

**THE CITY OF THE VILLAGE OF DOUGLAS  
MEETING OF THE CITY COUNCIL  
MINUTES**

Monday, February 2, 2009  
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: Bailey, Balmer, Harvath, Hoexter, Sapita, Urquhart, Waddell

Absent: None

Also Present: Manager Kowal and Clerk Neve

**3. Pledge of Allegiance**

Led by Boy Scout Spencer Gust

**4. Changes/Additions/Deletions to Agenda**

- A. Add: Item #8B-10, Notice of February 3, 2009 meeting with Allegan County Board of Commissioners RE: Proposed Jail Plan

Motion by Bailey with support from Hoexter to approve the agenda as amended..  
Motion carried.

**5. Approval of Minutes**

- A. Regular Meeting of City Council of January 19, 2009

- B. Closed Session Minutes of January 19, 2009

- C. Committee of the Whole Meeting of January 20, 2009

- D. Committee of the Whole Meeting of January 26, 2009

Motion by Bailey with support from Sapita to approve meeting minutes from January 19, 20 and 26, 2009 City Council Meetings as presented.  
Motion carried.

**6. Appointments /Resignations**

- A. Motion to Accept Resignation of Mr. Andrew J. Mulder, City Attorney  
Motion by Hoexter with support from Bailey to accept, with regret, the resignation of Attorney Andrew J. Mulder. Motion carried.

**7. Proclamations/Awards**

Proclamation Extending Thanks, Appreciation and Gratitude to Mr. Andrew J. Mulder, City Attorney, for his Many Years of Loyal and Dedicated Service to the City of the Village of Douglas.

Motion by Bailey with support from Sapita to go into a short recess at 7:10 p.m. to enjoy coffee and cookies in honor of City Attorney Mulder.

Motion carried.

Meeting reconvened at 7:18 p.m.

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

**A. Verbal:**

1. Allegan County Commissioner Terry Burns reported on calls from residents on Harbor Lake Drive asking for help with the poor condition of the road.

**B. Written:**

1. Interurban Transit Authority Monthly Report dated January 20, 2009
2. Letter to the Editor from Mr. John Thomas dated January 18, 2009
3. Article Entitled "Meetings Are A Matter of Precious Time"
4. Michigan Municipal League ("MML") Issue Advisory; "Economic Recovery Bill Introduced"
5. Communications from Saugatuck Douglas Convention & Visitors Bureau RE: Status of "Top 25 Art Destinations"
6. Notice of Public Hearing from State of Michigan, Department of Environmental Quality RE: Application for Permit by Douglas Lakefront Properties Inc., LLC, to Construct a Boardwalk through Wetland, and Overlapping Floodplain, along the Kalamazoo River, adjacent to Proposed "Boardwalk at Swing Bridge" Condominium Development located near Blue Star Highway and Union Street in the City of the Village of Douglas
7. Michigan Natural Resources Trust Fund ("MNRTF") Proposed Application Review/Selection Process and Scoring Criteria for 2009 (submitted by County Commissioner Burns)
8. Letter from Deputy Fire Chief/Fire Inspector Janik to Saugatuck Douglas Historical Society RE: Old Schoolhouse, 130 W. Center Street, Douglas
9. City of the Village of Douglas News Release No. 01-2009
10. Allegan County Board of Commissioner Notice of February 3, 2009 Meeting, RE: Proposed Jail Plans

Written communications noted as received and filed.

**9. Unfinished Business**

None scheduled.

**10. New Business**

- A. Presentation by Boy Scout, Spencer Gust, of Proposed Eagle Scout Project  
Scout Gust presented his plan for making picnic tables to place at Douglas Beach. He will be seeking donations to cover costs.  
Motion by Bailey with support from Sapita to approve the proposed Eagle Scout Project of Spencer Gust. Motion carried.

