

THE CITY OF THE VILLAGE OF DOUGLAS
MEETING OF THE CITY COUNCIL
MINUTES
Monday, March 3, 2008
7:00 p.m.

1. Call to Order

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

2. Roll Call

Members Present: Balmer, Bailey, Harvath, Hoexter, Moore, Waddell

Absent: Mayer

Also Present: Manager Kowal and Clerk Neve

3. Pledge of Allegiance – Mayor

4. Changes/Additions/Deletions to Agenda

Motion by Hoexter with support from Harvath to approve the agenda as presented.

Motion carried.

5. Approval of Minutes

A. Committee of the Whole Meeting of February 18, 2008

B. Regular Meeting of City Council of February 18, 2008

C. Closed Session Minutes of February 18, 2008

Motion by Harvath with support from Bailey to approve all meeting minutes of February 18, 2008. Motion carried.

6. Appointments /Resignations

A. Diane Bailey to the Ad Hoc Park Plan Implementation Committee

Motion by Moore with support from Waddell to approve appointment of Diane Bailey to the Ad Hoc Park Plan Implementation Committee for the unspecified term of until Ad Hoc work is completed. Motion carried.

7. Proclamations/Awards

None

8. Public Communications (Limit of three minutes for comments regarding agenda items)

Verbal:

a. Terry Burns, Allegan County Commissioner, announced he is a candidate for a second term as District 1 County Commissioner. Comments on proposal for new county jail and the countywide ban on phosphorus in fertilizer.

b. Fred Royce, 144 Lakeshore, commented he would like to volunteer to help or be an alternate member on the Harbor Commission. Encourages a section on windmills be included in the zoning ordinance. Compliments to Manager Kowal on taking a strong stance on current critical issues.

Written:

A. Letter dated February 20, 2008 from Helen DeGeatano, Founder & President, Douglas Dutchers Base Ball Club, to Mayor Balmer and City Councilpersons RE: Request to Purchase an Advertisement in the 2008 Season Program and Website

Kowal will prepare paperwork and letter of understanding for an ad in the Dutchers Season Program.

B. Letter dated February 15, 2008 from Frederick Eagle "Fritz" Royce III to the Cities of Douglas and Saugatuck and Saugatuck Township RE: Consolidation of Services Between the Three Governmental Jurisdictions

C. Proposed Minutes of the Joint Planning Committee Meeting of February 12, 2008

D. Letter dated February 25, 2008, from R.G. Poetsch RE: Summary of the Interurban Transit Authority Board Meeting of February 19, 2008

E. Summary of the Michigan Small Harbors Coalition Meeting of February 6, 2008, as Attended by Douglas Councilpersons Hoexter and Harvath.

F. Article from February 28, 2008 Edition of The Commercial Record RE: Douglas Resident Suzanne Dixon's Efforts Lobbying on Behalf of the Great Lakes

G. Article from February 28, 2008 Edition of the Holland Sentinel RE: Burden Shouldered by Local Governments in Regards to the Great Lakes

H. Minutes of the Regular Meeting of January 14, 2008 and Workshop Meeting of January 28, 2008 of the Saugatuck Township Fire District Board

Written communication noted as received and filed.

9. Unfinished Business

None

10. New Business

A. Public Input, Discussion, Suggestions and Comments in Regards to the Proposed Community Parks & Recreation Plan Update-Last Updated in 2002. This Plan Helps Guide Facilities Programming and Funding Decisions and Makes the Community Eligible for Various State Funding Programs

No comments were heard from the public. Bailey distributed copies of the community survey.

Kowal related the first improvements to the park plan will begin with

Beery Field.

B. Motion to Adopt Resolution No. 18-2008 Approving a Proposal for Legal Services for the Preparation of an Intergovernmental Agreement and Related Documents for the Creation of the Kalamazoo Harbor Commission.

Motion by Hoexter with support from Bailey to approve adoption of Resolution No. 18-2008. Motion carried unanimously by roll call vote.

Harvath asked if Saugatuck Township has responded to the request that they join with Douglas and Saugatuck in the Harbor Commission.

C. Motion to Adopt Resolution No. 19-2008 Approving a Letter of Understanding with the Saugatuck Douglas Art Club.

Motion by Waddell with support from Bailey to approve adoption of Resolution No. 19-2008. Motion carried unanimously by roll call vote.

D. Motion to Adopt Resolution No. 20-2008 Accepting a Proposal from Williams & Works for Professional Planning and Zoning Administration Services.

Motion by Waddell with support from Hoexter to approve adoption of Resolution No. 20-2008. Motion carried unanimously by roll call vote.

E. Motion to Adopt Resolution No. 21-2008 Amending the Budget of the 2007-2008 General Appropriations Act.

Motion by Waddell with support from Hoexter to approve adoption of Resolution No. 21-2008. Motion carried unanimously by roll call vote.

Mayer entered the meeting at 8:45 p.m.

