

**SAUGATUCK TOWNSHIP BOARD
REGULAR MEETING**

**WEDNESDAY, JULY 11, 2007, 7:00 p.m.
SAUGATUCK TOWNSHIP HALL
3461 BLUE STAR HWY, SAUGATUCK, MICHIGAN 49453**

MINUTES

Supervisor Wester called the meeting to order at 7:00 p.m. and led in the Pledge of Allegiance.

Members present: Supervisor Bill Wester, Clerk Jane Wright, Treasurer Pat Knikelbine, Trustee Chris Roerig, and Trustee Damien Jarzembowski.

Members absent: None.

Wester opened the regular meeting and asked for public comments. MSP Trooper Nate Grant introduced Curt Zondervan, Sales Representative for Medtronic automatic external defibrillators. Zondervan demonstrated the use of an AED and offered the unit as a demo model until one ordered by the township arrives. Don Schipper, William Hunt, Dick Waskin, and Bill Rowe all spoke in support of the proposed draft 5 of the non-discrimination ordinance scheduled to be addressed during "Unfinished Business". Hearing no further public comment, Wester closed that portion of the meeting at 7:09.

Approval of Agenda: Wester then brought the consent agenda to the floor for approval.

- A. Accounts Payable
 - i. A.D. BOS through WILKINS HARDWARE.
Total to be paid \$35,596.90
 - ii. Checks issued to be post-audited
(check register attached)
- B. Payroll (check register attached)
- C. Approval of Minutes
 - i. June 6, 2007 Public Hearing and Regular Township Board Meeting

Motion by Knikelbine, seconded by Jarzembowski to approve the agenda as presented. Carried unanimously.

Correspondence:

- A. Fireworks Fund Committee, Request for Donation. Wright stated the township has donated \$500 in past years for 4th of July fireworks. Jarzembowski asked if we couldn't do better than \$500 to help promote tourism. Discussion took place as to how much the township could afford from the community promotion expense account, noting there was \$2,500 in the budget and \$2,000 has been committed to purchase the AED unit. **Motion by Wright, seconded by Roerig to donate \$500 for 4th of July fireworks.** Motion carried 4 to 1 with Jarzembowski casting the no vote.
- B. Siegfried Crandall Proposal for Annual Audit. Wright stated the audit firm is the same as in previous years, very qualified and very thorough. She added that due to additional reporting requirements the fee has been increased to \$8,250. **Motion by Knikelbine, seconded by Roerig to approve the firm of Siegfried Crandall for the annual 2006/2007 township audit.** Carried unanimously.

Unfinished Business:

- A. Proposed Civil Rights Ordinance or Resolution. Wright asked if the Board had a chance to review draft 5 of a non-discrimination ordinance and reviewed the language, noting the object of the ordinance is to maintain a record of any discriminatory acts. She added if the record reveals a discrimination problem within the township, the board can review and amend the ordinance based on the problem. **Motion by Wright, seconded by Knikelbine to adopt Draft 5 of the Non-Discrimination Ordinance as presented.** Roerig asked if it would be appropriate to have the Township Attorney review the language. Wright stated we could, but she was comfortable with the language and did not feel it necessary. Wester referred to a pending state law and wondered if it would be more appropriate to rely on state action. Wright stated the passing of local ordinances sends a message to the state legislatures identifying the need for state law. Wester asked if a resolution would be better. Wright replied no as an ordinance carries more weight. Board discussed the notification and investigation section and Roerig asked to include a disclaimer for liability. Knikelbine and Wright stated they would be comfortable modifying the ordinance to include Section 4.1 "Administrative Liability" from the original proposed civil rights ordinance. Jarzembowski verified the attorney would review the language before codification. **It was moved by Wright and seconded by Knikelbine to amend the motion to include an Administrative Liability section from the original civil rights ordinance draft.** The amendment to the main motion was adopted. Roll call vote on the main motion: Jarzembowski-yes, Knikelbine-yes, Roerig-yes, Wright-yes, Wester-yes. Ordinance declared adopted.