- B. Motion to Adopt Resolution No. 05-2009 Authorizing an Alternative Starting Date for the March Board of Review.  
Motion by Bailey with support from Waddell to approve Resolution No. 05-2009 authorizing an alternative starting date for the March Board of Review. Motion carried.
- C. Motion to Adopt Resolution No. 06-2009 Approving Proposed Planned Unit Development Site Plan – West Shore Cottages Development.  
Larry Nix, Williams & Works, reviewed how the project got to this point. Attorney Andy Mulder reviewed the documents from the Planning Commission Public Hearing. West Shore Cottages Development was recommended for approval with 19 conditions. Legal descriptions in the conservation agreement have been confirmed. There has been a title search completed and bank/mortgage agreements confirmed.  
Council engaged Nix, Mulder, West Shore Cottages Attorney Bill Sikkel and West Shore Engineer Todd Pacquette in a question and answer discussion.  
Sapita had several questions and asked about conflicting measurements on the site plan. He indicated he is not in favor of the project and will be voting no.  
Roman Wilson, Lakeshore Environmental, spoke about contamination clean up and responsibility of the developer.  
Sikkel spoke to the 25 foot rear yard at each unit and explained about the four associations within the project and the Michigan Condo Act.  
Motion by Harvath with support from Hoexter to adopt Resolution No. 06-2009 approving proposed Planned Unit Development Site Plan for West Shore Cottages. Motion carried, 5-2, by roll call vote with Urquhart and Sapita casting “no” votes.
- D. Motion to Adopt Resolution No. 07-2009 Approving the 2009 Street and Utility Infrastructure Improvements Project Design Engineering Services Proposal dated January 27, 2009, Prepared by Fleis & VandenBrink Engineering, Inc., and Authorizing Phase I Engineering Services.  
Motion by Waddell with support from Bailey to adopt Resolution No. 07-2009 approving the 2009 Street and Utility Infrastructure Improvements Project Design Engineering Services Proposal. Motion carried unanimously by roll call vote.  
Harvath asked about any updates on the stimulus package funds Kowal related there seems to be daily changes coming out of Washington. He will keep council informed.

**11. Staff Reports**

**A. Building/Planning/Zoning/Enforcement**

Letter dated January 26, 2009 and *Certificate of Completion* received by the City from the Michigan Economic Development Corporation (“MEDC”) RE: The City of Douglas’ State of Michigan Community Development Block Grant (“CDBG”) Downtown Streetscape Project. Manager Kowal offered thanks to Ryan Kilpatrick for all the work done to provide the final paperwork necessary to close this project.

**12. Commission/Committee Reports**

**A. Planning Commission - Waddell**

No meeting.

**B. Community Recreation Advisory Board - Bailey**

The Five-Year Recreation Plan has been approved until 2013.

**C. Kalamazoo Lake Sewer & Water Authority Board - Urquhart**

The budget was approved. KLSWA is looking at purchasing a backhoe and a vacuum truck.

**13. Council Comments**

**A.** Urquhart commented he feels the lot sizes in all areas of Douglas are too small. Changes are needed in all zoning districts.

**B.** Bailey reported she had attended the Small Harbors Commission meeting. This Commission is trying to incorporate other lobbying groups and will be linking with other states that border the Great Lakes.

**C.** Waddell requested a work session be scheduled to review conduct at meetings, questioning paid experts and working on precious meeting time.

**14. Mayor’s Report/Comments**

No comments.

**15. Approval of Invoices**

**A.** Consideration of Approval of Invoices dated 1/29/09 in the amount of \$98,460.32.

Motion by Harvath with support from Waddell to approve invoices dated 1/29/09 totaling \$98,460.32. Motion carried unanimously by roll call vote.

**B.** Motion to Approve Payroll for the Month Ended January 31, 2009 in the Amount of \$60,276.32.

Motion by Harvath with support from Waddell to approve payroll for the month ended January 31, 2009 in the amount of \$60,276.32. Motion carried unanimously by roll call vote.

**16. Manager's Report**

- A. Police Arbitration Hearing is scheduled for March 23<sup>rd</sup>. Hearings for both officers will be heard as one.
- B. Kowal has been appointed a voting member on the Allegan County Rural Task Force.
- C. Approval of the new zoning ordinance may be scheduled for the next council meeting on February 16<sup>th</sup>.  
If council is interested in having a work session to discuss downtown parking issues, a meeting could be scheduled for next Monday, February 9<sup>th</sup> at 5:00 p.m.

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

- A. Suzanne Dixon, 797 Center St., thanked Councilperson Sapita for his comments on West Shore Cottages. After development is built the property owner will have liability for contamination if the plume moves due to construction and dewatering.

**18. Adjournment**

The meeting was adjourned at 9:45 p.m.

Respectfully submitted by:

Jean E. Neve, CMC  
City 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 February 2, 2009. I further certify that the meeting was duly called and that a quorum was present.

\_\_\_\_\_  
Jean E. Neve, City Clerk

\_\_\_\_\_  
Date





