

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

**Monday, January 7, 2008  
7:00 p.m.**

1. Call to Order/Roll Call

The meeting was called to order at 7:00 p.m. by Mayor Balmer  
Members Present: Bailey, Balmer, Harvath, Hoexter, Mayer, Moore  
Absent: Waddell  
Also Present: City Manager Kowal, and Clerk Neve.

2. Pledge of Allegiance – Mayor

3. Changes/Additions/Deletions to Agenda

Closed session to discuss property acquisition will be added as Item #17 with  
Adjournment changed to #18.

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

4. Approval of Minutes

- A. Regular Meeting of City Council of December 17, 2007
- B. Closed Session Minutes of City Council of December 17, 2007
- C. Special Meeting of City Council of December 19, 2007
- D. Closed Session Minutes of City Council of December 19, 2007
- E. Special Meeting of City Council of January 3, 2008

Motion by Hoexter with support from Mayer to approve all  
meeting minutes as presented. Motion carried.

5. Appointments /Resignations

- A. Reappointment of John R. Thomas to the Board of the Douglas  
Downtown Development Authority (DDA); Term Expires January 2012

Motion by Mayer with support from Hoexter to approve  
the reappointment of John R. Thomas to the DDA Board with  
a term to expire January 2012. Motion carried.

6. Proclamations/Awards

None

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

Verbal:

- A. Fritz Royce, 144 Lakeshore, commented on having a plan in place for  
future purchase of properties. He would like to see a plan on what properties  
to acquire and when to acquire them. He urged council to join with Saugatuck

Township to address what Douglas can do to preserve R-4 zoning of the Denison property.

Written:

A. Article from The Grand Rapids Press dated December 9, 2007; "Dredging Plan for Black River Takes Shape"

B. Email Communication Received from the Saugatuck-Douglas Convention & Visitors Bureau (CVB) dated December 19, 2007 RE: Email Communication from David Swan "The Fate of the Denison and the Potential Impact on Taxes"

C. Minutes of the Regular Meeting of the Saugatuck Township Fire District Board of November 12, 2007 and Workshop Meeting of November 26, 2007

D. Article from The Wall Street Journal; "Whose Beach Is This Anyway?"

E. Letter from Dayle Harrison, KRPA, dated December 27, 2007 RE: Proposed Agenda for Upcoming Meeting on Tuesday, January 8, 2008, Saugatuck High School, 7:00 P.M. Presenters/Speakers to Include Representatives from the US Environmental Protection Agency (USEPA), Michigan Department of Environmental Quality (MDEQ), Michigan Department of Natural Resources (MDNR), etc.

F. Summary dated December 21, 2007 of Interurban Transit Authority Board of December 18, 2007

G. Letter from Allegan Township Board dated December 21, 2007 RE: Resolution Adopted by the Allegan Township Board Regarding Proposed Allegan County Jail

Written communications noted as received and filed.

Kowal noted that he and Balmer will attend the Tuesday, January 8th meeting at Saugatuck High School. (7E)

#### 8. Unfinished Business

None

#### 9. New Business

A. Motion to Approve a Banking Resolution with Macatawa Bank  
Motion by Mayer with support from Harvath to approve the Macatawa Bank resolution authorizing Mayor Balmer, Clerk Neve and Councilperson Hoexter signers on Macatawa Bank accounts. Motion carried unanimously by roll call vote.

B Motion to Approve the City of the Village of Douglas 2008 Meeting Schedule for the City Council, Planning Commission, Downtown Development Authority (DDA) and the Zoning Board of Appeals (ZBA)  
Motion by Bailey with support from Moore to approve the City of the Village of Douglas 2008 Meeting Schedule with the amendment to include an additional Planning Commission meeting on the 1st Wednesday of each month. Motion carried.

## 11. Staff Reports

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

#### 1. Saugatuck Storage Facility (Dean Borland)

Kowal reviewed the issue at the storage facility is that Mr. Borland is operating without a certificate of occupancy. The requirement for a revised site plan has never been resolved. Letters were written to Mr. Borland's attorney. Council has been steadfast in their determination to not tolerate further operations without an occupancy permit. A response was received from Mr. Borland on January 4, 2008 which is now under review by staff and City Attorney. A clear message was sent that there are going to be consequences to these actions.

#### 2. Newly Installed Billboard Sign at Union Street and Blue Star Highway

Zoning staff Kilpatrick has sent a letter to the realtor that the sign is in the right-of-way.

