

Saugatuck Township Board Meeting  
Wednesday January 8, 2020, 6pm  
Saugatuck Township Hall, 3461 Blue Star Highway, Saugatuck, MI 49453  
Approved Minutes

Supervisor Osman called the meeting to order at 6pm.

All board members present with the exception of Trustee Aldrich

**Public Comment**

Richard Donavan – Friends of the Blue Star Trail. Thank you for considering the Joint Resolution on the Blue Star Trail. Have lost the \$200K pledge. Still pursuing the north section of the trail.

Dan Keller- Lakeshore Dr. – on behalf of Lake Michigan Shore Association. Since the last time he spoke, the sink hole has become dramatically worse. The bluff erosion really has not changed much. With the publicity that the Commercial Record provides, there have been many people coming to check out the sink hole. It's not safe. It needs to be filled. It's a problem. Nothing has happened except for the road closure. Dana Burd and the County have identified a couple of temporary access plans. The property owners that would be impacted by the temporary access plans fear that these are not really temporary and would become permanent. We are looking for a long-term solution that will actually fix the problem. Viable long-term solutions do exist, we have sent proposals to Dana Burd and the County. Is hoping that the meeting to discuss some of this in January actually happens. Would like some more urgency. The resolution on the agenda tonight is nice but does not really accomplish anything. It would be nice to see some action and some short-term solutions that could feed into a long-term solution. Property owners might be more apt to cooperate with short term fixes if there is a real long-term plan. Jane Dickie – Old Allegan Road – Is in support of the proclamation regarding the Kalamazoo River Mouth Neighborhood. Believes the board needs to publicly stand for best practices to protect the areas in and around the marina.

Carl Gabrielse- speaking on behalf of North Shore. Commenting on the Proclamation from members of the Coastal Alliance that is on tonight's agenda. Has concerns about the procedural way that this has been taken up as well as the substance of the proclamation itself. The usual and proper method for putting a proclamation such as this on the agenda as a full-fledged item of business would include the Manager to research the issue and to provide the board with a Memo outlining the findings of the review. The review would include possible budget impacts, input from appropriate committees, legal review. None of that occurred here. Members of the Coastal Alliance who the Township is actively in litigation against is asking the township to issue a proclamation that singles out North Shore despite a Federal Court prohibiting unequal treatment. It cherry-picks certain phrases from the Master Plan to further the Coastal Alliance's agenda. It advocates against a boat basin design that has already been approved that the Township's independent planner describes as a conservation-based design. It would impose a new set of zoning regulations on North Shore in violation of a Federal Consent Decree. It asks this board to back a "half baked" alternative marina design that the Army Corps of Engineers has already rejected as unfeasible and impractical. It twists the meaning of the water access ordinance to further the Coastal Alliance's agenda. It incorrectly states that the Township owns the land underlying Dugout Road right of way. At a minimum, a thorough review by the Township Manager would be appropriate. After such review, the advice from your Manager and Township attorney would likely be to not touch the resolution. Asks the board to decline the Coastal Alliance's invitation to "rubber stamp" a resolution that furthers their agenda. If you are not willing to do that tonight, at least send this to your manager and legal counsel for review.

Paul Gemeinhardt – has lot on 63<sup>rd</sup> street. Is asking for a variance for a shipping container on his property. He called and spoke with Lynne who advised that it is not allowed. Has seen other shipping containers on properties on Blue Star Hwy. Is seeking answers on this. Wants to get a variance.

### **Approval of Agenda**

*Marcy – On the advice of Staff and Legal counsel, move to remove business item 11 d from the agenda, a resolution supporting master plan and alternative marina plan. Supported by Helmrich. Discussion: Helmrich- public request – the township board has only been seated one year and one month. Shortly after we were all seated, we met with legal counsel in closed session to get updated on legal issues.*

*Would like to have a similar meeting with legal counsel in February. Approved 4-0.*

*Marcy – moved to approve the agenda as amended. Supported by Bigford. Discussion: none. Approved 4-0.*

### **Invoices**

*Helmrich – Moved to approve all bills and payroll in the amount of \$225,036.54 as presented. Supported by Bigford. Discussion: None. Approved 4-0.*

### **Treasurer's Report**

General fund bank balance = \$2.7M – up by \$300K due to tax disbursements. Both revenue and expenses are about 10% behind budget in GF.

