

**THE CITY OF THE VILLAGE OF DOUGLAS**  
**MEETING OF THE CITY COUNCIL**  
**MINUTES**  
**Monday, May 19, 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, Harvath, Mayer, Moore, Waddell

Absent: Bailey, Hoexter

Also Present: Manager Kowal and Clerk Neve

3. Pledge of Allegiance – Mayor

4. Changes/Additions/Deletions to Agenda

Additions: Item #8B-11, Fire District Budget

Item #8B-12, Email RE: Small Harbors Group

Item #18, Closed Session, Review of legal opinion with Attorney

Andy Mulder

Motion by Moore with support from Mayer to approve the agenda as amended. Motion carried.

5. Approval of Minutes

A. Committee of the Whole Meeting of City Council of May 5, 2008

B. Regular Meeting of City Council of May 5, 2008

C. Closed Session Minutes of City Council of May 5, 2008

Motion by Moore with support from Waddell to approve meeting minutes as presented. Motion carried.

6. Appointments /Resignations

A. Motion to Appoint the Following Individuals to the City of the Village of Douglas Zoning Board of Appeals (ZBA) for the Terms Indicated. No Alternate Members are scheduled for appointment at this time.

1) Kenneth Kutzel; term expiring June 30, 2009

2) Jeff Greenwood; term expiring June 30, 2010

3) Alexa Urquhart; term expiring June 30, 2010 (term to be limited to the time Ms. Urquhart is a member of the City of the Village of Douglas Planning Commission)

4) Tarue Pullen; term expiring June 30, 2011

5) Bill Schumacher; term expiring June 30, 2011

Motion by Waddell with support from Moore to approve appoint of Kenneth Kutzel, Jeff Greenwood, Alexa Urquhart, Tarue Pullen

and Bill Schumacher to the Zoning Board of Appeals for the above noted terms. Motion carried unanimously by roll call vote.

7. Proclamations/Awards

None

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

A. Verbal:

Terry Burns, Allegan County Commissioner, reported on Mobile Computer Terminals in Police vehicles and mock emergency drills held in conjunction with FEMA, Police, Fire and Homeland Security.

B. Written:

1. Letter from Mr. Michael Schwabe dated May 8, 2008 RE: Fence that was constructed adjacent to his home at 137 N. Main St.
2. Email from Ms. Lisa Lungaro dated May 7, 2008 RE: Ms. Lungaro's resignation from the Saugatuck/Douglas Area Business Association (SABA)
3. Letter from Allegan County Continuum of Care RE: Allegan County's 10-year plan to end homelessness
4. Letter from John Thomas dated May 13, 2008 RE: Expression of thanks and appreciation to City Staff, City Council, and Contractors RE: Reconstruction of Center Street
5. Letter received May 12, 2008 from Mr. Thomas G. Doucette, 180 Union Street, RE: Opposition to proposed construction of varsity baseball field at the site of Douglas Elementary School
6. Letter from Mr. James Wiley dated May 14, 2008 RE: Opposition to proposed varsity baseball field at the site of Douglas Elementary School
7. Article from U.S. Environmental Protection Agency; Landfill Studies Complete; Cleanup Plan Being Written (Allied Paper/Portage Creek/Kalamazoo River Superfund Site); May 2008
8. Michigan Township Services Summary of Permits Issued; April 2008
9. Letter from City Manager to Library Director dated May 9, 2008 RE: Notice of denial of request to hang library banners on Center Street light poles.
10. Press Release dated May 12, 2008 RE: City Manager's intent to recommend to City Council appointment to Robert Drexler as City Treasurer/Finance Director.
11. Saugatuck District Fire Department 2008-2009 Budget
12. Email received RE: Small Harbors Group  
Written communications noted as received and filed.

## 9. Unfinished Business

None

## 10. New Business

A. Motion to Adopt Resolution No. 36-2008 Appointing Robert Drexler as Treasurer/Finance Director of the City of the Village of Douglas

Motion by Waddell with support from Harvath to approve adoption of Resolution No. 36-2008 appointing Robert Drexler as Treasurer/Finance Director. Motion carried unanimously by roll call vote.

B. Motion to Adopt Resolution No. 37-2008 Renewing the City of the Village of Douglas Health Insurance Plan with Priority Health (Plan Year July 1, 2008 through June 30, 2009)

Motion by Moore with support from Waddell to approve adoption of Resolution No. 37-2008 renewing Priority Health Plan. Motion carried unanimously by roll call vote.

C. Motion to Adopt Resolution No. 38-2008 Supporting the Blue Star Bridge Pier Cap Transportation (MDOT) Local Bridge Program Grant Funding Application

Motion by Moore with support from Harvath to approve adoption of Resolution No. 38-2008 supporting bridge program grant funding application. Motion carried unanimously by roll call vote.

D. Motion to Adopt Resolution No. 39-2008 Approving a Proposal from Pittman Asphalt Maintenance to Perform the 2008 Roadway Crack Sealing Program for the City of the Village of Douglas (Blue Star Highway)

Motion by Moore with support from Mayer to approve adoption of Resolution No. 39-2008 accepting proposal from Pittman Asphalt Maintenance. Motion carried unanimously by roll call vote.

