (including I-196)** counts for **159 calls or 47%** compared to **Saugatuck City at 79 or 23%** and **Douglas recorded 100 calls or 30%**.

06/08/2023 01:35 PM
User: Peter
DB: Saugatuck

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF SAUGATUCK
INVOICE ENTRY DATES 05/23/2023 - 06/12/2023
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 1/3

Vendor Name	Description	Amount
1. ACTION INDUSTRIAL SUPPLY CO	UNIFORMS & SAFETY EQUIPMENT	375.38
2. AMERICAN LEGAL PUBLISHING CORP.	ORDINANCES ON WEBSITE	495.00
3. ASSESSING SOLUTIONS INC	ASSESSING SERVICES	2,582.50
4. AT&T MOBILITY	CELL PHONES	171.62
5. BBC DISTRIBUTING LLC	CONCESSION	662.35
6. BILLS DOZER SERVICE INC	OVAL BEACH	5,000.00
7. BRENT HARRIS	CLEAN ART SCULPTURES	425.00
8. BRUCE HAGER	ESCROW REFUND	1,750.00
9. BRUCE'S BLACKTOP LLC	MASON STREET	5,225.00
	OVAL BEACH PARKING LOT	7,500.00
	TOTAL	12,725.00
10. CAPITAL ONE	SUPPLIES	56.53
11. CHIPS GROUNDCOVER LLC	PLAYGROUND CHIPS	155.70
12. COMCAST	TELEPHONES & INTERNET	193.40
13. FAHEY SCHULTZ BURZYCH RHODES	LEGAL FEES GENERAL	4,011.00
	LEGAL FEES ZONING	4,188.00
	LEGAL FEES FEMA	308.00
	LEGAL FEES COUNCIL	3,648.00
	LEGAL FEES EMPLOYMENT	267.00
	LEGAL FEES MANAGER	448.00
	LEGAL FEES LAWSUIT	25,616.82
	LEGAL FEES ELECTRICAL	33.00
	LEGAL FEES ZONING APPEAL	1,850.42
	LEGAL FEES KAL LAKE	1,480.00
	TOTAL	41,850.24
14. FIRST BANK CARD	OVAL, EQUIPMENT & SUPPLIES	4,137.00
15. FLEIS & VANDENBRINK ENGINEERING INC	BLUE STAR BRIDGE LIGHTS	1,120.00
	ENGINEERING FEES	5,015.32
	STREETS EAST WEST TAKEN	6,435.49
	TOTAL	12,570.81
16. FREESTONE PICKLE CO INC	CONCESSION	117.00
17. FRONTIER	OVAL BEACH	358.37
	OVAL BEACH	164.57
	TOTAL	522.94
18. GIL- ROY'S HARDWARE	PROPANE FORKLIFT	29.78
19. GORDON FOOD SERVICE	CONCESSION	5,142.22
20. HORIZON COMMUNITY PLANNER	PLANNING & HISTORIC DISTRICT	655.25

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BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 2/3

Vendor Name	Description	Amount
21. IHLE AUTO PARTS	SUPPLIES	61.21
22. KALAMAZOO FLAG COMPANY	FLAGS	533.00
23. LISA BARNHILL	REFUND BUSINESS LICENSE	15.00
24. MASTER MEDICAL EQUIPMENT	AED'S	3,270.00
25. MERS	RETIREMENT	4,500.00
26. MICHIGAN GAS UTILITIES	BUTLER TOILETS	72.21
	CITY HALL	63.01
	DPW GARAGE	96.44
	TOTAL	231.66
27. MINER SUPPLY CO	SUPPLIES	173.10
28. OVERISEL LUMBER COMPANY	SUPPLIES	901.84
29. PETTY CASH	CONCESSION	121.99
	TELEPHONE TICKET BOOTH	29.02
	TOTAL	151.01
30. PLUMMER'S ENVIRONMENTAL SERVICES IN	ROLL OFF BOX STREET CLEANING	337.05
31. POMP'S TIRE SERVICE INC	TIRES & REPAIRS	1,249.19
32. PRIORITY HEALTH	HEALTH INSURANCE	6,206.19
33. PRO-TEMP INC	CONCESSION	463.57
34. PURITY CYLINDER GASES INC	CONCESSION	55.95
35. REPUBLIC SERVICES	TRASH	1,006.47
	SPRING CLEAN UP	1,928.25
	TRASH	178.34
	TOTAL	3,113.06
36. SAUGATUCK DRUG	SUPPLIES	3.49
37. SAUGATUCK FIRE	RENTAL INSPECTIONS	575.00
38. SEPTIC TANK SYSTEMS CO INC	PORTABLE TOILETS	575.00
	PORTABLE TOILETS	1,650.00
	TOTAL	2,225.00
39. SHELL	GASOLINE & DIESEL	87.14
40. SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	1,262.20
41. SPRING BROOK SUPPLY	IRRIGATION	71.27
42. STANDARD INSURANCE COMPANY	INSURANCE	427.46
43. STATE OF MICHIGAN	SALES TAX CONCESSION	198.31
44. STINGERS PEST CONTROL		

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INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF SAUGATUCK
INVOICE ENTRY DATES 05/23/2023 - 06/12/2023
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 3/3

Vendor Name	Description	Amount
	PEST CONTROL	65.00
45. VALLEY CITY LINEN INC	SHOP TOWELS	324.31
46. VAN TILL'S GREENHOUSE	FLOWERS PARKWAYS	1,575.98
47. WESTENBROEK MOWER INC	PUSH MOWER TORO	899.00
48. WYOMING ASPHALT PAVING CO	ASPHALT	319.36
	ASPHALT	263.40
	TOTAL	582.76

TOTAL - ALL VENDORS 119,177.47

FUND TOTALS:

Fund 101 - GENERAL FUND	95,109.72
Fund 202 - MAJOR STREETS	3,984.51
Fund 203 - LOCAL STREETS	14,524.11
Fund 403 - BUSINESS LICENSE FUND	15.00
Fund 661 - MOTOR POOL FUND	5,544.13

06/07/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 05/01/2023 - 05/31/2023				
Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL POOLED CASH				
05/03/2023	17216	TODD WENZEL GMC	2023 GMC PICK UP	43,773.85
05/08/2023	17217	GREAT LAKES ORNAMENTALS	PARKWAY TREES	2,120.00
05/08/2023	17218	MINER SUPPLY CO	SUPPLIES	4,892.70
05/08/2023	17219	MOSAIC PROPERTIES	STREET CUT REFUND	1,099.20
05/08/2023	17220	OUTDOOR DISCOVERY CENTER	PLAYGROUND INSPECTION	550.00
05/08/2023	17221	RATHCO SAFETY SUPPLY CO	SIGNS	1,374.00
05/08/2023	17222	SAUGATUCK TOWNSHIP	5 YEAR PARK PLAN	105.00
05/08/2023	17223	SHIVER ME TIMBERS LLC	STUMP GRINDING	282.75
05/08/2023	4617(E)	AT&T MOBILITY	CELL PHONES	171.62
05/08/2023	4618(E)	CAPITAL ONE	SUPPLIES	541.91
05/08/2023	4619(E)	FIRST BANK CARD	SUPPLIES, OVAL & TRAINING	3,130.81
05/08/2023	4620(E)	FRONTIER	DPW GARAGE	217.24
05/08/2023	4621(E)	FRONTIER	OVAL BEACH	82.08
05/08/2023	4622(E)	REPUBLIC SERVICES	TRASH	1,808.08
05/08/2023	4623(E)	REPUBLIC SERVICES	JUNK PICK UP	150.00
05/08/2023	4624(E)	RICOH USA INC	COPIER LEASE	459.02
05/08/2023	4625(E)	SHELL	GASOLINE & DIESEL	120.89
05/08/2023	4626(E)	VALLEY CITY LINEN INC	SHOP TOWELS	88.99
05/08/2023	4627(A)	ASSESSING SOLUTIONS INC	ASSESSING SERVICES	2,582.50
05/08/2023	4628(A)	BELL EQUIPMENT CO	STREET SWEEPER	683.84
05/08/2023	4629(A)	DO IT CORPORATION	OVAL BEACH PASSES	829.40
05/08/2023	4630(A)	ETNA SUPPLY	SUPPLIES	567.74
05/08/2023	4631(A)	FAHEY SCHULTZ BURZYCH RHODES	LEGAL FEES CLERK	86,854.82
05/08/2023	4632(A)	GROUND MANAGEMENT SOLUTIONS	PARKS MAINTENANCE	714.00
05/08/2023	4633(A)	K&R TRUCK SALES INC	TRUCK MAINTENANCE	997.86
05/08/2023	4634(A)	MICHIGAN WOOD FIBERS	PARK MULCH	1,430.00
05/08/2023	4635(A)	PLUMMER'S ENVIRONMENTAL SERVICES INC	STORM SEWER CLEANING	5,070.00
05/08/2023	4636(A)	SAUGATUCK FIRE	RENTAL INSPECTIONS	1,000.00
05/08/2023	4637(A)	SHARE CORPORATION	SUPPLIES	428.95
05/08/2023	4638(A)	SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	1,262.20
05/08/2023	4639(A)	STANDARD INSURANCE COMPANY	INSURANCE	389.13
05/12/2023	DD6032(A)	ASCENSIO, JAMIE	PAYROLL	41.18
05/12/2023	DD6033(A)	BOSCH, LEXIE	PAYROLL	31.72
05/12/2023	DD6034(A)	BOUWMAN, CHAD	PAYROLL	1,262.59
05/12/2023	DD6035(A)	CUMMINS, RYAN	PAYROLL	2,100.46
05/12/2023	DD6036(A)	DOMBROSKI, NANCY	PAYROLL	1,185.82
05/12/2023	DD6037(A)	GOODRICH, RICHARD	PAYROLL	885.01
05/12/2023	DD6038(A)	HARDY, CODY	PAYROLL	1,297.63
05/12/2023	DD6039(A)	HEISE, RYAN	PAYROLL	3,464.37
05/12/2023	DD6040(A)	HERBERT, SCOTT	PAYROLL	1,795.53
05/12/2023	DD6041(A)	HINKLE, MARY	PAYROLL	885.01
05/12/2023	DD6042(A)	KERRIDGE, ADAM	PAYROLL	1,527.81
05/12/2023	DD6043(A)	MACK, ELLIS	PAYROLL	1,261.19

06/07/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 05/01/2023 - 05/31/2023				
Check Date	Check	Vendor Name	Description	Amount
05/12/2023	DD6044(A)	MARTIN, DANNY	PAYROLL	1,310.90
05/12/2023	DD6045(A)	STANISLAWSKI, PETER	PAYROLL	1,351.04
05/12/2023	DD6046(A)	WENDT, MICHAEL	PAYROLL	1,466.22
05/12/2023	DD6047(A)	WILLIAMS, SARA	PAYROLL	1,514.38
05/12/2023	DD6048(A)	WOLTERS, JAMIE	PAYROLL	1,751.22
05/12/2023	EFT1681(E)	ALERUS	PAYROLL	3,271.92
05/12/2023	EFT1682(E)	EXPERT PAY	PAYROLL	139.54
05/12/2023	EFT1683(E)	MERS HYBRID	PAYROLL	2,128.01
05/12/2023	EFT1684(E)	FEDERAL TAX DEPOSIT	PAYROLL	7,660.75
05/22/2023	17224	COMMERCIAL RECORD	PUBLISHING	350.00
05/22/2023	17225	DUNESVIEW KWIK SHOP INC	GASOLINE & DIESEL	2,160.45
05/22/2023	17226	IHLE AUTO PARTS	OILS	197.96
05/22/2023	17227	KOOPS WELL DRILLING INC	OVAL BEACH	207.00
05/22/2023	17231	PETTY CASH	OVAL START UP	2,500.00
05/22/2023	4640(E)	CONSUMERS ENERGY	ELECTRIC	3,180.68
05/22/2023	4642(E)	MERCHANTS BANCARD NETWORK	BANK FEES	122.61
05/22/2023	4643(E)	MICHIGAN GAS UTILITIES	CITY HALL	92.92
05/22/2023	4644(E)	MICHIGAN GAS UTILITIES	BUTLER ST TOILETS	110.54
05/22/2023	4645(E)	MICHIGAN GAS UTILITIES	DPW GARAGE	282.19
05/22/2023	4646(E)	NET2PHONE INC	TELEPHONES	209.25
05/22/2023	4647(E)	PRIORITY HEALTH	HEALTH INSURANCE	9,234.73
05/22/2023	4648(E)	RICOH USA INC	COPIER LEASE	127.97
05/22/2023	4649(A)	ALLEGAN COUNTY SHERIFF	SHERIFF CONTRACT	31,019.60
05/22/2023	4650(A)	ALLEGAN COUNTY TREASURER	TAX PAPER	120.00
05/22/2023	4651(A)	BELL EQUIPMENT CO	STREET SWEEPER	1,697.86
05/22/2023	4652(A)	BURNETT & KASTRAN PC	LEGAL FEES	84.00
05/22/2023	4653(A)	CHIPS GROUNDCOVER LLC	PLAYGROUND CHIPS	259.50
05/22/2023	4654(A)	FLEIS & VANDENBRINK ENGINEERING INC	ENGINEERING FEES	21,542.90
05/22/2023	4655(A)	HOLLAND LITHO PRINTING SERVICE	OVAL DAILY PASSES	827.65
05/22/2023	4656(A)	HORIZON COMMUNITY PLANNER	PLANNING & HISTORIC DISTRICT	4,031.25
05/22/2023	4657(A)	LANDSCAPE DESIGN SERVICES INC	ROSE GARDEN MAINTENANCE	2,035.00
05/22/2023	4658(A)	MICHIGAN ELECTRO FREEZE INC	CONCESSION START UP	337.44
05/22/2023	4659(A)	R SMITH & SONS INC	ROAD GRAVEL	700.57
05/22/2023	4660(A)	SAUGATUCK FIRE	RENTAL INSPECTIONS	550.00
05/22/2023	4661(A)	SEPTIC TANK SYSTEMS CO INC	PORTABLE TOILETS	1,150.00
05/22/2023	4662(A)	SHORELINE TECHNOLOGY SOLUTIONS	COMPUTER SERVICES	304.00
05/22/2023	4663(A)	SISTERS IN INK	OVAL BEACH	1,868.47
05/22/2023	4664(A)	STREAMLINE DESIGN.COM LLC	DECALS NEW TRUCK	55.00
05/22/2023	4665(A)	TIME SAVES LIVES LLC	TRAINING CPR & AED	832.76
05/22/2023	17228	MCKELLIPS PLUMBING INC	PLUMBING REPAIRS	365.00
05/22/2023	17229	MINER SUPPLY CO	SUPPLIES	8,562.66
05/22/2023	17230	OVERISEL LUMBER COMPANY	SUPPLIES	636.50
05/22/2023	17232	PLAINWELL REDI MIX	SUPPLIES CEMENT BLOCKS	2,240.00
05/22/2023	4641(E)	KALAMAZOO LAKE SEWER & WATER	WATER & SEWER	1,750.04
05/26/2023	DD6049(A)	ASCENSIO, JAMIE	PAYROLL	164.75