New Business:

- A. Millennium vs. Saugatuck Township, Settle or Appeal. Wright stated the township lost a lawsuit filed by Millennium Properties which claims reimbursement for monies paid into escrow for attorney and planner fees incurred due to their rezoning request. She added although the township attorney feels the decision is unjust, he recognizes the cost to appeal would exceed the summary judgment of \$3,402.94 plus interest and filing fees. Board discussion ensued and it was agreed the administrative loop hole that allowed for the judgment has been rectified and an appeal would be cost prohibitive. **Motion by Roerig, seconded by Knikelbine to settle with Millennium for \$3,402.94 plus interest and filing fees restricted to court filing fees.** Motion carried unanimously.
- B. Expiring Appointments on PC and ZBA. Wester submitted Brent VanOss as a candidate to replace Dan Marczuk whose term expired on the Planning Commission and Zoning Board of Appeals. He also submitted Pam Marczuk as a candidate to replace Brent VanOss whose unexpired term as an alternate on the ZBA will be vacated. Wester then submitted reappointing Jim Hanson to the Planning Commission for a second 3 year term. **Motion by Wright, seconded by Knikelbine to appoint Brent VanOss to the Planning Commission and Zoning Board of Appeals for a three year term.** Roerig asked why the township did not advertise for candidates and how Wester arrived with the names submitted. Discussion took place with the board agreeing that next time appointments are made a notice should be published advertising for interested individuals, but it would be acceptable to continue and vote on the submitted people. Motion to appoint Brent VanOss carried unanimously. **Motion by Wright, seconded by Jarzembowski to reappoint Jim Hanson to the Planning Commission.** Carried unanimously. **Motion by Wright, seconded by Jarzembowski to appoint Pam Marczuk to the ZBA as an alternate assuming the unexpired term of Brent VanOss.** Carried unanimously.
- C. Proposed Zoning Text and Zoning Map Amendment Ordinance. Wester referred to Jim Hanson who was present in the audience to summarize the proposed ordinance. He stated there are 4 amendments proposed that were approved by the Planning Commission in June and reviewed by the attorney. He explained each of the 4 and there was a **motion by Wright, seconded by Wester to adopt the zoning**

text and zoning map amendment ordinance as presented. Roll call vote: Wright-yes, Wester-yes, Roerig-yes, Jarzembowski-yes, Knikelbine-yes. Ordinance declared adopted. Jarzembowski asked to have copies of the map made available.

- D. Planning Commission Annual Report. Hanson presented an annual report on all activities undertaken by the planning commission with special focus on actions taken to implement the Tri-Community Comprehensive Plan. Board thanked Hanson for a job well done.
- E. Removal of Street Light at Blue Star and 64th. Wright stated the road commission has performed a traffic study and determined a traffic light should be installed at the intersection of Blue Star and 64th just east of Burger King. She added the street light that currently is installed will be replaced with a traffic light and board action is required to amend the street light contract with Consumers Energy. **Motion by Roerig, seconded by Jarzembowski that based on the County Road Commission’s findings of a need for a traffic light at Blue Star and 64th we authorize the removal of the street light from the Consumers Energy street light contract.** Motion carried unanimously. Roerig noted it is the first traffic light in a township within Allegan County.

Committee Reports:

- A. Planning Commission. Jarzembowski reported discussions with Jet Construction regarding the Chestnut Lane development and will again be on the next meeting agenda. He also stated they are reviewing density calculation methods and lake accesses.
- B. Road Commission. Roerig stated they had a meeting in June with some of the Bradley Road residents. County engineer was available to explain how the road was engineered and proposed to be constructed. He stated some people remain opposed to the construction.
- C. Interurban. No report.
- D. Fire Authority. Wright reported on a recent fire in Laketown that we responded to. She stated 3 lakeshore homes were lost, but due to the extreme dry conditions and winds the departments did an outstanding job of containing the blaze.
- E. Website & Newsletter Update. Wright stated the newsletter was mailed with the summer tax bills.

Public comment was offered. Jacqueline Carey, Julie Abel, Tina Oonk, Mike Oonk, and Bob Hunt all stated opposition to the proposed Bradley Road improvements. John Migas stated after meeting with the engineer he changed to be in favor of the improvement. Extensive open discussion took place regarding the proposed road project. Having no further comments, public comment was closed.

Wester stated if there is no more business to come before the board he declares it adjourned at 8:56 p.m. Carried unanimously.

Jane Wright, CMC, Township Clerk

Date

Bill Wester, Township Supervisor

Date