E. Motion that the City of the Village of Douglas Authorize the Law Firm of Kreis, Enderle, Callander & Hudgins, P.C. to Institute Litigation Against the Owners and Developers of Waterview Ventures, Inc. to Enforce the Promises made as part of the PUD Approval Process for the Development of Felker Woods Condominium, Including Promises Regarding the Construction of an Improved Park Street and to Seek Recovery of Costs and Attorney Fees Related Thereto

Motion by Waddell with support from Harvath to authorize litigation against Waterview Ventures, Inc. Motion carried unanimously by roll call vote.

F. Motion to Adopt Resolution No. 40-2008 Approving the Request from Corkscrews, LLC for a New Small Wine Maker License from the Michigan Liquor Control Commission for a Proposed Business to be Located at 20 E. Center Street, Douglas, Michigan, Allegan County, Conditional Upon Receiving Site Plan Approval by the City of the Village of Douglas Planning Commission.

Motion by Waddell with support from Mayer to approve adoption of Resolution No. 40-2008 for Corkscrews, LLC liquor license with the condition of approval of site plan by

the City Planning Commission. Motion carried unanimously by roll call vote.

G. Motion to Adopt Resolution No. 41-2008 Appointing David R. Kowal as Planning and Zoning Administrator of the City of the Village of Douglas.

Motion by Moore with support from Waddell to approve adoption of Resolution No. 41-2008 appointing David R. Kowal as Planning and Zoning Administrator of the City of the Village of Douglas. Motion carried unanimously by roll call vote.

H. Commence Review of DRAFT Fiscal Year 2008-2009 Budget. In accordance with Section 9.2, Budget Procedure, of the City Charter, the City Manager shall compile and review department budget requests and then prepare his budgetary recommendations and submit them to the City Council at its meeting nearest to the third Monday in May of each year (to be forwarded Monday, May 19, 2008)

Discussion followed on proposed budget. More detailed explanations and descriptions of funds will be ready for a public hearing held at the June 16th meeting. Council requested a work session on the budget prior to the public hearing.

## 11. Staff Reports

### A. Building/Planning/Zoning/Enforcement

1. Letter from City Manager/Zoning Administrator Kowal dated May 8, 2008 to Philip J. Sheridan, Attorney at Law, Denying his Request to Schedule a Hearing on Behalf of his Client, Mr. Chad Kalkman, Before the Douglas Zoning Board of Appeals (ZBA) Pertaining to Mr. Kalkman's Property Located at 127 Water Street, Douglas, MI

Brief review of letter included in packet.

### B. Finance/Budget

1. Revenue/Expenditure Report for the Period 7/1/07 to 4/30/08
2. Cash Balances Report for the Month Ended April 30, 2008
3. Summary of Wire Transfer/ACH Payments for the Month Ended April 30, 2008
4. Investment Schedule as of 4/30/08

A number of amendments are needed to the current budget and will come before council in June.

## 12. Committee Reports

### A. Zoning Ordinance Ad Hoc Committee

The zoning ordinance rewrite is in the Planning Commissioners hands for review.

### B. Planning Commission

Next meeting is May 21, 2008

### C. Community Recreation Advisory Board

No report

#### D. Police Commission

The May meeting was cancelled. No report.

#### E. Kalamazoo Lake Sewer & Water Authority

No report.

#### F. Park Improvements Implementation Ad Hoc Committee

The committee has met and walked thru parks. By joining a nationwide group the City would have the ability to purchase playground equipment with a large number of municipalities.

#### 13. Council Comments

Harvath commented on how nice Center Street paving looks.

Moore asked about the meeting with the Saugatuck School Administrators.

Mayer offered compliments on Center Street.

Waddell thanked Manager and Staff for the work done.

#### 14. Mayor's Report/Comments

Balmer asked council how they want to proceed with the list of goals established at the retreat.

Kowal suggested getting through the budget process and then schedule goals for the first meeting in July.

#### 15. Approval of Invoices

##### A. Consideration of Approval of Invoices dated 5/15/08

Motion by Waddell with support from Mayer to approve invoices dated 5/15/08 totaling \$56,747.02. Motion carried unanimously by roll call vote.

#### 16. Manager's Report

A. In the proposed budget the line item for cemetery maintenance payment to Saugatuck Township will be eliminated.

B. Fleis & VandenBrink, Aggregate Associates, and Ron Meyer Excavating all did a good thing by stepping up and taking responsibility for the Center Street paving project. The repaving was done at no cost to the City. Ron Meyer really went above and beyond and completed a couple of other smaller jobs while his equipment was here.

C. The job title and description of the City Clerk has been changed to include Human Resources / Risk Manager.

D. The first new banners are in place on Center Street with the Blue Star Bridge banners being installed this week.

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

A. Gay Japinga, 429 Summer Grove, offered her thanks for the repair of Wiley/130th Street.

B. Bill Winters, Saugatuck, encouraged all entities to work together to work out differences in support of the Saugatuck Public Schools.

18. CLOSED SESSION – Review legal opinion and pending litigation with Attorney Doug Callendar and Attorney Andy Mulder.

Motion by Moore with support from Mayer to go into closed session at 9:30 p.m. to discuss a legal opinion and pending litigation with attorneys via telephone conference. Motion carried unanimously by roll call vote.

Motion by Waddell with support from Mayer to end the closed session at 10:26 p.m. Motion carried.

19. Adjournment

The meeting was adjourned at 10:26 p.m. on motion and support by Waddell and Mayer.

Respectfully submitted by:

Jean E. Neve, CMC  
Clerk

Approved by: \_\_\_\_\_  
Matt Balmer, Mayor