06/07/2023 CHECK REGISTER FOR CITY OF SAUGATUCK				
CHECK DATE FROM 05/01/2023 - 05/31/2023				
Check Date	Check	Vendor Name	Description	Amount
05/26/2023	DD6050(A)	BOSCH, LEXIE	PAYROLL	63.42
05/26/2023	DD6051(A)	BOUWMAN, CHAD	PAYROLL	1,302.58
05/26/2023	DD6052(A)	COCHRAN, JAKOB	PAYROLL	99.11
05/26/2023	DD6053(A)	CORONA, JOSE	PAYROLL	99.11
05/26/2023	DD6054(A)	CUMMINS, RYAN	PAYROLL	2,067.14
05/26/2023	DD6055(A)	DOMBROSKI, NANCY	PAYROLL	1,082.34
05/26/2023	DD6056(A)	FIFELSKI, SARAH	PAYROLL	99.11
05/26/2023	DD6057(A)	FLANAGAN, HANNAH	PAYROLL	110.82
05/26/2023	DD6058(A)	GARCIA, DANIELA	PAYROLL	105.72
05/26/2023	DD6059(A)	GOODRICH, RICHARD	PAYROLL	831.73
05/26/2023	DD6060(A)	GRIGG-MARTINEZ, DAYTON	PAYROLL	105.72
05/26/2023	DD6061(A)	HARDY, CODY	PAYROLL	1,337.64
05/26/2023	DD6062(A)	HEISE, RYAN	PAYROLL	3,464.35
05/26/2023	DD6063(A)	HERBERT, SCOTT	PAYROLL	1,931.49
05/26/2023	DD6064(A)	HINKLE, MARY	PAYROLL	1,058.13
05/26/2023	DD6065(A)	KERRIDGE, ADAM	PAYROLL	1,894.62
05/26/2023	DD6066(A)	MACK, ELLIS	PAYROLL	1,445.04
05/26/2023	DD6067(A)	MARTIN, DANNY	PAYROLL	1,137.78
05/26/2023	DD6068(A)	PETERS, AVERY	PAYROLL	102.41
05/26/2023	DD6069(A)	PHELPS, BROOKLYN	PAYROLL	99.11
05/26/2023	DD6070(A)	PHELPS, PAIGE	PAYROLL	99.11
05/26/2023	DD6071(A)	SAMUELS, ROBERT	PAYROLL	102.41
05/26/2023	DD6072(A)	STANISLAWSKI, PETER	PAYROLL	1,351.05
05/26/2023	DD6073(A)	STEZOWSKI, LOGAN	PAYROLL	99.11
05/26/2023	DD6074(A)	STORK, JACK	PAYROLL	109.03
05/26/2023	DD6075(A)	VAN HOWE, AINSLEY	PAYROLL	99.11
05/26/2023	DD6076(A)	WATERS, BENJAMIN	PAYROLL	102.41
05/26/2023	DD6077(A)	WILLIAMS, ANTHONY	PAYROLL	125.53
05/26/2023	DD6078(A)	WILLIAMS, SARA	PAYROLL	1,538.54
05/26/2023	DD6079(A)	WOLTERS, JAMIE	PAYROLL	1,751.24
05/31/2023	4666(E)	FRONTIER	OVAL BEACH	358.37
05/31/2023	EFT1685(E)	ALERUS	PAYROLL	3,142.24
05/31/2023	EFT1686(E)	EXPERT PAY	PAYROLL	139.54
05/31/2023	EFT1687(E)	MERS HYBRID	PAYROLL	1,940.13
05/31/2023	EFT1688(E)	FEDERAL TAX DEPOSIT	PAYROLL	7,701.15
05/31/2023	EFT1689(E)	MERS	PAYROLL	4,323.05
05/31/2023	EFT1690(E)	MI DEPT OF TREASURY	PAYROLL	2,546.79
Total of 125 Checks:				343,988.31
Less 0 Void Checks:				0.00
Total of 125 Disbursements:				343,988.31



City Council Agenda Item Report

FROM: Ryan Heise

MEETING DATE: 6/12/2023

SUBJECT: AT&T Project at Mt Baldhead

DESCRIPTION:

An archaeology survey was completed as part of the due diligence for the AT&T Cell project. The findings are a combination of interesting and exciting. The entire document is a good read, and please refer to pp. 38-42 for the most pertinent information.

The Native artifacts discovered on the three (3) test sites for the proposed restroom/equipment facility resulted in a determination of “adverse impact,” for construction at the proposed site – I agree.

There are plans to pivot to a “Plan B,” which will result in a potential equipment installation near the tower and a loss of new restrooms as previously proposed.

For some, this may be a disappointing setback. I view this as part of the process, and a demonstration of the high-level professionalism provided by AT&T.

No disappointment on city staff’s end and we have already started the pivot to meet the demand for this critical infrastructure.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

NA

LEGAL REVIEW:

NA

SAMPLE MOTION:

Motion to **approve/deny** that staff work with AT&T on developing plans for developing plans for supporting infrastructure for the AT&T project near the radar tower.

OFFICE OF ECONOMIC DEVELOPMENT
TRANSPORTATION ECONOMIC DEVELOPMENT FUND
CATEGORY B: COMMUNITY SERVICE INFRASTRUCTURE FUND APPLICATION
[Application Instructions](#)

Page 1 of 3

APPLICANT INFORMATION

CITY OR VILLAGE NAME	MAILING ADDRESS	ZIP CODE	COUNTY
CONTACT PERSON	TITLE	PHONE NO. Ext:	E-MAIL ADDRESS
STATE SENATOR NAME	STATE SENATE DISTRICT NO.	STATE REP. NAME	STATE REP. DISTRICT NO.

PROJECT INFORMATION

1.) STREET NAME	PROPOSED PROJECT LIMITS (Use Nearest Cross Streets)	ROADWAY CLASSIFICATION	CONSTRUCTION COST
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DESCRIPTION OF PROPOSED WORK (See [Application Instructions - Appendix I: Preventative Maintenance Guide](#))

STREET NAME	PROPOSED PROJECT LIMITS (Use Nearest Cross Streets)	ROADWAY CLASSIFICATION	CONSTRUCTION COST
-------------	--	---------------------------	----------------------

DESCRIPTION OF PROPOSED WORK

STREET NAME	PROPOSED PROJECT LIMITS (Use Nearest Cross Streets)	ROADWAY CLASSIFICATION	CONSTRUCTION COST
-------------	--	---------------------------	----------------------

DESCRIPTION OF PROPOSED WORK

STREET NAME	PROPOSED PROJECT LIMITS (Use Nearest Cross Streets)	ROADWAY CLASSIFICATION	CONSTRUCTION COST
DESCRIPTION OF PROPOSED WORK			

STREET NAME	PROPOSED PROJECT LIMITS (Use Nearest Cross Streets)	ROADWAY CLASSIFICATION	CONSTRUCTION COST
DESCRIPTION OF PROPOSED WORK			

2.) IS ANY ADDITIONAL RIGHT-OF-WAY NEEDED FOR THE PROJECT(S)? YES <input type="checkbox"/> NO <input type="checkbox"/>	3.) IF "YES" TO 2, PLEASE BRIEFLY DESCRIBE BELOW.		
4.) WILL THE PROPOSED PROJECT(S) BE PAIRED WITH OTHER INFRASTRUCTURE WORK? – I.E. SEWER, WATER, ELECTRIC, OR OTHER? YES <input type="checkbox"/> NO <input type="checkbox"/>	5.) IF "YES" TO 4, PLEASE BRIEFLY DESCRIBE BELOW.		
6.) REQUIRED DOCUMENTS CHECKLIST (Attach these documents along with this application to the submission email) <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input type="checkbox"/> RESOLUTION OF SUPPORT <input type="checkbox"/> PHOTOS <input type="checkbox"/> MAP <input type="checkbox"/> PROJECT COST CALCULATIONS </div>			
7.) CATEGORY B FUNDS REQUESTED (PHYSICAL CONSTRUCTION ONLY)	8.) LOCAL CONSTRUCTION MATCHING FUNDS (50% MINIMUM MATCH REQUIREMENT)	9.) TOTAL CONSTRUCTION COSTS	

IMPLEMENTATION INFORMATION

10.) PROPOSED PROJECT START DATE (mm/dd/yyyy)	11.) WILL THE PROPOSED WORK BE PAIRED WITH OTHER ROADWORK BY ANOTHER AGENCY? YES <input type="checkbox"/> NO <input type="checkbox"/>	12.) IF "YES" TO 11, PLEASE PROVIDE THE AGENCY'S NAME. 13.) WILL YOUR AGENCY OVERSEE THE GRANT IMPLEMENTATION? YES <input type="checkbox"/> NO <input type="checkbox"/>
14.) IF "NO" TO 13, WILL ANOTHER LOCAL AGENCY OVERSEE THE GRANT IMPLEMENTATION? YES <input type="checkbox"/> NO <input type="checkbox"/>	15.) IF "YES" TO 14, PLEASE PROVIDE THE AGENCY'S NAME.	
16.) IF "NO" TO 14, WILL A WILL A CONSULTANT ENGINEERING FIRM OVERSEE THE GRANT IMPLEMENTATION YES <input type="checkbox"/> NO <input type="checkbox"/>	17.) IF "YES" TO 16, PLEASE PROVIDE THE FIRM'S NAME.	
18.) ADDITIONAL COMMENTS		

Please submit application to: MDOT-OED-CategoryB@Michigan.gov

CITY OF SAUGATUCK
RESOLUTION NO. _____

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR ROADWAY IMPROVEMENTS ON MAPLE STREET FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM

Minutes of a regular meeting of the Council of the City of Saugatuck, Allegan County, Michigan held in City Hall at 102 Butler Street in said City, on June 12, 2023 at 7:00pm.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____ and supported by _____.

WHEREAS, the City of Saugatuck is applying for \$250,000 in funding through MDOT from the Transportation Economic Development Category B Program to construct roadway improvements on Maple Street.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized Ryan Heise, City Manager, to act as agent on behalf of the City to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, providing at least \$541,000 toward the construction costs of the project, and all costs for non-participating work, design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

PRESENT:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED:

CERTIFICATION

The foregoing resolution was certified at a regular meeting of the City Council in the City of Saugatuck held on June 12, 2023.

[name]

[title]

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street looking north from Blue Star Highway



Maple Street north of Blue Star Highway looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Failed pavement on Maple Street north of Blue Star Highway



Failed pavement on Maple Street north of Blue Star Highway

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street looking north toward State Street



Maple Street at State Street looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street north of State Street looking north



Maple Street looking north toward Allegan Street

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street at Allegan Street looking north



Sidewalk ramp in northwest quadrant of Maple Street and Allegan Street

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Sidewalk ramp at northeast quadrant of Maple Street at Allegan Street



Failed pavement on Maple Street north of Allegan Street looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Failed pavement on Maple Street north of Allegan Street looking north



Failed pavement on Maple Street north of Allegan Street looking west

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Patch from 2022 water main break on Maple Street south of Mason Street



Maple Street at Mason Street looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Spillway area in northwest quadrant of Maple Street and Mason Street



City stormwater outfall at Maple and Mason Street

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street looking north from Mason Street



Wastewater lift station on west side of Maple Street north of Mason Street

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Failed pavement on Maple Street north of Mason Street looking north



Failed pavement and slurry seal on Maple Street north of Mason Street looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street north of Mason Street looking north



Maple Street north of Mason Street looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street south of Ridgeview Lane looking north



Maple Street south of Ridgeview Lane looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street south of Ridgeview Lane looking north



Maple Street looking north toward Ridgeview Lane

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street looking north from Ridgeview Lane



Maple Street north of Ridgeview Lane looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street looking north toward Singapore Drive



Maple Street north of Singapore Drive looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Department of Public Works rear access on east side of Maple Street



Maple Street looking north from Department of Public Works

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street north of Department of Public Works looking north



Olde Mill Apartments on west side of Maple Street

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Saugatuck Township Fire District rear access on east side of Maple Street



Maple Street north of Fire District looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Maple Street south of Ridgewood Oak Apartments looking north



Maple Street looking northeast toward Ridgewood Oak Apartments on east side

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**



Ridgewood Oak Apartments entrance on east side of Maple Street



Maple Street at Ridgewood Oak Apartments entrance looking north

**CITY OF SAUGATUCK
MDOT CATEGORY B APPLICATION – PHOTOS OF PROJECT AREA**

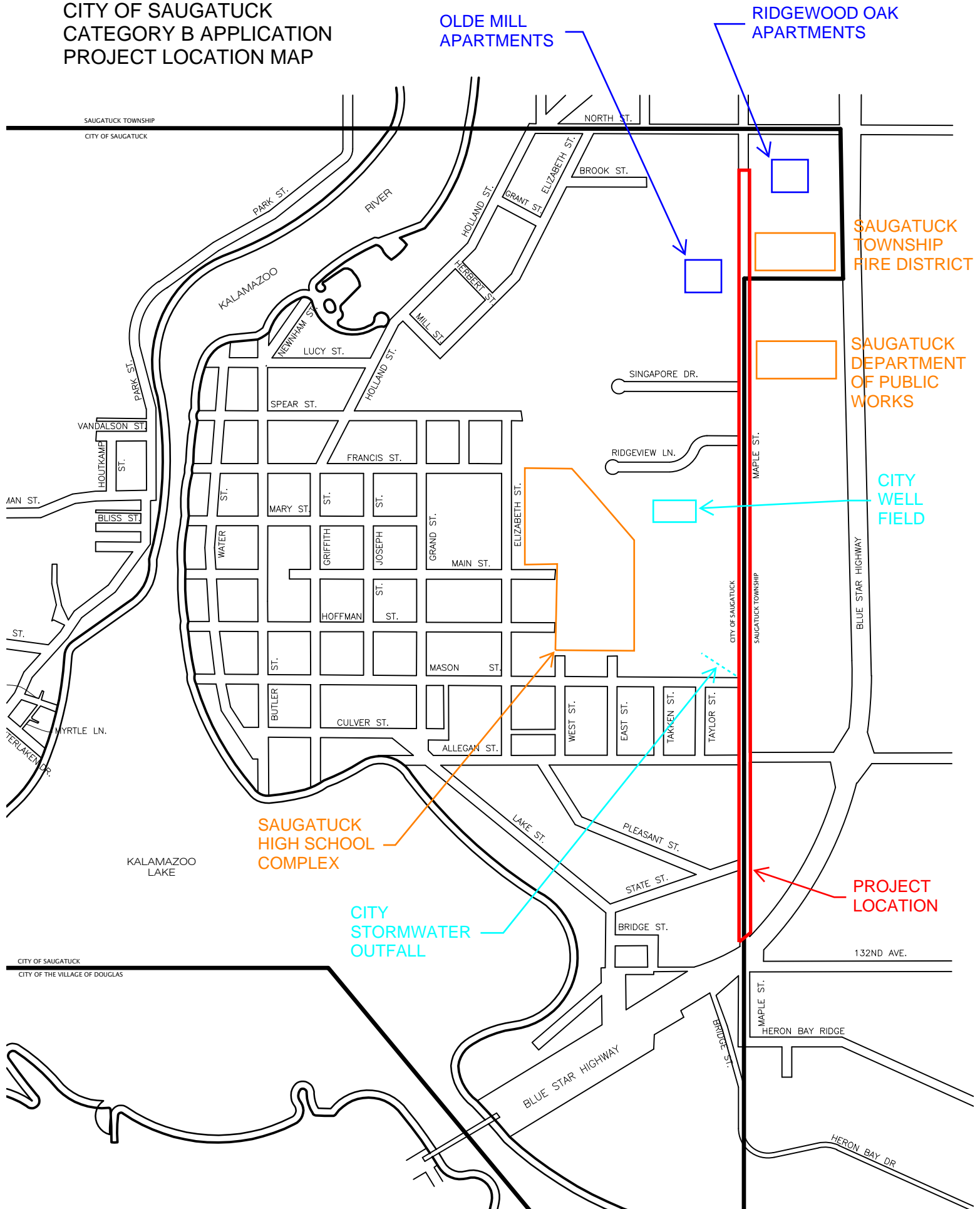


Maple Street looking north toward North Street



Wastewater lift station on east side of Maple Street south of North Street

CITY OF SAUGATUCK
CATEGORY B APPLICATION
PROJECT LOCATION MAP



City of Saugatuck
Maple Street Improvements - Blue Star Highway to S of North Street
Engineer's Pre-Design Estimate of Probable Project Cost