CD value = \$753 – up \$1K from December

YTD – FY2020 (through 12/31/19; end of 2<sup>nd</sup> Q) -Notable expenses: \$22K for water main to BSB site; \$139K to county for road work; \$8K for completed audit. Year-end net is at \$72K positive

Winter Tax Collection season continues to February 29, 2020.

Board approval of January 3<sup>rd</sup> tax disbursements of \$1.3M; January 13 and 27

*Helmrich moved to approve the winter pay out number 2 disbursement that was completed on January 3. Supported by Marcy. Discussion: none. Approved 4-0.*

### **Minutes**

*Bigford moved to accept minutes as presented from December 4, 2019 regular meeting. Supported by Marcy. Discussion: None. Approved 4-0*

Helmrich pointed out an error on the minutes from the December 14, 2019 minutes. Under public comment it should read “Bob Eder in support of...”

*Helmrich moved to accept the minutes from the December 14 special meeting as amended. Supported by Marcy. Discussion: none. Approved 4-0.*

### **Correspondence**

Osman – we received a letter from John Seros and Donald Schipper which we will address later as an agenda item. We also received a proclamation request that we talked about a little in public comment. There was correspondence from Kat Cook supporting the proclamation supporting the master plan and alternative marina plan. Correspondence from Dale Harrison supporting the proclamation supporting the master plan and alternative marina plan. There was also correspondence from Scott Bosgraaf and Carl Gabrielse.

### **Blue Star Trail Joint Resolution Update**

There is a committee that is working on the joint resolution. This resolution was developed by the Township, the City of Saugatuck and the City of the Village of Douglas.

*Marcy moved to approve the adoption of Resolution 2020-01, a joint resolution on behalf of Saugatuck Township, the City of the Village of Douglas, and the City of Saugatuck to pursue construction of a non-motorized trail segment within each jurisdiction. Supported by Helmrich. Discussion: Bigford and Helmrich thanked the committee for all of their hard work on this. Roll Call Vote: All yes. Approved 4-0. Helmrich moved to appoint trustee Marcy and supervisor Osman to the “Joint Study Committee”. Supported by Bigford. Discussion: None. Approved 4-0.*

### **Proposed Adult-Use (recreational) Marijuana Ordinance**

*Marcy moved to approve Ordinance No. 2020-01, an ordinance to amend Chapter 5 of the Township’s Code of Ordinances, to allow certain medical and adult-use (recreational) marijuana businesses operated in accordance with state law and Ordinance No. 2020-02, an ordinance to amend zoning sections 40-747 and 40-1046 of the Township’s Code of Ordinances, to regulate medical and adult-use (recreational) marijuana businesses, as presented. Supported by Bigford. Discussion: Marcy – attended the public hearing. The majority of the public supported this. This has been recommended by the planning commission. Roll Call Vote: all yes. Approved 4-0.*

*Helmrich – speaking on behalf of trustee Aldrich – wants to thank the board, Zoning Administrator Wells, legal counsel Nick Curcio, manager Graham, members of the public who have spoken out at the public hearing, the township board meetings and at the planning commission. She applauds this, she is proud of this. Wants to welcome new businesses.*

*Bigford moved to approve the adoption of Resolution 2020-02, a resolution setting the annual administrative fee for marijuana businesses. Supported by Marcy. Discussion: none. Roll Call Vote: all yes. Approved 4-0.*

