

**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING MINUTES OF THE CITY COUNCIL
MONDAY, APRIL 18, 2011
DOUGLAS CITY HALL COUNCIL ROOM
86 W. CENTER STREET, DOUGLAS, MI
7:00 PM**

1. **Call to Order** – Mayor Waddell called the meeting to order at 7:00 PM.
2. **Roll Call** – Members present: Greenwood, Harvath, Hoexter, Mayer, Smith, Wiley, Waddell
Members absent/excused: None
Also present: City Manager LeFevere, Community and Economic Development
Director Kilpatrick, Treasurer Drexler and City Clerk Neve
3. **Pledge of Allegiance – Mayor**
4. **Consent Calendar**
 - A. Approval of Agenda for April 18, 2011
 - B. Approval of Regular Meeting Minutes of April 4, 2011
 - C. Approval of Invoices dated 4/18/2011 in the amount of \$28,444.38

Motion by Harvath, with support from Smith, to approve the Consent Calendar as presented. Motion carried unanimously by roll call vote.

5. **Public Communications**
 - A. Verbal (Limit of three (3) minutes pertaining to agenda items only)

The following citizens spoke in opposition to the proposed amendments to Chapter 93 of the Douglas Code of Ordinances relating to Sidewalks.

- 1.) Richard Beebe, Union Street
- 2.) Bertha Hren, Union Street
- 3.) Lawrence Basgall, Main Street
- 4.) Kathleen Chirco, Randolph Street
- 5.) Bruce Balmer, Fremont Street

The following spoke in opposition to the proposed amendments to Chapter 93 of the Douglas Code of Ordinances relating to Public Boat Launch Ramps.

- 1.) Randy Crum, Enterprise Drive
- 2.) Cliff Asbel, MarinaMan, offered suggestions for ramp improvements.

Terry Burns, Allegan County Commissioner spoke about the reapportioned County Commission Districts. The previous eleven (11) districts now will be combined into seven (7). Laketown Township, Saugatuck Township, City of Douglas and City of Saugatuck will be combined to include City of Fennville and Manlius Township.

- B. Written Communications
 1. Article from the Detroit News dated April 7, 2011
 2. Thank you note from Grace of Douglas RE: Lester Shafer proclamation
 3. Letter dated April 4, 2011 from VOX United RE: Art To Do (Well) Project
 4. Letter dated April 12, 2011 from Cliff Asbel, MarinaMan RE: Public Boat Launch Ramp

5. Saugatuck Township Fire Board Regular Meeting Minutes of March 14th and Workshop Meeting of March 28th.

Six (6) additional letters were read into record relating to Sidewalks.
Written Communications noted as received and filed.

6. Unfinished Business

- A. **1. Approval of Second and Final Reading for Adoption of Ordinance No. 03-2011 Amending Chapter 93 of the Douglas Code of Ordinances RE: Regulation of Sidewalks**

Motion by Hoexter with support from Smith to approve the second and final reading for adoption of Ordinance No. 03-2011 amending Chapter 93 of the Douglas Code of Ordinances – Regulation o Sidewalks

Discussion: What is the City of Saugatuck's position on plowing sidewalks?
Need to adopt something that is fair and enforceable.
Cost to the City is approximately \$7,000 for residential and \$12,000 for the business district yearly.
Sounds like residents don't really care if sidewalks are cleared or not.
Getting children safely to school is the most important consideration.
With the few businesses that remain open during the winter we need to at least look like the business district is open.
The City could have some liability if someone would be injured by walking in the road. There is a way to temporarily close sidewalks during the winter.
This amendment was not designed to be a cost cutting measure but rather to fill a gap in the ordinance.
This ordinance deal with trees and shrubs also. The proposed changes are aimed at clearing up the definitions.

Motion fails unanimously by roll call vote.

- 2 Approval of Second and Final Reading for Adoption of Ordinance No. 03-2011 Amending Chapter 93 of the Douglas Code of Ordinances RE: Regulation of Streets**

Motion by Greenwood with support from Hoexter to approve the second and final reading for adoption of Ordinance No. 03-2011 Amending Chapter 93 of the Douglas Code of Ordinances – Regulation of Streets.

Discussion: Manager LeFevere reviewed the proposed amendments and pointed out the need to fill a gap in the ordinance pertaining to road cuts.

Motion carried unanimously by roll call vote.

- B. **Approval of Second and Final Reading for Adoption of Ordinance No. 04-2011 Amending Chapter 93 of the Douglas Code of Ordinances RE: Public Boat Launch**

Motion by Greenwood with support from Smith to approve second and final reading for adoption of Ordinance No. 04-2011 amending Chapter 93 of the Douglas Code of Ordinances - public boat launch ramps.

Discussion: Proposed amendments would limit the length of boats using the launch ramps
Not comfortable to make a decision without more knowledge about ramps.
Suggestion for members to take a tour of the launch ramps
Not in favor of this ordinance. Amendments are not enforceable.
Who would be doing inspections? How will it be enforced?
Most people who own a boat over 26-ft. know what they are doing.
Would like a review of the wording and more research.
In favor of having something on record.