Project No.: 3187
 By: JWM
 Date: 5/22/2023

Part 1 - Road and Drainage Improvements (MDOT Category B Participating)

Scope: Crush and Shape from Blue Star Highway to ~250' south of North Street with 20-foot new asphalt width and 3" thickness. Remove and replace ends of drive approaches as required to reconnect. Upgrade sidewalk ramps at Allegan Street to meet ADA guidelines.

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED AMOUNT
1	General Conditions, Bonds & Insurances (10%)	LSUM	1	\$ 62,200.00	\$ 62,200.00
2	Preconstruction Video Survey	LSUM	1	\$ 3,000.00	\$ 3,000.00
3	Clearing and Tree Removal	LSUM	1	\$ 10,000.00	\$ 10,000.00
4	HMA Surface, Rem	Syd	500	\$ 8.00	\$ 4,000.00
5	Pavt, Rem	Syd	500	\$ 12.00	\$ 6,000.00
6	Sidewalk, Rem	Syd	10	\$ 15.00	\$ 150.00
7	Dr Structure, Temp Lowering	Ea	15	\$ 500.00	\$ 7,500
8	HMA Base Crushing and Shaping	Syd	10,800	\$ 5.00	\$ 54,000
9	Dr Structure Cover, Type Q	Ea	12	\$ 800.00	\$ 9,600
10	Dr Structure Cover, Adj	Ft	15	\$ 750.00	\$ 11,250
11	Stormwater Detention and Sewer Repairs	LSUM	1	\$ 100,000.00	\$ 100,000
12	Subbase, CIP	Cyd	1,500	\$ 20.00	\$ 30,000
13	Aggregate Base, 8 inch	Syd	4,000	\$ 15.00	\$ 60,000
14	HMA, 13A	Ton	2,000	\$ 120.00	\$ 240,000
15	HMA Approach	Ton	100	\$ 200.00	\$ 20,000
16	Curb Ramp, Conc, 6 inch	Sft	90	\$ 15.00	\$ 1,350
17	Driveway, Conc, 6 inch	Syd	500	\$ 50.00	\$ 25,000
18	Turf Restoration	Syd	5,000	\$ 8.00	\$ 40,000
19	Pavt Mrkg, Waterborne, 4 inch, Yellow	Ft	9,500	\$ 0.25	\$ 2,375

Subtotal Construction (Rounded): \$ 687,000
 Undeveloped Details & Contingency (15%): \$ 104,000
 Total Estimated Road Construction Cost: \$ 791,000

Part 2 - Water Main Improvements and Sanitary Sewer Repairs (MDOT Category B Non-Participating)

Scope: Replace existing 4-inch (BSH to Allegan) and 6-inch (Allegan to ~900' south of North) water main with 8-inch water main. Replace existing water services to the homes, where required. Replace existing hydrants and valves.

ITEM NO.	ITEM DESCRIPTION	UNIT	ESTIMATED QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED AMOUNT
1	General Conditions, Bonds & Insurances (10%)	LSUM	1	\$ 47,500.00	\$ 47,500.00
2	Hydrant, Rem	Ea	6	\$ 750.00	\$ 4,500
3	Connect to Existing Water Main	Ea	10	\$ 2,500.00	\$ 25,000
4	Water Main, DI, 8 inch	Ft	4,500	\$ 100.00	\$ 450,000
5	Tee, 8 inch x 6 inch	Ea	12	\$ 750.00	\$ 9,000
6	Tee, 8 inch x 8 inch	Ea	6	\$ 800.00	\$ 4,800
7	Fire Hydrant	Ea	10	\$ 4,000.00	\$ 40,000
8	Gate Valve and Box, 6 inch	Ea	12	\$ 2,500.00	\$ 30,000
9	Gate Valve and Box, 8 inch	Ea	12	\$ 3,000.00	\$ 36,000
10	Corporation Stop, 1 inch	Ea	50	\$ 500.00	\$ 25,000
11	Water Service, 1 inch	Ft	3,000	\$ 50.00	\$ 150,000
12	Curb Stop and Box, 1 inch	Ea	50	\$ 500.00	\$ 25,000
13	Water Service, Reconnect	Ea	50	\$ 250.00	\$ 12,500
14	Water Service, Building Connection	Ea	30	\$ 1,000.00	\$ 30,000
15	Sanitary Sewer Repairs	LSUM	1	\$ 25,000.00	\$ 25,000

Subtotal Construction (Rounded): \$ 915,000
 Undeveloped Details & Contingency (15%): \$ 138,000
 Total Estimated Utility Construction Cost: \$ 1,053,000

 Total Estimated Construction Cost: \$ 1,844,000
 Est. Engineering, Permitting and Administration (15%): \$ 277,000
 Total Estimated Project Cost: \$ 2,121,000

The Design Professional has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing. Bid prices may vary significantly based on these factors and market conditions at time of bid.



City Council Agenda Item Report

FROM: Ryan Cummins, Director of Planning and Zoning

MEETING DATE: June 12, 2023

SUBJECT: Ordinance No. 230612-A: Temporary Waterfront Commercial Development and Construction Moratorium Zoning Ordinance Amendment

DESCRIPTION:

On March 16, the Planning Commission reviewed a proposed police power ordinance to enact a temporary moratorium on permitting, approval, and consideration of new building construction, existing building expansion, and site development (parking and site improvements) in all waterfront locations in the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts. The Planning Commission voted 5-1 to recommend to City Council that they adopt a police power ordinance establishing a temporary waterfront commercial development and construction moratorium.

On March 27, the City Council adopted a police power ordinance (Ordinance No. 230322-B) that established a temporary waterfront commercial development and construction moratorium. This was published on April 6.

Now that the City Council has adopted a police powers ordinance and based on recent court decisions, staff and legal counsel are recommending that the City Council also review and consider a corresponding zoning ordinance amendment. The proposed corresponding zoning ordinance amendment is attached.

The Planning Commission held a public hearing on the zoning ordinance amendment on May 18 and unanimously recommended that the City Council adopt the amendment.

LEGAL REVIEW:

The City Attorney prepared the draft zoning ordinance amendment. The City Attorney will be at your meeting to answer any questions you may have.

SAMPLE MOTIONS:

Motion to adopt Ordinance No. 230612-A Temporary Waterfront Commercial Development and Construction Moratorium Zoning Ordinance Amendment.

CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN

**TEMPORARY WATERFRONT COMMERCIAL DEVELOPMENT AND
CONSTRUCTION MORATORIUM**

**ZONING ORDINANCE AMENDMENT
ORDINANCE NO.230612-A**

At a meeting of the City Council of the City of Saugatuck, Allegan County, Michigan, held at the City of Saugatuck Hall on June 12, 2023 at 7:00pm p.m., City Council Member _____ moved to adopt the following ordinance, which motion was seconded by City Council Member _____.

An ordinance to enact a temporary moratorium until September 30, 2023 or an earlier time in which the City adopts new regulations governing the activities regulated in this ordinance and rescinds this ordinance, on permitting, approval, and consideration of new building construction, existing building expansion, and site development (parking and site improvements) in all waterfront locations in the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts. This temporary moratorium does not apply to any interior upfits, interior alterations, or changes in land use that do not require expansions to existing buildings or structures.

CITY OF SAUGATUCK, ALLEGAN COUNTY, ORDAINS:

SECTION 1. FINDINGS: The City Council of the City of Saugatuck finds that:

- a. The City of Saugatuck (“City”) has duly adopted a zoning ordinance (“Zoning Ordinance”) under the Michigan Zoning Enabling Act to, among other things, provide for the regulation of land development by creating zoning districts. See MCL 125.3201(1). The Zoning Ordinance intends to appropriately regulate land use and development by zoning districts to, among other reasons, ensure that use of land is situated in appropriate locations and relationships and to generally promote public health, safety, and welfare.
- b. The Zoning Ordinance includes the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts.
- c. There has been increased interest in continued waterfront development in the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts. Further new development in the zoning districts, if not appropriately regulated, could result in adverse effects such as increased traffic and congestion, stormwater impacts, environmental impacts due to the waterfront locations, inappropriate land use locations, and other adverse impacts that could negatively impact the public health, safety, and welfare.

- d. Accordingly, the City including its City Council, Planning Commission, Staff, and potentially retained consultants desire to review land use regulations for waterfront development in the Water Street North, Water Street South, Water Street Commercial, and Resort Zoning Districts. It specifically desires to forestall certain development in the area as detailed below to avoid negative impacts caused by potentially inappropriate current land use regulations in the Zoning Ordinance.

SECTION 2. AMENDMENT TO ZONING ORDINANCE: The City of Saugatuck Zoning Ordinance is amended to add Section 154-MISC that contains the following content below.

TEMPORARY WATERFRONT COMMERCIAL DEVELOPMENT AND CONSTRUCTION MORATORIUM

The City enacts a temporary moratorium on permitting, accepting applications, approvals, and consideration of new site development including parking and site improvements, new building construction, and existing building expansion in the “Waterfront Commercial Temporary Moratorium Area” (an area of lands that: (1) are waterfront parcels on the Kalamazoo River or Kalamazoo Lake; and (2) are located in either the Water Street North, Water Street South, Water Street Commercial, or Resort Zoning Districts) under Michigan law until September 30, 2023 or an earlier time in which the City adopts new regulations governing uses in the Waterfront Commercial Temporary Moratorium Area and rescinds this ordinance. This temporary moratorium shall not apply to any building interior upfits, building interior alterations, or changes in land use that do not require expansions to existing buildings, structures, or additional site development (parking and other site improvements) in the Waterfront Commercial Temporary Moratorium Area. The City Council may extend this temporary moratorium by resolution from time-to-time to finish adopting new regulations governing uses in the Waterfront Commercial Temporary Moratorium Area.

This temporary moratorium shall have the effect of prohibiting consideration, acceptance of zoning applications, and any action on the land uses in the “Waterfront Commercial Temporary Moratorium Area” as specified above until the expiration of the temporary moratorium and shall supersede and take effect over all other contrary language in the Zoning Ordinance. If the City does not either extend this temporary moratorium or adopt new regulations governing land uses in the Waterfront Commercial Temporary Moratorium Area before its expiration, then the current language in the Zoning Ordinance shall resume to have full force and effect as before this temporary moratorium.

Waiver: In the event that a landowner will suffer immediate and irreparable harm for the short duration of this ordinance, or this ordinance otherwise violates applicable provisions of the state or federal constitution or other applicable law, a landowner may apply in writing for a waiver of the moratorium from the City Council. At a public hearing held on such an application, the landowner must bear the burden of demonstrating immediate and irreparable harm as a result of the moratorium. The City Council, upon a sufficient showing, may grant a waiver of the moratorium to the degree necessary to avoid the demonstrated immediate and irreparable harm.

SECTION 3. SEVERABILITY: Should a court of competent jurisdiction find any provision, clause, or portion of this ordinance amendment to be invalid, the balance or remainder of this ordinance amendment shall remain valid and in full force and effect and shall be deemed “severable” from the portion, clause, or provision deemed to be invalid by the court.

SECTION 4. REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Scott Dean
City of Saugatuck, Mayor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an ordinance adopted by the City of Saugatuck at a duly scheduled and noticed meeting of the City Council held on _____, _____ 2023, pursuant to the required statutory procedures.
2. A summary of the above ordinance was duly published in the _____ newspaper, a newspaper that circulates within the City of Saugatuck, on _____, 2023.
3. Within 1 week after such publication, I recorded the above ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the City Council voting, and how each member voted.
4. I filed an attested copy of the above ordinance with the Allegan County Clerk on _____, 2023.

ATTESTED:

Jamie Wolters
City of Saugatuck, Clerk

NOTICE OF ADOPTION
ZONING ORDINANCE AMENDMENT
City of Saugatuck
Allegan County, Michigan
ORDINANCE NO. ____

Please take notice that on _____, 2023, the City Council of City of Saugatuck adopted Ordinance No. ____, which amends the City of Saugatuck Zoning Ordinance (“Zoning Ordinance”) to enact a temporary moratorium until September 30, 2023 or an earlier time in which the City adopts new regulations governing the activities regulated in the ordinance (and rescinds the ordinance) on permitting, approval, and consideration of new building construction, existing building expansion, and site development (parking and site improvements) in all waterfront locations in the Water Street North, Water Street South, Water Street Commercial, or Resort Zoning Districts. The temporary moratorium does not apply to any interior upfits, interior alterations, or changes in land use that do not require expansions to existing buildings or structures. Copies of the ordinance may be obtained from Jamie Wolters, City of Saugatuck Clerk, at 102 Butler Street, P.O. Box 86, Saugatuck, Michigan 49453 during regular business hours.