### **236 Culver LLC – Connection Fee Review**

*Osman – was present at a meeting with Seros and Schipper. Thinks there is a way we can accommodate their request and at the same time follow the letter of our ordinance. The request is to make installment payments on their connection fee rather than pay in one lump sum. The ordinance allows for this.*

*Osman – moved to allow a separate agreement and payment installment plan for the 236 Culver LLC as allowed by the ordinance. 8% interest would be charged. This agreement would be case specific and would require a contract between the property owners and the Township drafted by the Township attorney and would involve a lien on the property. Supported by Marcy. Discussion: Helmrich – is this interest rate comparable to other communities? Osman – just about every other community has this same provision. Graham – assumes that it was written in our ordinance and reviewed by legal counsel and is comparable. Osman- Holland has the same interest rate. Helmrich – it’s really critical that we review the REU/Connection Fee Schedule as we have new businesses that have not existed in the past. We do not want to hinder economic development. Thinks we also need to research interest rate schedules. Bigford – we need to understand the scope and the cost of this project. Graham - can talk with our engineer regarding the scope and cost of this project. Approved 4-0*

### **Shoreline Erosion Resolution**

*Bigford moved to approve Resolution No. 2020-03, a resolution requesting favorable consideration for assistance along the shoreline in the state of Michigan, and direct the Township Manager to send the resolution to the offices of Saugatuck Township’s county, state, and federally elected-officials as follows: County Commissioner Dean Kapenga, State Representative Mary Whiteford, State Senator Aric Nesbitt, Governor Gretchen Whitmer, US Congressman Fred Upton, US Senator Gary Peters, and US Senator Debbie Stabenow. Supported by Helmrich. Discussion – Senator’s name should be Gary, not Gray. Roll Call Vote: All yes. Approved 4-0.*

### **Request to Repurchase 2 Cemetery Grave Plots**

*Marcy moved to approve the repurchase of two cemetery grave plots from Fredric Jackson in the amount of \$120 per grave plot, which totals a cost of \$240. Supported by Bigford. Discussion: None. Approved 4-0.*

### **Goal and Priority Setting Workshop Results**

Graham – is looking for guidance from the board for next steps such as a business plan, a priority list, etc. There is a variety of different directions we could take. Helmrich – wants to thank Graham and Vanderberg. The session was incredible. We broke the priorities into 4 main categories: Financial Stewardship, Communication/Collaboration, Organizational/Improvement, and Sustainability. Helmrich - One way to approach this is to set up 2 people committees for each of these 4 areas. Osman – hesitates on this suggestion. Graham has already put much effort into this. We could ask him to draft a priority list. The board was very involved in identifying the priorities in the session. A draft priority list could put us in the right direction. Marcy – he can go by rank. Osman – we need to consider capacity as well. Graham – this is purely the results of the exercises we completed on December 14. The next step is to identify what we can realistically accomplish in 2020. The goals need to be connected to the budget. We also need to consider the projects that are already in motion. Bigford – committees could be really helpful in some areas such as facility revamping. Suggests Graham considers both ranking and capacity in making the proposed priority list. Graham – Vanderberg suggests in his letter that Graham complete a business plan based on the rankings and take it to the Board for approval, report at least quarterly on plan progress and hold some type of strategic planning event each year to celebrate successes and to plan the next steps. Helmrich – there are some things on here that are already happening or complete and that will happen no matter what, like budget planning. Graham – goal is to have something for the board to act on by February. Capacity does dictate much of this. A priority list will help him to keep his energy focused on the agreed upon board goals. Marcy – the strategic planning session was good for bonding. We have something to guide our decisions. *Bigford moved to authorize manager Graham to develop a plan for 2020 for the township for strategic planning and goal setting, considering rank and capacity. Supported by Osman. Discussion: none. Approved 4-0.*

### **Planning Commission**

Report from PC member and Township Treasurer Helmrich - PC met December 16, 2019.