F. Motion to Adopt for First Reading Ordinance No. 01-2008 Amending The Code of Ordinances of the City of the Village of Douglas in Regards To the Planning Commission (Proposed Ordinance No. 01-2008 will Replace Ordinance No. 162, adopted March 18, 2002)

Motion by Waddell with support from Bailey to approve for first reading Ordinance No. 01-2008.

Kowal explained this is a housekeeping matter setting membership of the Planning Commission at seven members.

Motion carried by roll call vote.

11. Staff Reports

A. Building/Planning/Zoning/Enforcement

1. Letter from City Attorney Mulder to Western Surety Company dated February 27, 2008 RE: Notice of Performance Bond

Default and Non-Compliance with Planning Commission Site Plan Approval in Regards to Blue Coast Properties, LLC (Blue Moon Bar and Grille; Failure to Eliminate Driveway)

2. Complaint Misdemeanor and Warrant Misdemeanor papers filed with the Allegan County District Court with Regards to Illegal Sign Placed in the Public Right-of-Way at Blue Star Highway at Union Street in Douglas. Defendant: Laura J. Durham Mill Pond Realty

3. Complaint for Injunctive and Other Relief filed with the Circuit Court for the County of Allegan with Regard to Abatement of Public Nuisances. Defendant: Crown Distinctive Homes, Inc., and Eldean Development, Ltd. (Summer Grove Development)

4. Letter dated February 21, 2008 from City Manager Kowal to the Michigan Dept. of Environmental Quality (“MDEQ”) RE: Request by City that the MDEQ Schedule and Conduct a Public Hearing in Regards to the Application by Douglas Lakefront Properties, LLC; Thomas A. Scott (Swing Bridge Property) to Install a Sheet Piling Seawall and Backfill in the Kalamazoo River; No Mitigation Actions Proposed.

All communications were briefly discussed by Manager Kowal and noted as received and filed.

12. Committee Reports

A. Zoning Ordinance Ad Hoc Committee

Balmer reported the next meeting would not occur until the final draft is ready.

B. Planning Commission

Next regularly scheduled meeting is March 19, 2008.

C. Community Recreation Advisory Board

Next regularly scheduled meeting is March 18, 2008.

D. Kalamazoo Lake Sewer & Water Authority

Moore reported he attended a special meeting today. KLSWA proceeded with hiring an attorney to represent them in the lawsuit with the City of Douglas.

E. Park Improvements Implementation Ad Hoc Committee

The next scheduled meeting is Tuesday,

13. Council Comments

Moore commented improvements at Beery Field are much needed.

Harvath asked about the property at 127 Water Street. Kowal responded the request for a driveway road cut was denied.

Hoexter asked council to set a date to discuss setting goals and priorities and also review the City Manager contract.

Kowal related his performance evaluation should include goals and priorities. He will establish a list of zoning violations and outstanding projects.

Mayer related she had three phone calls complimenting the DPW on snow removal.

Bailey commented she has wanted to do a goal setting session since we hired Manager Kowal. A good session will take all-day. Peter Letzmann could assist with this session. A good facilitator will be most productive.

Harvath asked if there was a need for council to meet separately prior to a goal setting session.

Mayer said she would like to get together with someone who can guide us to a resolution.

14. Mayor's Report/Comments

Balmer suggested having a meeting with the labor attorney to discuss goal setting, performance evaluation and manager contract review.

Manager Kowal is instructed to set up a meeting with Attorney Callander to attend a closed session to review the manager contract.

Council also needs to set a goal setting session with MML to work on priorities.

Balmer commented the Saugatuck Township residents probably do not realize that they are getting Police service free of charge. The State Police do not respond to local calls. They are only doing road patrol.

15. Approval of Invoices

A. Consideration of Approval of Invoices dated 2/28/08

Motion by Moore with support from Harvath to approve invoices totaling \$75,037.63. Motion carried unanimously by roll call vote.

16. Manager's Report

An explanation of the error on the assessment notice was given. Allegan County is resending notices due to their error in calculating the increase in the 2008 tax bill.

Manager Kowal will be attending court on Wednesday, March 5th for the Saugatuck Public Schools lawsuit hearing.

17. Hear from the Audience (Limit three minutes for general comments)

A. Fred Royce, 144 Lakeshore, commented he feels that council and manager are overwhelmed by all the daily issues. To attract and keep good people for the positions of Zoning Administrator and Treasurer the city will have to pay more.

B. John St.Andre, 337 Ferry Street, commented he worked for City

of Jackson for many years. He is willing to offer his services to Douglas on contract review, union negotiations, etc.

18. Adjournment

The meeting was adjourned at 10:00 p.m.

Respectfully submitted by:

Jean E. Neve, CMC
Clerk

Approved by: _____
Matt Balmer, Mayor

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of the Village of Douglas held on March 3, 2008. I further certify that the meeting was duly called and that a quorum was present.

Jean E. Neve, City Clerk Date