The Zoning Ordinance Amendment has the following sections, which are summarized below: Section 1: Findings; Section 2: Amendment to Zoning Ordinance; Section 3: Severability; Section 4: Repeal; and Section 5: Effective Date which is seven days after publication of this notice of adoption unless referendum procedures are initiated under MCL 125.3402

Jamie Wolters
City of Saugatuck, Clerk
(269) 857-2603
JWolters@saugatuckcity.com

Publication Date: _____, 2023



City Council Agenda Item Report

FROM: Ryan Cummins

MEETING DATE: 6/12/2023

SUBJECT: Sidewalk Seating Request – Pumpernickels

DESCRIPTION:

Carrie Caldwell, owner of Pumpernickels, has submitted the attached application and sketch plan to place 7 tables and 24 [chairs](#) on the public sidewalk adjoining the property.

Attached is a Revocable License Agreement that would allow for Pumpernickels to have temporary restaurant seating in the public right-of-way until November 1.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

On March 27, City Council approved continued flexibility and staff discretion for temporary expanded outdoor dining during the 2023 spring/summer/fall tourist season. Ms. Caldwell has been advised after November 1, 2023, all city codes, including zoning, will have to be followed.

LEGAL REVIEW:

The City Attorney reviewed revocable license agreement language for restaurant seating in the public right of way.

SAMPLE MOTION:

Motion to **approve/deny** the Revocable License Agreement for temporary restaurant seating in the public right-of-way for Caldwell & Caldwell LLC dba Pumpernickels.



Temporary Sidewalk Restaurant Seating

LOCATION INFORMATION

APPLICATION NUMBER _____

Business Address 202 Butler St.

Parcel Number _____

APPLICANTS INFORMATION

Name PUMPERNICKELS Address / PO Box 488

City SAUGATUCK State MI Zip 49453 Phone 954.529.4783

Interest In Project _____ E-Mail CARRIEALLGIER@GMAIL.COM

Signature [Signature] Date 5/31/23

SUBJECT PROPERTY OWNERS INFORMATION (IF DIFFERENT FROM APPLICANTS)

Name FRED ERIGERY Address / PO Box 2840

City DOUGLAS State MI Zip 49406 Phone 561.889.3255

E-Mail FREDERIGERY@GMAIL.COM

I hereby authorize that the applicant as listed above is authorized to make this application for proposed work as my agent and we agree to conform to all applicable laws and regulations of the City of Saugatuck. I additionally grant City of Saugatuck staff or authorized representatives thereof access to the property to inspect conditions, before, during, and after the proposed work is completed.

Signature [Signature] Date 6/1/23

SOLE MEMBER: FME INVESTMENTS, LLC

BUSINESS PROPERTY INFORMATION

Depth _____ Width _____ Size _____ Zoning District _____ Current Use _____

Check all that apply: Waterfront _____ Dunes _____ Vacant _____

DESCRIPTION (LOCATION OF TABLES, NUMBER OF CHAIRS, HOURS OF OPERATION, DURATION OF OPERATION)

15 TABLES TO LINE MASON AND BUTLER STREETS

BETWEEN SIDEWALK AND CURB.

9AM - 9PM

NO MORE THAN 40 CHAIRS

STANDARDS AND APPLICATION REQUIREMENTS

Please submit a scaled drawing showing the following:

Y N NA

- ☐ ☐ ☐ Scaled drawing showing the location of the proposed seating,
- ☐ ☐ ☐ Sidewalk surface materials CEMENT
- ☐ ☐ ☐ Adjacent Property lines,
- ☐ ☐ ☐ Curb-line and crosswalks,
- ☐ ☐ ☐ Obstructions including but not limited to trees, tree pits, signs, fire hydrants, benches, or similar features within 25 feet of proposed seating area.



Temp. Sidewalk Restaurant Seating

Application # _____ - _____

Please note that the restaurants with outdoor seating within the right of way shall be required to meet the following standards to receive temporary approval and before any tables or chairs can be placed within the public right-of-way.

- (1) Tables, chairs, or similar features shall not have display signage or emblems representative of the restaurant;
- (2) Outdoor seating area shall be on a fully improved surface of concrete, paver brick, or similar solid material.
- (3) If alcohol is served, area shall meet all applicable local, state, and federal regulations;
- (4) Tables must be removed from the public right-of-way when restaurant is not open;
- (5) A 5-foot wide, unobstructed space must be maintained on the sidewalk at all times to prevent pedestrian traffic obstruction;
- (6) An approved revocable usage license, issued by the City, and liability insurance shall be obtained before any tables can be placed within the right of way;
- (7) No accessory features, including but not limited to garbage cans, service stations, fencing, or similar features shall be permitted within the public right-of-way;
- (8) Seating shall be arranged to not interfere with pedestrian travel or the opening of car doors and shall be located between the front of the business and the edge of the curb;
- (9) No outdoor seating within the public right of way shall be permitted between November 1 and April 1; and

REVOCABLE LICENSE AGREEMENT
FOR RESTAURANT SEATING IN THE PUBLIC RIGHT OF WAY

THIS AGREEMENT is made this ____ day of _____, 2023, by and between the CITY OF SAUGATUCK, (hereinafter "City") a municipal corporation located in Allegan County, Michigan; and Caldwell & Caldwell LLC dba Pumpnickels (hereinafter "Licensee").

Recitals

- A. Licensee has leasehold interest in real property located at 202 Butler Street, in the City of Saugatuck, further described as PP No. 03-57-300-146-00. A restaurant is operated on the property.
- B. Licensee desires to place 7 tables and 24 chairs within and on the public sidewalk adjoining the property, to be utilized in conjunction with the restaurant.
- C. The public sidewalk is under the control and jurisdiction of the City and the City is amenable to granting a revocable license to Licensee for the purposes described herein, subject to the terms of this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, it is agreed as follows:

Agreement

- 1. The parties affirm that the recitals set forth above are correct, form an integral part of this Agreement and are incorporated by reference.
- 2. The City grants to the Licensee, and the Licensee accepts from the City, a non-exclusive, revocable license to place and utilize the number of tables and chairs set forth above within and on the public sidewalk directly adjacent to the Licensee's property, in the precise location shown on the attached sketch plan, marked as Exhibit A (the "Licensed Premises") subject to the terms and conditions of this Agreement. Without limiting the foregoing, the placement and use of the seating and tables shall not obstruct or interfere with a five (5) foot wide path on the improved sidewalk, which path shall be continuously maintained for pedestrian travel.
- 3. The Licensee acknowledges and agrees that Licensee has inspected the Licensed Premises and has determined such premises to be in a satisfactory condition and that the Licensee's entry upon and use of the Licensed Premises constitutes acceptance of the Licensed Premises on an "as is" basis. The City makes no representations or warranties as to the condition of the public right-of-way, the suitability of the use of the Licensed Premises proposed by Licensee, or any physical or other condition. The City will have no liability or responsibility for upkeep, maintenance, or any other action with regard to personal property located on the Licensed Premises or the Licensed Premises as a result of this Agreement. Licensee will comply with all applicable

ordinances, laws, and regulations governing the same and will keep personal property placed thereon in neat and clean condition, reasonable wear and tear excepted.

4. This Agreement is subject, without limitation, to the following general restrictions:
 - A. The use of the personal property on the Licensed Premises shall not be conducted in such a way as to become a public nuisance; and Licensee's use of the Licensed Premises shall not interfere with traffic or circulation on any adjoining streets, alleys, sidewalks or public open-space areas.
 - B. The Licensee is responsible for maintaining, in a clean and safe condition, the personal property as well as the Licensed Premises.
 - C. The personal property shall only be located in that area expressly designated on Exhibit A.
5. This Agreement shall not authorize the use or placement of any other personal property within or on the Licensed Premises, including, but not limited, to signage, fencing, trash cans, service stations, or features except those items referenced in Recital B above.
6. The Licensee shall hold the City and its officers, employees, and agents harmless from, and defend and indemnify them against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceedings instituted against any of them, directly or indirectly, arising from the use or placement of the tables and chairs within and on the public sidewalks or from the City's permitting the Licensee to install and maintain such encroachment, regardless of whether the Licensee or any of its officers, employees, or agents are negligent. The obligations of the Licensee under this paragraph shall survive the termination of this Agreement for a period of three years.
7. The license granted by this Agreement shall expire on November 1, 2023. Notwithstanding the foregoing, the license granted by this Agreement shall be revocable at the will of the City, with or without cause, by the City giving Licensee 15 days written notice of intent to revoke. Upon written notice to Licensee, mailed by regular mail to the Licensee at the property Licensee's address of record (PO Box 488, Saugatuck, MI 49453), Licensee shall forthwith remove the tables and chairs from within the City right-of-way. In the event the license is revoked, neither Licensee nor its successors or assigns shall be entitled to any compensation.
8. Any food service shall conform to applicable local, county, state, and federal laws, regulations, licensing requirements, and standards, subject to any limits imposed in this license.
9. The Licensee shall obtain, continuously maintain for the duration of this Agreement, and provide the City prior to execution of this Agreement, and from time to time thereafter, with proof acceptable to the City Manager of commercial general liability

insurance coverage, naming the City as an additional insured party. Such insurance shall have an initial limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate. Said insurance must contain comprehensive coverage to insure against any and all claims arising out of or attributable to the encroachment of the tables and chairs into the Licensed Premises or other public right-of-way, regardless of whether the Licensee or any of its officers, employees, or agents are negligent in any manner. The certificate of insurance must contain an unqualified guarantee that the City will be provided with 30 days prior written notice of cancellation, termination, non-renewal, or material change in coverage of the insurance policy provided. If the Licensee fails to maintain the required insurance in force, the City may, at its option, obtain such insurance at its own expense and bill the costs of the same to the Licensee, which costs the Licensee agrees to promptly pay.

10. In no event shall the City be responsible for loss or damage to improvements or personal property owned by the Licensee or its invitees or employees and located on the Licensed Premises, which are caused by fire, theft, loss, vandalism or other casualty.
11. The failure of either party to enforce any covenant or condition of this Agreement shall not be deemed a waiver thereof or of the right of either party to enforce each and every covenant and condition of this License. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing.
12. Licensee acknowledges and agrees that the City is the owner of the Licensed Premises, that the license granted under this Agreement involves the permission to enter and use property which is a public right of way, that the public's rights are paramount, and that the Licensee's use under this license may not interfere with the public's rights to the reasonable use of the Licensed Premises. Licensee further acknowledges that its use of the Licensed Premises does not constitute any title, claim of right, or other interest in the Licensed Premises.
13. Violations of a term of this Agreement by Licensee shall result in the suspension of Licensee's rights hereunder with 24-hour notice to Licensee.
14. This license is personal with the Licensee and does not run with the land. This license shall not be assigned or transferred in any manner by the Licensee to any other person or business entity. The City, in its sole discretion, may authorize the assignment or transfer of this license to a third party by amendment to this Agreement or by a separate license agreement.

In witness whereof, the parties have caused this Agreement to be executed on the date first set forth above.

CITY OF SAUGATUCK, a municipal
corporation

By: _____

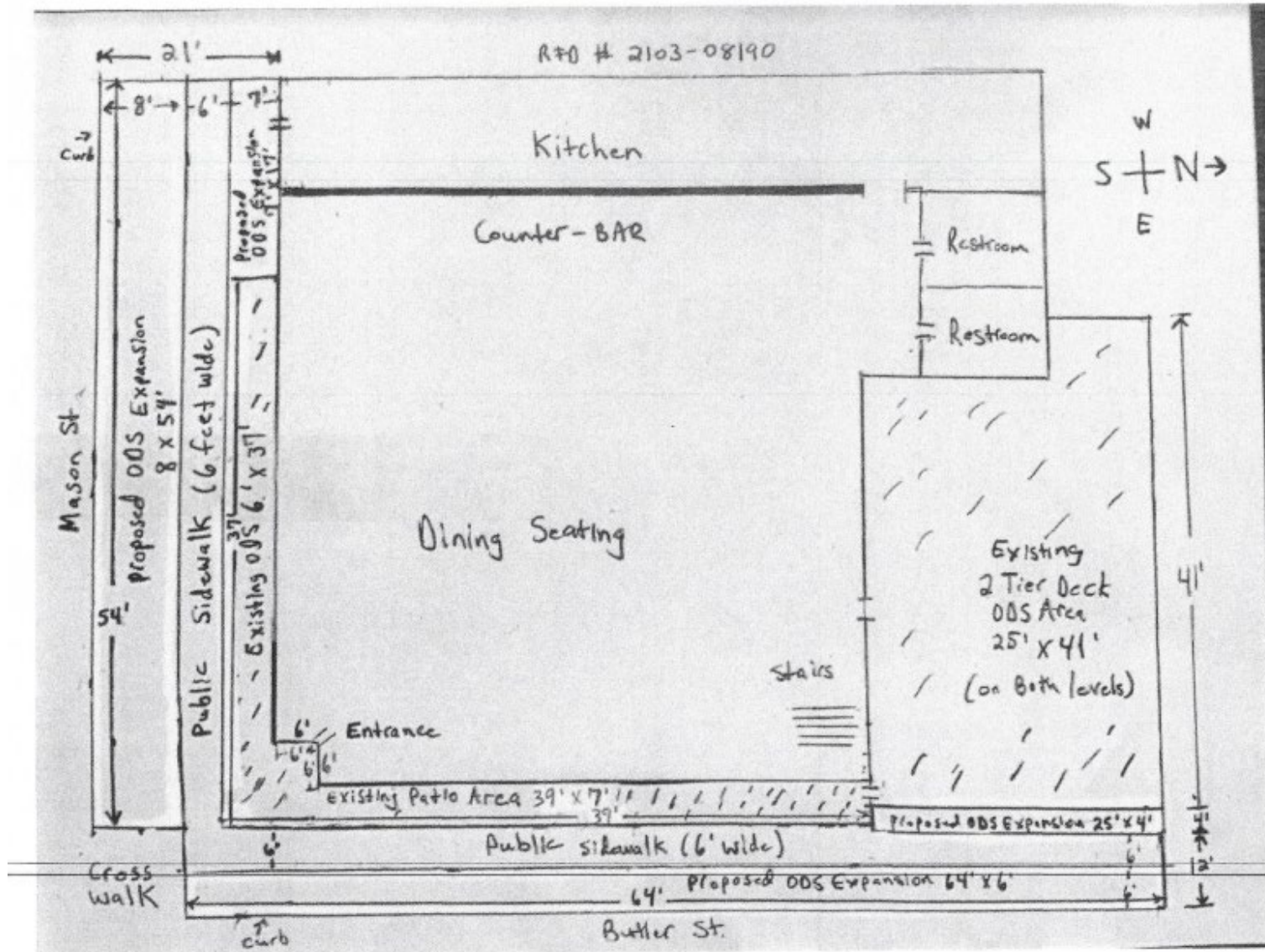
Its: _____

_____, a _____

By: _____

Its: _____

EXHIBIT A











City Council Agenda Item Report

FROM: Ryan Cummins

MEETING DATE: 6/12/2023

SUBJECT: Sidewalk Seating Request – Scooters Café & Pizzeria

DESCRIPTION:

Charles Myers, managing partner of Scooters Café and Pizzeria, has submitted the attached application and sketch plan to place 2 tables (of a size to seat two persons), 2 tables (of a size to seat four persons), and 16 chairs on the public sidewalk adjoining the property.