Motion failed 1 – 6 by roll call vote with Hoexter casting a “yes” vote.

C. **Approval of Amendment to Resolution No. 10-2011 Approving Liquor License Transfer For Zing Eat/Drink, LLC.**

Motion by Hoexter with support from Smith to approve amending
Resolution No. 10-2011 RE: Zing Eat/Drink, LLC Liquor License Transfer.

Discussion: Applicant Petzing was present to explain the reasons for the amendments.

Motion carried unanimously by roll call vote.

7. **New Business**

A. **Approval of Resolution No. 13-2011 Approving a Professional Service Contract with Grounds Management Solution, LLC, for Spring Clean Up and Lawn Maintenance at Schultz Park and Beery Field for the 2011 Season.**

Motion by Smith with support from Greenwood to Approve Resolution No. 13-2011 Approving a Professional Service Contract with Grounds Management Solution, LLC, for Spring Clean Up and Lawn Maintenance at Schultz Park and Beery Field for the 2011 Season.

Discussion: This is a continuation of services at the same rates as last season.
It is time to go out for bid for these services.
Many of the boxwood bushes are dying that were planted by GMS.
Can bids be received quickly and be ready to proceed by the next meeting?

Motion failed 1 – 6 by roll call vote with Greenwood casting a “yes” vote.

8. **Reports**

A. **Commission / Committee / Board Reports**

1. Planning Commission - Kilpatrick
A home occupation special use permit was approved at 34 Wall Street in the R-3 District.
Working with subcommittee on language for the medical marijuana ordinance.
2. Kalamazoo Lake Sewer and Water Authority – Wiley
A annual requirement to have an inspection on cross connection that would prevent backflow from being pumped back into the system will be enforced. Testing on sludge is upcoming.
3. Kalamazoo Harbor Master Plan Committee
Next meeting scheduled for Tuesday, April 19th.

4. Joint Planning Committee - Mayer
No meeting scheduled until May.
Looking for another representative from Douglas for this committee.
5. Community Recreation Advisory Board - Smith
No meeting.
6. Downtown Development Authority - Kilpatrick
Working on budget. Special meeting Tuesday, April 19th to review signage on Center Street.
7. Police Commission - Hoexter
Talked about the budget. Many questions on administration costs.
8. Douglas Advisory Committee - Kilpatrick
The results of the Blue Star Highway survey are in. Will be reviewed and an analysis report will be presented.
9. Friends of the Barrel - Smith
Nothing to report.

B. Staff Reports

1. **Community Development / Planning / Zoning** – Kilpatrick
Review of memo dated April 15, 2011 from Director Kilpatrick RE:
Denial of Application for Temporary Off-Site Sign Permit

Kilpatrick related the request was denied because city ordinance does not allow.
Don Karas, Jr., a member of the Venetian Festival Committee, requested an appeal to the city council to allow him to place advertising signs for the “Sounds of Saugatuck” event. He explained this is a free music event created to bring tourists into the community during the off-season.
Motion by Harvath with support from Mayer to allow a temporary off-site sign permit for “Sounds of Saugatuck” for the benefit of the Tri-Communities.
Motion carried by roll call vote with Hoexter casting a “no” vote.
2. **Finance/Budget** – Drexler
 - a. Revenue/Expenditure Summary Report for the Period Ended 7/1/2010 to 3/31/2011
 - b. Wire Transfer/ACH Payment Summary for the Month Ended 3/31/2011
Drexler reported overall the city is 8% under budget at nine months into the fiscal year.

C. Manager LeFevere’s Report / Comments

1. Just returned from vacation.
2. Meeting scheduled Tuesday with Saugatuck Public Schools regarding shared services. Will be contacting Saugatuck Manager Harrier also to discuss sharing services.

9. Public Communications - Verbal (Limit of three (3) minutes on general business of the City
A. Don Karas, Jr. commented he has been riding the Interurban to look for safe routes and pick-up stops going to and from venues during "Sounds of Saugatuck".

B. Rich Beebe, Union Street, commented on the snow clearing equipment creating a hazard and the small number of taxpayers that would be impacted by the proposed Sidewalk ordinance.

10. Council Comments

A. Wiley requested an update on the Costa Azul building. Kilpatrick responded he has given the owner 14 days to resolve and either repair or demolish.

B. Hoexter thanked audience for their comments.

C. Greenwood thanked Manager LeFevere and Director Kilpatrick for taking all the feedback and work on the ordinances. Requested information on the state of the house at 355 Union.

D. Harvath thanked staff and council members for listening to audience comments.

11. Mayor Waddell's Report / Comments

No comments.

12. Adjournment – Meeting adjourned at 10:00 p.m.

Respectfully submitted by:

Jean E. Neve, CMC
City of the Village of Douglas Clerk

Approved by: _____

Renee Waddell, 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 April 18, 2011. I further certify that the meeting was duly called and that a quorum was present.

Jean E. Neve, City Clerk

Date