Public Hearing on an Ordinance to allow the retail sale of Adult-Use Marijuana. Seven members of the public spoke; two were against allowing in the township. After a motion was made to pass, there was discussion on adding a required buffer of 500 feet from property lines, but it was decided that the limitation to C3 zones eliminated a need for buffer language. The motion to allow Adult-Use Marijuana retail stores passed 6-1. Only other discussion was on start time for PC meetings; they will remain at 7PM and the calendar for 2020 was accepted. Next PC meeting will be on Monday, January 27.

### **Road Commission**

Marcy – nothing to report

Graham – tomorrow at 7pm there is the 2020 primary road millage meeting with the Allegan County Road Commission at their offices. I will be in attendance and will happy to drive anyone from the board who wants to attend. The township board directly allocates funding for local road projects. We can give feedback, but the Road Commission determines primary road projects. That's what this meeting is for tomorrow.

### **Parks Commission**

Searing – submitted a “Love your Hometown” grant request to the Allegan County Foundation to improve the fence at the dog park. The community votes on it. At the next meeting we will review the Kalamazoo River restoration plan. There are several trees down at River Bluff. We might want to talk to Glenn about removing these trees. Next meeting is this coming Tuesday. Helmrich – Will invite Jon Vanderbeek to attend the meeting. He is interested in donating and planting trees.

### **Emergency Services Committee**

Tony Schippa – Saugatuck Township representative for the Emergency Services Committee  
Report on December 12 ambulance board meeting. Met new regional manager for AMR – John Robbins. He stated his first goal for AMR is to insure profitability in contracts. Our contract is not profitable to AMR. AMR is requesting to raise the subsidy to \$195K per year (total for all of the communities). Mr. Robbins assured us that we would work under the agreement we have currently until July 31<sup>st</sup>, 2020. They want a new contract with a new subsidy by August 31<sup>st</sup>. Service is good, there are no problems. We need to be thinking about this, and looking at solutions/options. Tony has been in contact with people in the industry and will be contacting the other representatives on the committee and will hopefully have some options to present shortly. Schippa will also contact other providers as well to explore that option.

### **Open Board Report**

Osman – Graham did a great job with the employment policy. Graham has been here for 6 months. If all board members will please fill out a performance evaluation for Graham by the end of February and submit to her, it would be great. If Graham requests, we can go into closed session for the performance evaluation in March at the board meeting.

### **Manager Report**

Graham – 6 month budget review – copy of revenue and expenditure report. We are 6 months into budget. Please feel free to reach out to Graham if there are questions/concerns.

AMR Agreement Update – many thanks to Tony Schippa. We are fortunate to have him advocating for us with all of his experience and expertise. Please review the materials attached and see Graham with any questions. Service has not been interrupted.

Impacts of the Headlee Amendment and Proposal A – has attached several articles on these subjects. Please review. This is a possible step for the township in the future. Our general operating millage has eroded about 40 percent. The township is being asked to do more and costs are arising, but revenue is not increasing. Would like the board to consider a Headlee override. Has one been considered in the past? Would like to discuss options with the board over the next year.

2018/2019 audit – auditor will be present at the February board meeting to present an overview.

Results are also available on our website for the public.

Received a scholarship to attend the MI Municipal Executives winter institute at the end of January. Will attend if board supports.

Performance evaluations have been completed except for one. We have an incredible and cohesive group.

### **Public Comments:**

Brandon Mason – wants to thank the board for passing the recreational marijuana ordinance. Is a 2 time Afghanistan Veteran and is barred from medical marijuana. Will lose VA coverage if he applies for a medical marijuana license. Is taking approximately 15 different opioids, pain killers, and mind altering

pharmaceuticals. There are no close recreational facilities near here. Is not sure that marijuana could replace some of the drugs he is currently taking, but is hopeful. Is very grateful.

*Marcy moved to adjourn the meeting. Supported by Bigford . Approved 4-0.*

Meeting Adjourned 7:25pm

Recording Secretary: Abby Bigford

Saugatuck Township Clerk

February 3, 2020