Following the City Council workshop meeting, I reached out to Mr. Myers to inquire about additional chairs or tables that Council identified as being in the right of way. Mr. Myers advised that they do place four chairs in the brick curb lawn area of the sketch. He stated these are not for dining use. He stated they are there as a courtesy to passersby pedestrians so they don't sit at their tables without ordering. He stated their alcohol service boundary does not extend to this area. The four chairs (no table) have been added to the request.

Attached is a Revocable License Agreement that would allow for Scooters Café and Pizzeria to have temporary restaurant seating in the public right-of-way until November 1.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

On March 27, City Council approved continued flexibility and staff discretion for temporary expanded outdoor dining during the 2023 spring/summer/fall tourist season. Mr. Myers has been advised after November 1, 2023, all city codes, including zoning, will have to be followed.

LEGAL REVIEW:

The City Attorney reviewed revocable license agreement language for restaurant seating in the public right of way.

SAMPLE MOTION:

Motion to **approve/deny** the Revocable License Agreement for temporary restaurant seating in the public right-of-way for Scooters Café & Pizzeria LLC.

REVOCABLE LICENSE AGREEMENT
FOR RESTAURANT SEATING IN THE PUBLIC RIGHT OF WAY

THIS AGREEMENT is made this ____ day of _____, 2023, by and between the CITY OF SAUGATUCK, (hereinafter “City”) a municipal corporation located in Allegan County, Michigan; and Scooters Café & Pizzeria LLC, (hereinafter “Licensee”).

Recitals

- A. Licensee has leasehold interest in real property located at 322 Culver Street, in the City of Saugatuck, further described as PP No. 03-57-300-195-00. A restaurant is operated on the property.
- B. Licensee desires to place 2 tables (of a size to seat two persons), 2 tables (of a size to seat four persons), and 16 chairs on the public sidewalk adjoining the property, to be utilized in conjunction with the restaurant.
- C. The public sidewalk is under the control and jurisdiction of the City and the City is amenable to granting a revocable license to Licensee for the purposes described herein, subject to the terms of this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, it is agreed as follows:

Agreement

- 1. The parties affirm that the recitals set forth above are correct, form an integral part of this Agreement and are incorporated by reference.
- 2. The City grants to the Licensee, and the Licensee accepts from the City, a non-exclusive, revocable license to place and utilize the number of tables and chairs set forth above within and on the public sidewalk directly adjacent to the Licensee’s property, in the precise location shown on the attached sketch plan, marked as Exhibit A (the “Licensed Premises”) subject to the terms and conditions of this Agreement. Without limiting the foregoing, the placement and use of the seating and tables shall not obstruct or interfere with a five (5) foot wide path on the improved sidewalk, which path shall be continuously maintained for pedestrian travel.
- 3. The Licensee acknowledges and agrees that Licensee has inspected the Licensed Premises and has determined such premises to be in a satisfactory condition and that the Licensee's entry upon and use of the Licensed Premises constitutes acceptance of the Licensed Premises on an "as is" basis. The City makes no representations or warranties as to the condition of the public right-of-way, the suitability of the use of the Licensed Premises proposed by Licensee, or any physical or other condition. The City will have no liability or responsibility for upkeep, maintenance, or any other action with regard to personal property located on the Licensed Premises or the Licensed

Premises as a result of this Agreement. Licensee will comply with all applicable ordinances, laws, and regulations governing the same and will keep personal property placed thereon in neat and clean condition, reasonable wear and tear excepted.

4. This Agreement is subject, without limitation, to the following general restrictions:
 - A. The use of the personal property on the Licensed Premises shall not be conducted in such a way as to become a public nuisance; and Licensee's use of the Licensed Premises shall not interfere with traffic or circulation on any adjoining streets, alleys, sidewalks or public open-space areas.
 - B. The Licensee is responsible for maintaining, in a clean and safe condition, the personal property as well as the Licensed Premises.
 - C. The personal property shall only be located in that area expressly designated on Exhibit A.
5. This Agreement shall not authorize the use or placement of any other personal property within or on the Licensed Premises, including, but not limited, to signage, fencing, trash cans, service stations, or features except those items referenced in Recital B above.
6. The Licensee shall hold the City and its officers, employees, and agents harmless from, and defend and indemnify them against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceedings instituted against any of them, directly or indirectly, arising from the use or placement of the tables and chairs within and on the public sidewalks or from the City's permitting the Licensee to install and maintain such encroachment, regardless of whether the Licensee or any of its officers, employees, or agents are negligent. The obligations of the Licensee under this paragraph shall survive the termination of this Agreement for a period of three years.
7. The license granted by this Agreement shall expire on November 1, 2023. Notwithstanding the foregoing, the license granted by this Agreement shall be revocable at the will of the City, with or without cause, by the City giving Licensee 15 days written notice of intent to revoke. Upon written notice to Licensee, mailed by regular mail to the Licensee at the property Licensee's address of record (6189 Bayou Trail, Saugatuck, MI 49453), Licensee shall forthwith remove the tables and chairs from within the City right-of-way. In the event the license is revoked, neither Licensee nor its successors or assigns shall be entitled to any compensation.
8. Any food service shall conform to applicable local, county, state, and federal laws, regulations, licensing requirements, and standards, subject to any limits imposed in this license.
9. The Licensee shall obtain, continuously maintain for the duration of this Agreement, and provide the City prior to execution of this Agreement, and from time to time

thereafter, with proof acceptable to the City Manager of commercial general liability insurance coverage, naming the City as an additional insured party. Such insurance shall have an initial limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate. Said insurance must contain comprehensive coverage to insure against any and all claims arising out of or attributable to the encroachment of the tables and chairs into the Licensed Premises or other public right-of-way, regardless of whether the Licensee or any of its officers, employees, or agents are negligent in any manner. The certificate of insurance must contain an unqualified guarantee that the City will be provided with 30 days prior written notice of cancellation, termination, non-renewal, or material change in coverage of the insurance policy provided. If the Licensee fails to maintain the required insurance in force, the City may, at its option, obtain such insurance at its own expense and bill the costs of the same to the Licensee, which costs the Licensee agrees to promptly pay.

10. In no event shall the City be responsible for loss or damage to improvements or personal property owned by the Licensee or its invitees or employees and located on the Licensed Premises, which are caused by fire, theft, loss, vandalism or other casualty.
11. The failure of either party to enforce any covenant or condition of this Agreement shall not be deemed a waiver thereof or of the right of either party to enforce each and every covenant and condition of this License. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing.
12. Licensee acknowledges and agrees that the City is the owner of the Licensed Premises, that the license granted under this Agreement involves the permission to enter and use property which is a public right of way, that the public's rights are paramount, and that the Licensee's use under this license may not interfere with the public's rights to the reasonable use of the Licensed Premises. Licensee further acknowledges that its use of the Licensed Premises does not constitute any title, claim of right, or other interest in the Licensed Premises.
13. Violations of a term of this Agreement by Licensee shall result in the suspension of Licensee's rights hereunder with 24-hour notice to Licensee.
14. This license is personal with the Licensee and does not run with the land. This license shall not be assigned or transferred in any manner by the Licensee to any other person or business entity. The City, in its sole discretion, may authorize the assignment or transfer of this license to a third party by amendment to this Agreement or by a separate license agreement.

In witness whereof, the parties have caused this Agreement to be executed on the date first set forth above.

CITY OF SAUGATUCK, a municipal
corporation

By: _____

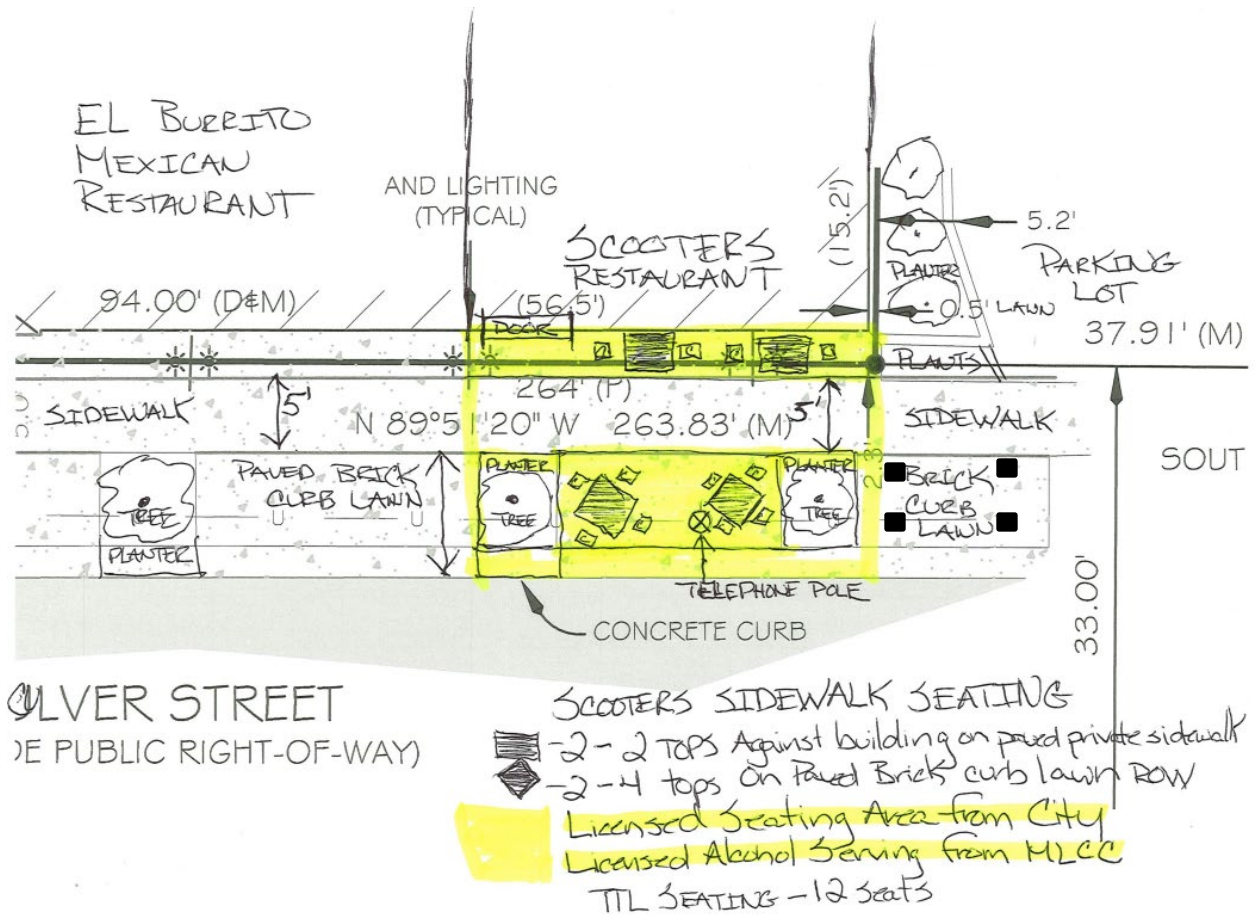
Its: _____

_____, a _____

By: _____

Its: _____

EXHIBIT A





City Council Agenda Item Report

FROM: MEETING Jamie Wolters
DATE: June 12th, 2023
SUBJECT: Special Event-Movie in the Park

DESCRIPTION:

6th Movie in the Park organized by Mill Pond Realty.

BREAKDOWN OF EVENT:

Location: Coghlin Park

Date: 8/11/23

Event Hours: Dusk-11:00pm

Attendees: 125

Volunteers: 25

BUDGET ACTION REQUIRED:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to approve/deny Movie in the Park to take place on August 11th, 2023, organized by Mill Pond Realty, contingent on approval from Fire, Police & DPW.

**Council Action**

_____ Approved

_____ Denied

_____ Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT & PARADE APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 60 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATIONLEGAL BUSINESS NAME: Mill Pond Realty, Inc.TELEPHONE: 269-857-1477MAILING ADDRESS: PO Box 1093, Saugatuck, MI 49453CONTACT NAME: Laura DurhamTELEPHONE: 269-857-1477E-MAIL ADDRESS: laura@millpondrealty.comCELL PHONE: 616-836-0113**CONTACT PERSON ON DAY OF EVENT**CONTACT NAME: Laura DurhamTELEPHONE: 269-857-1477E-MAIL ADDRESS: laura@millpondrealty.comCELL PHONE: 616-836-0113**EVENT INFORMATION***6th annual (six)*NAME OF EVENT: Movie in the Park - Free for the communityDATE(S) OF EVENT: Aug 11, 2023PURPOSE OF EVENT: Free movie for the communityRAIN DATE: NA

☒ Non-Profit ☐ For-Profit ☐ City Operated/Sponsored ☐ Co-Sponsored
☐ Marathon/Race ☐ Festival/Fair ☐ Video/Film Production ☐ Other _____

EVENT LOCATION: Coughlin ParkEVENT HOURS: Dusk to 11pmESTIMATED NUMBER OF ATTENDEES: 125ESTIMATED NUMBER OF VOLUNTEERS: 25ESTIMATE DATE / TIME FOR SET-UP: 08/11/2023 5:00 ☐ A.M. ☒ P.M.ESTIMATE DATE / TIME FOR CLEAN-UP: 08/11/2023 11:00 ☐ A.M. ☒ P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: ☐ Yes ☒ No

TYPE OF MUSIC PROPOSED: ☐ Live ☐ Amplification ☐ Recorded ☐ Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: _____ END: _____

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) ☐ Yes ☒ No
☐ Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: ☐ Yes ☒ No
☐ Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)
☐ Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: _____

WILL FIREWORKS BE APART OF EVENT: ☐ Yes ☒ No
☐ Provide Copy of Liability Insurance (listing the City as additionally insured)
☐ Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

☒ **"YARD" SIGNS** - Number requested: 4 (Maximum size is 2' x 2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☒ **BANNER UNDER SAUGATUCK PALETTE SIGN** - (Size cannot be greater than 14' x 4'). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☒ **SIGNAGE AT EVENT SITE** - Location(s): Near corner of Griffith and Culver Streets.

Description of signs: Same signs as every year, no changes.

(Signs at event site cannot be displayed prior to day of the event and must removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under "Rental Service Stores" that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

☐ **BOOTHS – QUANTITY** _____

☐ **TENTS – QUANTITY** _____

☐ **AWNINGS – QUANTITY** _____

☐ **TABLES – QUANTITY** _____

☐ **PORTABLE TOILETS – QUANTITY** _____

VENDOR PARKING: Have you made arrangement for vendor parking? ☐ Yes ☐ No

If yes, where do you propose your vendors park? _____

Will the Interurban be utilized? ☐ Yes ☐ No Time(s) _____

DEPARTMENT OF PUBLIC WORKS

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment:

☒ Yes

☐ No

☐ TRASH RECEPTACLES – QUANTITY _____

☐ BARRICADES – QUANTITY _____

☐ TRAFFIC CONES – QUANTITY _____

☐ PARKING SIGNS – QUANTITY _____

☐ FENCING ☐ WATER ☒ ELECTRIC

☐ RESTROOM CLEANING

☐ OTHER _____

POLICE DEPARTMENT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? ☐ Yes

☒ No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

STREET CLOSURES: ☐ Yes

☒ No (use attached map to outline proposed closures)

Street closure date/time: _____ ☐ A.M. ☐ P.M.