#### 3. Park Drive

Kowal related this is an issue that has been ongoing for some time. Developers constructed homes with no access to public improvements. Property owners were promised street paving would be done by the developer. A staff meeting and a meeting with the residents is scheduled to try to resolve these issues.

#### 4. Swing Bridge

Kowal reported a total of three plot plans have been submitted and rejected as non-compliance with the zoning ordinance. Developers have been notified that no future reviews will be considered until a \$5,000 cash escrow is posted with the City. The developer started moving some ground during the holidays. Kowal related a stop work order was issued and placed on the property. A letter will go to the developer detailing why the order will remain in place.

## 12. Committee Reports

### A. Zoning Ordinance Ad Hoc Committee

No report

### B. Planning Commission

Next scheduled meeting is January 16th.

### C Joint Planning Committee

No report

D. Community Recreation Advisory Board  
Have not met.

E. Police Commission  
January 9th meeting is cancelled. Next scheduled meeting is February 13th.

F. Kalamazoo Lake Sewer & Water Authority (KLSWA)  
Next scheduled meeting is January 21st.

### 13. Council Comments

Bailey remarked the packet received from R.J. Peterson contained a very caustic letter. She related she is quite comfortable with the information received from Manager Kowal. At the last council meeting Kowal asked if we wanted to have another meeting with Peterson. Council agreed we did not.

Harvath asked if there is any way to recover some of the attorney fees. Kowal responded a required cash escrow will be in place for future projects. Those that benefit from the service should pay for the service.

Harvath commented on the many dogs in the downtown area walking on a high level of ice melting chemicals. It is very caustic to animal paws.

Moore remarked he actually prefers using less salt/chemicals. Moore asked about the Wild Dog temporary certificate of occupancy permit. Kowal responded the Planning Commission will be discussing parking structure changes at the January 16th meeting.

Hoexter also commented on the packet received from Peterson. She related she had received a call from Peterson last week in which many negative comments were made about our City Manager. She offered her full support of Manager Kowal.

Mayer commented she too fully supports our manager. Compliments to the DPW on doing a great job on the roads.

### 14. Mayor's Report/Comments

Balmer encouraged everyone to attend the meeting on Tuesday evening at Saugatuck High School to hear from representatives of the US Environmental Protection Agency, MDEQ and MDNR.

### 15. Approval of Invoices

#### A. Consideration of Approval of Invoices dated 1/3/08

Motion by Moore with support from Bailey to approve invoices dated 1/3/08 in the amount of \$64,096.63. Motion carried unanimously by roll call vote.

#### B. Consideration of Approval of Payroll for the Month Ended December 2007

Motion by Hoexter with support from Bailey to approve payroll for the month ended December 2007. Motion carried unanimously by roll call vote.

### 15. Manager's Report

Kowal remarked he appreciates the support and comments from council members. He thanked council for their professionalism in handling the separation agreement with Treasurer Rett.

Thursday, January 10th interviews with the candidates for the Zoning Administrator position will be conducted.

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

Dick Waskin, Saugatuck Township, commented on a call from Tom Scott, Swingbridge, regarding the stop work order. Mr. Scott indicated to Waskin that he received no answers when the Manager was asked which permits were missing. Waskin indicated he has no connection to Swingbridge but related he feels this developer is being treated unfairly and almost harassed by the City. Kowal responded saying there were a significant number of errors and misstatements made by Mr. Waskin.

Fritz Royce, 144 Lakeshore, commented he appreciates how the stop work order was articulated. He thanked Kowal for acting in the best interest of the community and has always found the office staff very responsive to his requests. Royce questioned if the interviews for Zoning Administrator were going to be open to the public.

17. Closed Session

A. Discussion on acquisition of property.

Motion by Bailey with support from Moore to go into closed session at 8:17.p.m. for the purpose of a discussion on acquisition of property. Motion carried unanimously by roll call vote.

Motion by Mayer with support from Hoexter to end the closed session at 8:32 p.m. and return to the regular meeting. Motion carried.

Bailey suggested that council direct Manager Kowal to gather more information on the size, ownership, appraisal, title, listing and survey of the property at 7 S. Washington. Council agreed to Manager to proceed.

18. Adjournment

The meeting was adjourned at 8:45 p.m.

Respectfully submitted by:

Jean E. Neve, CMC  
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 January 3, 2008. I further certify that the meeting was duly called and that a quorum was present.

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Jean E. Neve, City Clerk Date