Street re-open date/time: _____ ☐ A.M. ☐ P.M.

SIDEWALK CLOSURES: ☐ Yes

☒ No (use attached map to outline proposed closures)

Describe Sidewalk Use: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

PARKING LOT CLOSURES: ☐ Yes

☒ No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

APPLICATION CHECK LIST

- ☐ Completed Application
- ☐ Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)
- ☐ Road/Sidewalk/Parking Lot Closure Map
- ☐ Certificate of Insurance (listing the City of Saugatuck as additionally insured)
- ☐ Fireworks Permit (if applicable)
- ☐ Michigan Liquor Control Commission Special Event License (if applicable)
- ☐ Health Department Food Service License (if applicable)

If document is missing, please explain: _____

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval.

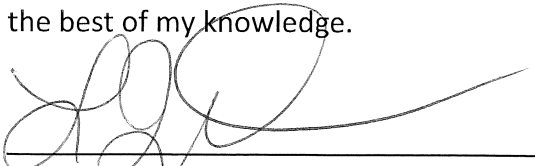
Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event.

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.



Applicant Signature

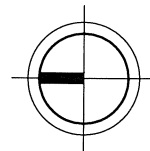
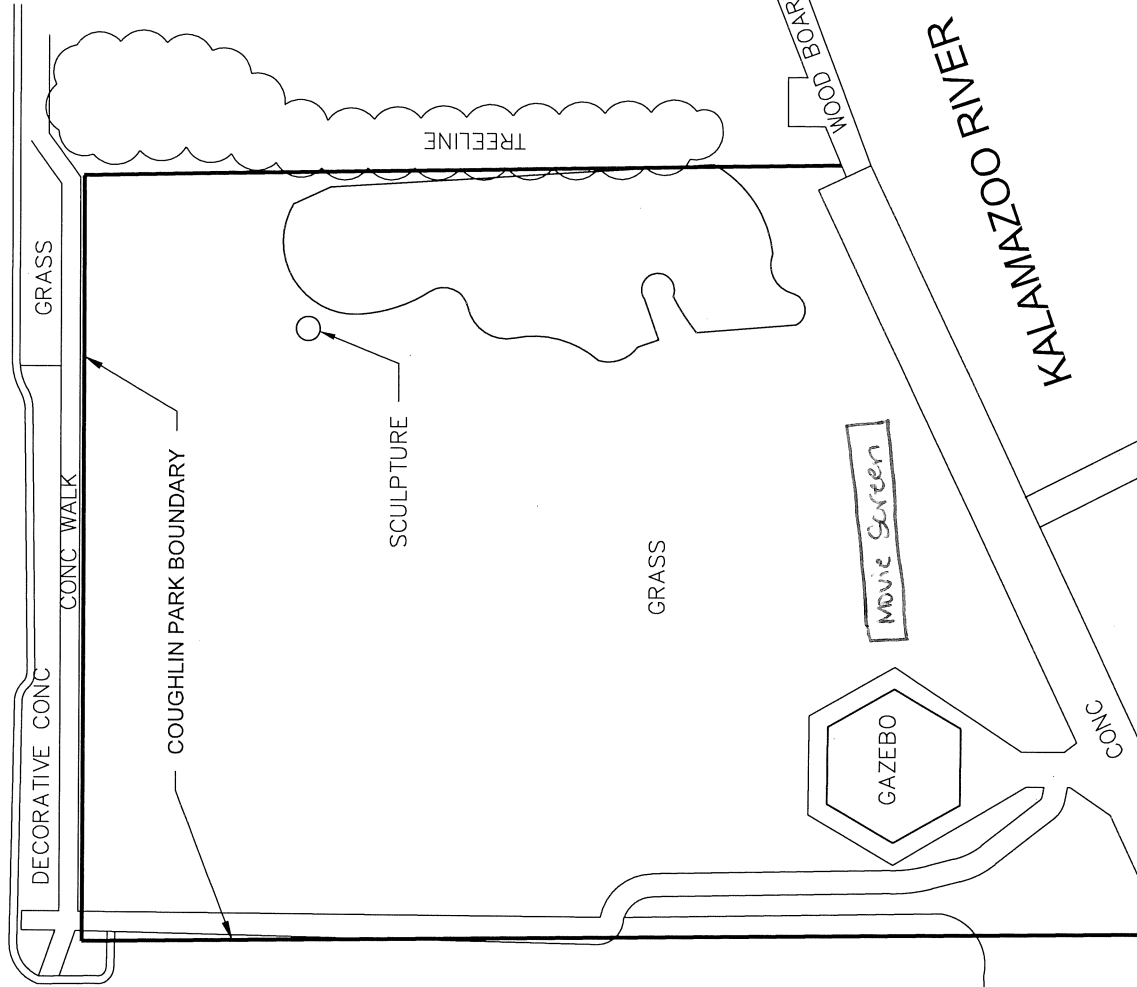
04/14/2023

Date

CULVER STREET



GRIFFITH STREET



NORTH



SCALE IN FEET

APPLICANT TO SKETCH LOCATION OF PROPOSED TEMPORARY STRUCTURES, TENTS, STAGES, EQUIPMENT, TRAILERS, PORTA POTTY'S, ETC...

CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN

COUGHLIN PARK

PARK USE PERMIT APPLICATION

2011

3187



City Council Agenda Item Report

FROM: MEETING Jamie Wolters
DATE: June 12, 2023
SUBJECT: Special Event-Saugatuck Film Fest

DESCRIPTION:

Logan White submitted a special event application for the Saugatuck Film Festival.

BREAKDOWN OF EVENT:

Date: November 4, 2023

Time: 12pm-10pm

Estimated number of attendees: 100

Volunteers: 10

BUDGET ACTION REQUIRED:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to approve/deny Saugatuck Film Festival to take place on November 11th, 2023, organized by Saugatuck Film Fest, contingent on approval from Fire, Police & DPW.

**Council Action** Approved Denied Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT & PARADE APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 60 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATION

LEGAL BUSINESS NAME: SAUGATUCK FILM FEST TELEPHONE: 616 836-5428
MAILING ADDRESS: PO BOX 302 SAUGATUCK MI 49453
CONTACT NAME: LOGAN WHITE TELEPHONE: 616 836-5428
E-MAIL ADDRESS: LOGAN@SAUGATUCKFILMFEST.ORG CELL PHONE:

CONTACT PERSON ON DAY OF EVENT

CONTACT NAME: LOGAN WHITE TELEPHONE: 616-836-5428
E-MAIL ADDRESS: LOGAN@SAUGATUCKFILMFEST.ORG CELL PHONE:

EVENT INFORMATION

NAME OF EVENT: SAUGATUCK FILM FEST DATE(S) OF EVENT: 11/4/23
PURPOSE OF EVENT: ARTS & CULTURE RAIN DATE: none

☒ Non-Profit ☐ For-Profit ☐ City Operated/Sponsored ☐ Co-Sponsored
☐ Marathon/Race ☐ Festival/Fair ☐ Video/Film Production ☐ Other

EVENT LOCATION: SAUGATUCK WOMEN'S CLUB EVENT HOURS: 12 P-10P

ESTIMATED NUMBER OF ATTENDEES: 100

ESTIMATED NUMBER OF VOLUNTEERS: 10

ESTIMATE DATE / TIME FOR SET-UP: 11/3/23 8 ☐ A.M. ☒ P.M.

ESTIMATE DATE / TIME FOR CLEAN-UP: 11/5/23 9 ☒ A.M. ☐ P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: ☐ Yes ☒ No

TYPE OF MUSIC PROPOSED: ☐ Live ☐ Amplification ☐ Recorded ☐ Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: _____ END: _____

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) ☒ Yes ☐ No

☒ Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: ☒ Yes ☐ No

☒ Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)

☒ Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: No minors are permitted

at the event, IDs will be checked at point of sale

WILL FIREWORKS BE A PART OF EVENT: ☐ Yes ☒ No

☐ Provide Copy of Liability Insurance (listing the City as additionally insured)

☐ Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

☒ "YARD" SIGNS - Number requested: 8 (Maximum size is 2' x 2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☒ BANNER UNDER SAUGATUCK PALETTE SIGN - (Size cannot be greater than 14' x 4'). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☐ SIGNAGE AT EVENT SITE - Location(s): _____

Description of signs: _____

(Signs at event site cannot be displayed prior to day of the event and must be removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under "Rental Service Stores" that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

☐ BOOTHS - QUANTITY _____

☐ TENTS - QUANTITY _____

☐ AWNINGS - QUANTITY _____

☐ TABLES - QUANTITY _____

☐ PORTABLE TOILETS - QUANTITY _____

VENDOR PARKING: Have you made arrangement for vendor parking? ☐ Yes ☒ No

If yes, where do you propose your vendors park? _____

Will the Interurban be utilized? ☐ Yes ☒ No Time(s) _____

DEPARTMENT OF PUBLIC WORKS

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment: ☐ Yes ☒ No

☐ TRASH RECEPTACLES – QUANTITY _____

☐ BARRICADES – QUANTITY _____

☐ TRAFFIC CONES – QUANTITY _____

☐ PARKING SIGNS – QUANTITY _____

☐ FENCING ☐ WATER ☐ ELECTRIC

☐ RESTROOM CLEANING

☐ OTHER _____

POLICE DEPARTMENT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? ☐ Yes ☒ No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

STREET CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Street closure date/time: _____ ☐ A.M. ☐ P.M.

Street re-open date/time: _____ ☐ A.M. ☐ P.M.

SIDEWALK CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Describe Sidewalk Use: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

PARKING LOT CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

APPLICATION CHECK LIST

☒ Completed Application

☐ Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)

☐ Road/Sidewalk/Parking Lot Closure Map

☒ Certificate of Insurance (listing the City of Saugatuck as additionally insured) (last year's)

☐ Fireworks Permit (if applicable)

☒ Michigan Liquor Control Commission Special Event License (if applicable) (last year's, we don't have this year's yet and wait for a while)

☒ Health Department Food Service License (if applicable)

If document is missing, please explain: _____

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval. ✓

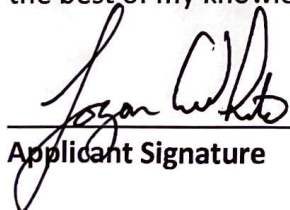
Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies. ✓

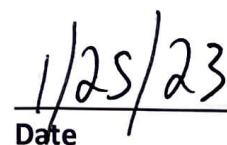
Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary. ✓

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event. ✓

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them. ✓

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.


Applicant Signature


Date



City Council Agenda Item Report

FROM: MEETING Jamie Wolters
DATE: June 12, 2023
SUBJECT: Special Event-11th Annual Spear St & Friends Block Party

DESCRIPTION:

Logan White submitted a special event application for the 11th Annual Spear St & Friends Block Party.

BREAKDOWN OF EVENT:

Date: August 19, 2023

Time: 5pm-11pm

Estimated number of attendees: 60-70

Volunteers: 5

BUDGET ACTION REQUIRED:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to approve/deny 11th Annual Spear St & Friends Block Party to take place on August 19, 2023, organized by Spear St. Block Party Committee, contingent on approval from Fire, Police & DPW.

**Council Action** Approved Denied Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT & PARADE APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 60 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATIONLEGAL BUSINESS NAME: Spear St. Block Party CenterTELEPHONE: 616-836-5428MAILING ADDRESS: PO Box 302 Saugatuck MI 49453CONTACT NAME: LOGAN WHITETELEPHONE: E-MAIL ADDRESS: L.WHITE@ME.COMCELL PHONE: 616-836-5428**CONTACT PERSON ON DAY OF EVENT**CONTACT NAME: LOGAN WHITETELEPHONE: 616.836.5428E-MAIL ADDRESS: L.WHITE@ME.COMCELL PHONE: **EVENT INFORMATION**NAME OF EVENT: 11th Annual Spear St & Friends Block PartyDATE(S) OF EVENT: 8/19/23PURPOSE OF EVENT: Neighborhood Solidarity & EnjoymentRAIN DATE: none☐ Non-Profit☐ For-Profit☐ City Operated/Sponsored☐ Co-Sponsored☐ Marathon/Race☐ Festival/Fair☐ Video/Film Production☒ Other Resident SponsoredEVENT LOCATION: Spear St. Between Holland & ButlerEVENT HOURS: 5p to 11pESTIMATED NUMBER OF ATTENDEES: 60-70ESTIMATED NUMBER OF VOLUNTEERS: 5ESTIMATE DATE / TIME FOR SET-UP: 8/19/233 ☐ A.M. ☒ P.M.ESTIMATE DATE / TIME FOR CLEAN-UP: 8/19/2311 ☐ A.M. ☒ P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: ☒ Yes ☐ No

TYPE OF MUSIC PROPOSED: ☒ Live ☐ Amplification ☐ Recorded ☐ Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: 7 pm END: 9:30 pm

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) ☐ Yes ☒ No
☐ Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: ☐ Yes ☒ No
☐ Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)
☐ Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: _____

WILL FIREWORKS BE A PART OF EVENT: ☐ Yes ☒ No
☐ Provide Copy of Liability Insurance (listing the City as additionally insured)
☐ Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

☐ **"YARD" SIGNS** - Number requested: ____ (Maximum size is 2' x 2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☐ **BANNER UNDER SAUGATUCK PALETTE SIGN** - (Size cannot be greater than 14' x 4'). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☒ **SIGNAGE AT EVENT SITE** - Location(s): On "Road Closed" Signs
Description of signs: Small handmade
(Signs at event site cannot be displayed prior to day of the event and must removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under "Rental Service Stores" that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

☐ **BOOTHS – QUANTITY** _____ ☐ **TENTS – QUANTITY** _____

☐ **AWNINGS – QUANTITY** _____ ☐ **TABLES – QUANTITY** _____

☐ **PORTABLE TOILETS – QUANTITY** _____

VENDOR PARKING: Have you made arrangement for vendor parking? ☐ Yes ☒ No

If yes, where do you propose your vendors park? _____

Will the Interurban be utilized? ☐ Yes ☒ No Time(s) _____

DEPARTMENT OF PUBLIC WORKS

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment: ☒ Yes ☐ No

☐ TRASH RECEPTACLES – QUANTITY _____

☒ BARRICADES – QUANTITY 2

☐ TRAFFIC CONES – QUANTITY _____

☐ PARKING SIGNS – QUANTITY _____

☐ FENCING ☐ WATER ☐ ELECTRIC

☐ RESTROOM CLEANING

☐ OTHER _____

POLICE DEPARTMENT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? ☐ Yes ☒ No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

STREET CLOSURES: ☒ Yes ☐ No (use attached map to outline proposed closures)

Street closure date/time: 8/19/23 3 ☐ A.M. ☒ P.M.

Street re-open date/time: 8/19/23 11 ☐ A.M. ☒ P.M.

SIDEWALK CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Describe Sidewalk Use: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

PARKING LOT CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

APPLICATION CHECK LIST

☒ Completed Application

☐ Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)

☒ Road/Sidewalk/Parking Lot Closure Map

☐ Certificate of Insurance (listing the City of Saugatuck as additionally insured)

☐ Fireworks Permit (if applicable)

☐ Michigan Liquor Control Commission Special Event License (if applicable)

☐ Health Department Food Service License (if applicable)

If document is missing, please explain: _____

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval.

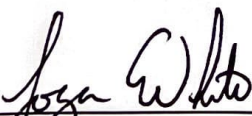
Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event.

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

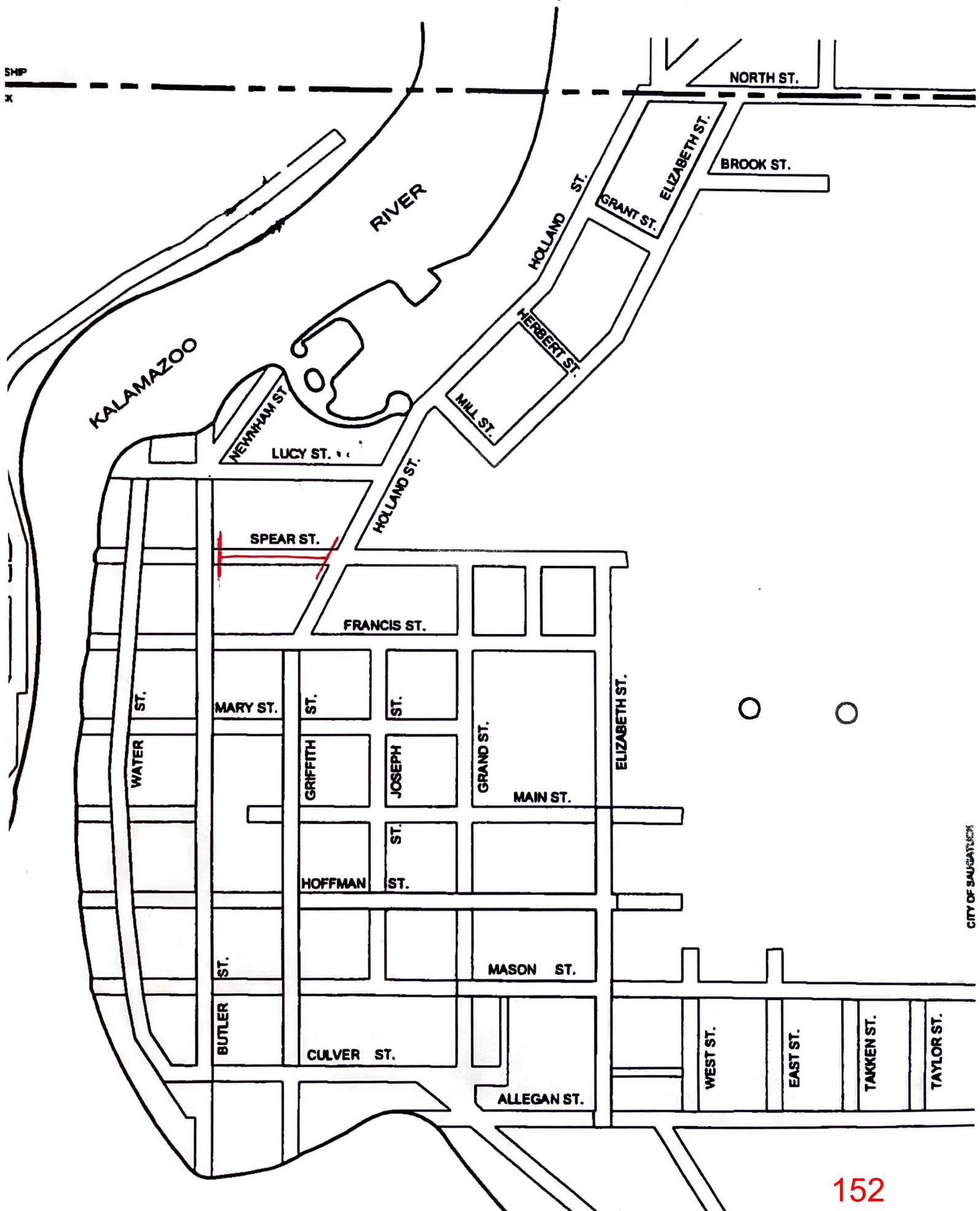


Applicant Signature



Date

Downtown Street / Sidewalk Closure(s)





City Council Agenda Item Report

FROM: Jamie Wolters
MEETING DATE: June 12th, 2023
SUBJECT: Special Event-Fourth of July Parade

DESCRIPTION:

Birdie Holley has submitted a special event application for the Fourth of July Parade. A safety meeting took place on Thursday June 8th with Fire, Police & DPW. Proposed attached map was approved and all safety measure were finalized.

BREAKDOWN OF EVENT:

Date: 7/4/23

Location: Downtown Saugatuck

Event Hours: 12pm-1pm

Attendees: 250

Volunteers: 5-10

BUDGET ACTION REQUIRED:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to approve/deny Fourth of July parade to take place on July 4th, 2023, organized by Birdie Holley.

**Council Action**

_____ Approved

_____ Denied

_____ Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT & PARADE APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 30 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATION

LEGAL BUSINESS NAME: N/A INDIVIDUAL APPLYING – BIRDIE HOLLEY TELEPHONE: 904-655-4101 _____

MAILING ADDRESS: 6335 127TH AVE, FENNVILLE 49408 _____

CONTACT NAME: BIRDIE HOLLEY _____ TELEPHONE: SAME _____

E-MAIL ADDRESS: BIRDIEWESTER@GMAIL.COM _____ CELL PHONE: SAME _____

CONTACT PERSON ON DAY OF EVENT

CONTACT NAME: SAME AS ABOVE _____ TELEPHONE: SAME _____

E-MAIL ADDRESS: SAME _____ CELL PHONE: SAME _____

EVENT INFORMATION

NAME OF EVENT: 4TH OF JULY PARADE _____ DATE(S) OF EVENT: 7/4/23 _____

PURPOSE OF EVENT: CELEBRATE AMERICA! _____ RAIN DATE: N/A _____

☐ Non-Profit ☐ For-Profit ☐ City Operated/Sponsored ☐ Co-Sponsored
☐ Marathon/Race ☐ Festival/Fair ☐ Video/Film Production ☐ Other _____

EVENT LOCATION: DOWNTOWN, WOULD LIKE TO MAP ROUTE W/FIRE DEPT EVENT HOURS: 12P-1P _____

ESTIMATED NUMBER OF ATTENDEES: 250 _____

ESTIMATED NUMBER OF VOLUNTEERS: 5-10 _____

ESTIMATE DATE / TIME FOR SET-UP: LINE UP AT 11AM _____ ☐ A.M. ☐ P.M.

ESTIMATE DATE / TIME FOR CLEAN-UP: ENDS AT 1PM _____ ☐ A.M. ☐ P.M.

EVENT DETAILS

WILL MUSIC BE PROVIDED DURING THIS EVENT: ☐ Yes ☒ No

TYPE OF MUSIC PROPOSED: ☐ Live ☐ Amplification ☐ Recorded ☐ Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: _____ END: _____

FOOD VENDORS/CONCESSIONS: (Contact Allegan County Health Department) ☐ Yes ☒ No
☐ Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT: ☐ Yes ☒ No
☐ Provide Copy of Liquor Liability Insurance (listing the City as additionally insured)
☐ Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: _____

WILL FIREWORKS BE APART OF EVENT: ☐ Yes ☒ No
☐ Provide Copy of Liability Insurance (listing the City as additionally insured)
☐ Provide Copy of Fireworks Permit

EVENT SIGNAGE: City Council approval is required for any temporary signing in the public right-of-way, across a street or on City property. Which of the following signs are requested for this event:

☐ **“YARD” SIGNS** - Number requested: ____ (Maximum size is 2’ x 2’. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☒ **BANNER UNDER SAUGATUCK PALETTE SIGN** - (Size cannot be greater than 14’ x 4’). Cannot be displayed more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

☐ **SIGNAGE AT EVENT SITE** - Location(s): _____
Description of signs: _____
(Signs at event site cannot be displayed prior to day of the event and must removed at the end of the event.)

TENTS/CANOPIES/MISC: The City of Saugatuck does not have tents, stage, tables or chairs available for rental. There are a number of businesses listed in the yellow pages under “Rental Service Stores” that specialize in the rental of event supplies. Will the following be constructed or located in the event area:

☐ **BOOTHS – QUANTITY** _____ ☐ **TENTS – QUANTITY** _____

☐ **AWNINGS – QUANTITY** _____ ☐ **TABLES – QUANTITY** _____

☐ **PORTABLE TOILETS – QUANTITY** _____

VENDOR PARKING: Have you made arrangement for vendor parking? ☐ Yes ☐ No

If yes, where do you propose your vendors park? _____

Will the Interurban be utilized? ☒ Yes ☐ No Time(s) _____

DEPARTMENT OF PUBLIC WORKS☐ APPROVED☐ DENIED_____
*Authorized Personnel Signature*Will this event require the use of any of the following municipal equipment: ☐ Yes ☐ No☐ TRASH RECEPTACLES – QUANTITY _____☐ BARRICADES – QUANTITY _____☐ TRAFFIC CONES – QUANTITY _____☐ PARKING SIGNS – QUANTITY _____☐ FENCING ☐ WATER ☐ ELECTRIC☐ RESTROOM CLEANING☐ OTHER _____**POLICE DEPARTMENT**☐ APPROVED☐ DENIED_____
*Authorized Personnel Signature*ADDITIONAL OFFICERS REQUIRED? ☐ Yes ☐ No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT☐ APPROVED☐ DENIED_____
*Authorized Personnel Signature*STREET CLOSURES: ☐ Yes ☐ No (use attached map to outline proposed closures)Street closure date/time: _____ ☐ A.M. ☐ P.M.Street re-open date/time: _____ ☐ A.M. ☐ P.M.SIDEWALK CLOSURES: ☐ Yes ☐ No (use attached map to outline proposed closures)

Describe Sidewalk Use: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.PARKING LOT CLOSURES: ☐ Yes ☐ No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

APPLICATION CHECK LIST

☒ Completed Application

☐ Event Map (includes detailed event layout for vendors, booths, porta potties, etc.)

☐ Road/Sidewalk/Parking Lot Closure Map

☒ Certificate of Insurance (listing the City of Saugatuck as additionally insured)

☐ Fireworks Permit (if applicable)

☐ Michigan Liquor Control Commission Special Event License (if applicable)

☐ Health Department Food Service License (if applicable)

If document is missing, please explain: _____

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverages deemed necessary for the event, name the City of Saugatuck as an additional insured on all applicable policies and submit the certificate to the City Clerk's Office no later than one (1) week following notice of the event approval.

Comply with all City and County Ordinances and applicable State laws, City policies and acknowledges that the special events permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application. The applicant and sponsoring organization understands that it may be necessary to meet with City staff during the review of this application and that City Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Allegan County Health Department to secure all permits required for this event.

Applicant agrees to defend, indemnify and hold harmless the City of Saugatuck, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury, including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the City of Saugatuck or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

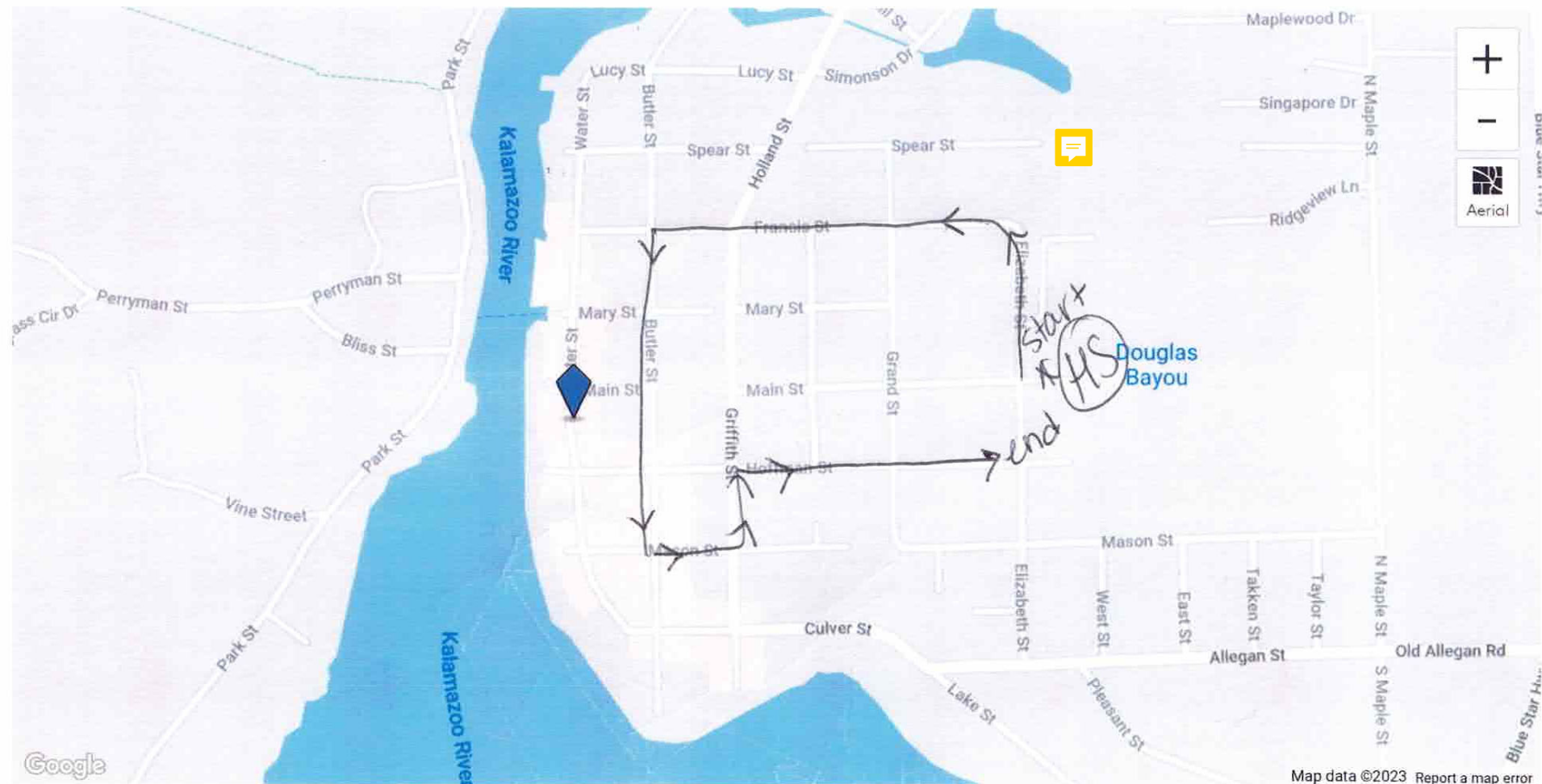
ELIZABETH "BIRDIE" HOLLEY

Applicant Signature

3/29/23

Date

Map View

[← Back to Listing](#)[↔ Directions](#)[🗨 Street View](#)



City Council Agenda Item Report

FROM: Jamie Wolters
MEETING DATE: June 12th, 2023
SUBJECT: Special Event-Fourth of July Extravaganza

DESCRIPTION:

City of Saugatuck has submitted a special event application for the Fourth of July Extravaganza. A safety meeting took place on Thursday June 8th with Fire, Police & DPW. All safety measures were discussed and planned.

BREAKDOWN OF EVENT:

Date: 7/4/23

Location: Coghlin Park

Event Hours: 8pm-11pm

BUDGET ACTION REQUIRED:

N/A

LEGAL REVIEW:

N/A

SAMPLE MOTION:

Motion to approve/deny Fourth of July Extravaganza to take place on July 4th, 2023 in Coghlin Park, organized by City of Saugatuck.

**Council Action** Approved Denied Date

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com

SPECIAL EVENT & PARADE APPLICATION

Must be filled out in its entirety & returned to the City Clerk's Office 60 days prior to scheduled event

SPONSORING ORGANIZATION INFORMATION

LEGAL BUSINESS NAME: City of Saugatuck TELEPHONE: 269-857-2603
MAILING ADDRESS: 102 Butler St. PO Box 86. Saugatuck, MI 49453
CONTACT NAME: Ryan Heise TELEPHONE: 269-857-2603
E-MAIL ADDRESS: ryan@saugatuckcity.com CELL PHONE: 269-857-2603

CONTACT PERSON ON DAY OF EVENT

CONTACT NAME: Ryan Heise TELEPHONE: 269-857-2603
E-MAIL ADDRESS: ryan@saugatuckcity.com CELL PHONE: 269-857-2603

EVENT INFORMATION

NAME OF EVENT: Fourth of July Extravaganza DATE(S) OF EVENT: July 4, 2023
PURPOSE OF EVENT: Celebration RAIN DATE: None

☐ Non-Profit ☐ For-Profit ☒ City Operated/Sponsored ☐ Co-Sponsored
☐ Marathon/Race ☒ Festival/Fair ☐ Video/Film Production ☐ Other

EVENT LOCATION: Coghlin Park EVENT HOURS: 8:00pm-11:00pm

ESTIMATED NUMBER OF ATTENDEES: 1,500

ESTIMATED NUMBER OF VOLUNTEERS: 0

ESTIMATE DATE / TIME FOR SET-UP: 7:00 ☐ A.M. ☒ P.M.

ESTIMATE DATE / TIME FOR CLEAN-UP: 11:00 ☐ A.M. ☒ P.M.

DEPARTMENT OF PUBLIC WORKS

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

Will this event require the use of any of the following municipal equipment: ☐ Yes ☐ No

☒ TRASH RECEPTACLES – QUANTITY⁸ _____

☒ BARRICADES – QUANTITY³ _____

☒ TRAFFIC CONES – QUANTITY 50 _____

☐ PARKING SIGNS – QUANTITY _____

☐ FENCING

☐ WATER

☒ ELECTRIC

☐ RESTROOM CLEANING

☒ OTHER portable toilets ordered _____

POLICE DEPARTMENT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

ADDITIONAL OFFICERS REQUIRED? ☒ Yes ☐ No

If yes please describe & include times _____

Other (describe): _____

SAUGATUCK TOWNSHIP FIRE DISTRICT

☐ APPROVED

☐ DENIED

Authorized Personnel Signature

STREET CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Street closure date/time: _____ ☐ A.M. ☐ P.M.

Street re-open date/time: _____ ☐ A.M. ☐ P.M.

SIDEWALK CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Describe Sidewalk Use: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

PARKING LOT CLOSURES: ☐ Yes ☒ No (use attached map to outline proposed closures)

Parking Lot Location: _____

Sidewalk closure date/time: _____ ☐ A.M. ☐ P.M.

Sidewalk re-open date/time: _____ ☐ A.M. ☐ P.M.

What parking arrangements are proposed to accommodate potential attendance: _____

CULVER STREET

GRIFFITH STREET

DECORATIVE CONC

CONC WALK

GRASS

COUGHLIN PARK BOUNDARY

SCULPTURE

GRASS

TREELINE

GAZEBO

CONC

WOOD BOARDWALK

KALAMAZOO RIVER

APPLICANT TO SKETCH LOCATION OF PROPOSED
TEMPORARY STRUCTURES, TENTS, STAGES,
EQUIPMENT, TRAILERS, PORTA POTTYS, ETC...

CITY OF SAUGATUCK
ALLEGAN COUNTY, MICHIGAN

COUGHLIN PARK
PARK USE PERMIT APPLICATION

2011

3187

RING, INC.



City Council Agenda Item Report

FROM: Ryan Heise

MEETING DATE: 6/12/2023

SUBJECT: 443 Park Street Boat Slip

DESCRIPTION:

From legal-

As I know Council is aware, on April 21, 2023, Dune Ridge installed the roof for the covered boat slip on its Park Street property. A roof as part of a covered slip was part of the City Planning Commission's conversation related to Dune Ridge's zoning approval received from the City Planning Commission on July 20, 2017, which authorized "five boat slips and one covered slip/building." Since then, EGLE issued the attached letter indicating the covered slip was not part of what we believe to be that approval. The Commission relied upon the EGLE approval to allow for the "covered slip."

In looking into this issue, Dune Ridge's boat slip covering has been the subject of a contested case hearing with EGLE. The substance of the dispute appears to be a condition in the 2015 Permit which states: "Additional attachments to permitted structures, including but not limited to roofs, sidewalls, handrails, benches, decks, additional docks, or extensions thereof, are not authorized by this permit, unless included in the attached plans." Reviewing the status reports that Dune Ridge was required to file throughout the course of the contested case hearing, it is evident that Dune Ridge was attempting to reach an informal resolution with EGLE regarding its covered boat slip. This process holds the contested case hearing in abeyance so long as periodic status reports are filed, which Dune Ridge has been doing since the case was initiated in 2020. The most recent status update (which is also the most recent filing in the contest case hearing), filed by Dune Ridge on April 10, 2023, noted that "the parties have engaged in numerous substantive discussions to discuss informal resolution," and that Dune Ridge is "contemplating its next course of action in light of feedback received from EGLE."

Accordingly, we have concerns as to what an informal resolution, or adjudicated resolution, could mean for the EGLE permit that was relied upon by the Commission in its 2017 approval. Any scope of changes of the permit could fundamentally impact the scope of uses and structures allowed at 443 Park Street at the permanent docks, which were reviewed and approved based on the Applicant's reliance and representations regarding EGLE permit documents that now appear to be contested in the administrative proceeding. While we would find the conditions then stated in the permit that was presented to the Commission to have an effect as to the scope

of the Commission's zoning approval, the property owner and related entities has been rather litigious and thus being proactive about the scope of the EGLE permit and its condition would be appropriate. For the City to assert its police power and zoning authority, which EGLE does not possess in its role in the contested case, we recommend that Council authorize us to file pleadings to have the City obtain full-party status in the administrative proceeding to ensure that any informal/formal settlement or adjudication of the dispute with Dune Ridge does not impact the scope or otherwise burden the Commission's zoning approval or the City Code (for instance, note that the covered portion of the slip was never pursued within the timelines for construction to commence and be completed as set forth within the City Code). We further think it appropriate to make clear that the scope of the claims made in litigation against the City do not appear to be consistent with conditions currently in the EGLE permit.

BUDGET ACTION REQUIRED:

N/A

COMMITTEE/COMMISSION REVIEW:

N/A

LEGAL REVIEW:

Yes.

SAMPLE MOTION:

Motion to **approve/deny** to authorize the City attorneys to file all necessary pleadings to obtain party status in a pending EGLE contested case hearing involving a permit obtained by Dune Ridge that authorized permanent boat slips at 443 Park Street, and if such status is granted, proceed accordingly on behalf of the City.”



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
KALAMAZOO DISTRICT OFFICE



AARON B. KEATLEY
ACTING DIRECTOR

May 24, 2023

VN No. VN-014428

VIA EMAIL

Paul Heule, Dune Ridge SA, LP,
VHH Saugatuck Holdings, LP
231 West Fulton Street
Saugatuck, Michigan 49453

Dear Paul Heule:

SUBJECT: Violation Notice
Order to Restore
Complaint Submission No. HP7-KJM6-7PC5M
Site Name: Dune Grass-Grand Rapids: 14-03-0032-P
Property Location: Park St, SAUGATUCK, Allegan County, MI 49453, T 03N, R 16W, Section 09 Parcel IDs 03-57-009-066-10; 03-57-009-054-00

The Department of Environment, Great Lakes, and Energy (EGLE) Water Resources Division (WRD) conducted an inspection on April 26, 2023, at the above referenced parcel of property. The purpose of the inspection was to evaluate the property for compliance with WRD Permit WRP026541, issued under the provisions of Part 31, Water Resources Protection, and Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and the administrative rules for Part 31 and Part 301. At the time of the inspection, WRD staff observed the installation of a permanent roof over bottomland regulated under the authority of Part 301. This letter is being sent because you have been identified as the property owner and/or contractor responsible for the property and/or the unauthorized activities.

Section 30102 of Part 301 prohibits the placement of fill and/or structures on bottomland without first obtaining a permit from EGLE. A review of WRD files indicates the following activities are inconsistent with permit WRP026541 issued for activities at the property: Permit Condition #5 states: "Additional attachments to permitted structures, including but not limited to permanent covers, sides, or roofs, are not authorized by this permit.", and Permit Condition #8 states: "No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications." Therefore, it appears that this activity was conducted in violation of permit WRP026541 and Part 301 of the NREPA.

In consideration of the requirements of Part 301, the WRD has determined that a permit for a boat hoist with a permanent roof structure would not have been approved for this project. Therefore, within 30 days of the date of this letter, or a mutually agreed upon schedule, you must bring the property into compliance with the requirements of permit WRP026541 and Part 301 by completing the following actions:

1. Remove the unauthorized permanent roof as shown on the attached permanent site plan.
2. Do not place structures or fill in regulated areas.

Please contact this office immediately upon completion of the above restoration requirements in order that a WRD inspection can be conducted.

We anticipate your cooperation in resolving this matter. If you have any questions, you may contact me at 269-568-2693; CombsJ8@michigan.gov; or EGLE, WRD, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, Michigan 49009-5025.

Sincerely,



Jason Combs
Senior Environmental Quality Analyst
Kalamazoo District Office
Water Resources Division

Attachments

cc: City of Saugatuck Clerk
Allegan County Drain Commissioner
Randy Rapp, Allegan County CEA
Kristi DeFoe, USACE
James Zellinger, EGLE
Kyle Alexander, EGLE
Christopher Gothberg, EGLE



City Council Agenda Item Report

FROM: Jamie Wolters

MEETING DATE: 6/12/2023

SUBJECT: Board and Vacancy Notice

DESCRIPTION:

Per Resolution 200311-B: A Resolution to approve the City of Saugatuck Boards and Commissions Selection Policy:

- A. When a vacancy occurs on a City appointive body, the City Clerk will notify the City Council and prepare a notice which provides the necessary information needed for citizens to apply. The notice shall be included on the next regular Saugatuck City Council agenda under "Communications."
- B. The notice shall be posted at City Hall and may be advertised via electronic and/or print media.
- C. Applications will be available at City Hall and on the City's web site.
- D. The Mayor or his/her designee, a representative from the body which has the vacancy (typically the chair or vice chair based on availability) and a City staff member shall review applications, interview applicants and recommend a candidate to the Mayor.
- E. The Mayor shall forward a recommendation for the appointment to the City Council, which recommendation shall be treated as a recommendation, appointment or otherwise as provided by the applicable statute or ordinance. The City Council must approve any appointment before the same may take effect. The City Council will be provided with a list of all applicants that applied with supporting material for the vacancy to be filled.

UPCOMING VACANCIES:

Zoning Board of Appeals expiring July 1, 2023:

James Bouck
Open Alternate Seat

Planning Commission expiring July 1, 2023:

Steven Manns
Ann Broeker

Historic District Commission expiring August 1, 2023

John Cannarsa
Daniel Panozzo

NOTICE

The CITY OF SAUGATUCK is accepting applications for appointments to the following Boards/Commissions:

Historic District Commission:

The City of Saugatuck Historic District Commission (HDC) is a seven-member commission with an expertise in historic preservation or historic architecture that makes quasi-judiciary decisions on design review for proposed exterior work in the designated historic district. Commission members are residents of the City of Saugatuck appointed by the Mayor with City Council approval to serve three-year terms.

Saugatuck Historic District Commission meetings are held at Saugatuck City Hall, 102 Butler Street, Saugatuck, MI 49453 at 6:00 p.m. on the 1st Thursday of each month unless otherwise noted.

Planning Commission:

The City of Saugatuck Planning Commission is a seven-member commission empowered by City Council and is given the authority to establish procedures, standards and administrative rules whereby applicants are required to submit for review and approval a site development plan. The powers and duties of the Planning Commission are provided by Act No. 285 of the Public Acts of the State of Michigan, as amended.

Saugatuck Planning Commission meetings are held at Saugatuck City Hall, 102 Butler Street, Saugatuck, MI 49453 at 7:00 p.m. on the 3rd Thursday of each month unless otherwise noted.

Zoning Board of Appeals:

The City of Saugatuck Zoning Board of Appeals (ZBA) is a five-member board with two alternates. They receive, review and decide on applications for variances, or relief from specific sections of the zoning ordinance. The ZBA was created to

provide residents a forum at which they can appeal issues arising from interpretations of the City's zoning ordinance.

Saugatuck Zoning Board of Appeals meetings are held at Saugatuck City Hall, 102 Butler Street, Saugatuck, MI 49453 at 7:00 p.m. on the 2nd Thursday of each month unless otherwise noted.

If you are a resident of the City of Saugatuck and have the desire and ability to serve, please contact City Hall at (269) 857-2603 for more information or to request an application.

Jamie Wolters
Saugatuck City Clerk
Dated: June 1, 2023

102 Butler Street • P.O. Box 86 • Saugatuck, MI 49453
Phone: 269-857-2603 • Website: www.saugatuckcity.com