



**THE CITY OF THE VILLAGE OF DOUGLAS  
REGULAR MEETING OF THE CITY COUNCIL  
MONDAY, JUNE 17, 2024 AT 7:00 PM  
86 W CENTER ST., DOUGLAS MI**

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**MINUTES**

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**1. CALL TO ORDER:** By Mayor North

**2. ROLL CALL:** By Clerk Kasper

PRESENT

Mayor Cathy North

Councilmember Jerome Donovan

Councilmember Neal Seabert

Councilmember John O'Malley

Mayor Pro-Tem Randy Walker

Councilmember Matt Balmer

Also Present City Manager Nocerini

City Clerk Laura Kasper

Planning and Zoning Administrator Sean Homyen

ABSENT

Councilmember Gregory Freeman

**3. PLEDGE OF ALLEGIANCE:** Led by Mayor North

**4. CONSENT CALENDAR**

A. Approve the Council Meeting Agenda for June 17, 2024

B. Approve the Council Workshop Meeting Minutes for June 3, 2024

C. Approve the Council Regular Meeting Minutes for June 3, 2024

D. Approve the Council Workshop Meeting Minutes for June 10, 2024

E. Approve invoices in the amount of \$65,298.18

F. Reappointments - Kenneth Kutzel, Louise Pattison, Cathy North(alternate) to ZBA

*Motion by Donovan, second by Seabert, to amend the Consent Calendar approval, and remove the approval of the Council Minutes for June 3<sup>rd</sup> until 'we' get further definite clarification in writing from the City Attorney. – Motion failed by roll call vote. Voting yea; O'Malley, Seabert, Donovan; Voting nay; Walker, Balmer, North*

*Motion by Balmer, second by O'Malley, to approve the Consent Calendar of June 17, 2024 – Motion carried by roll call vote. Voting yea; Seabert, Walker, Balmer, O'Malley, North; Voting nay; Donovan*

**5. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES, AGENDA ITEMS ONLY):** No communication received.

**6. PUBLIC COMMUNICATION - WRITTEN**

A. Betsy York – Letter – entered into the record

B. City Clerk - Nominating Petition Notice – entered into the record

**7. UNFINISHED BUSINESS:** No business to attend to.

**8. NEW BUSINESS**

- A. City Treasurer Appointment (L. Nocerini): City Manager Nocerini provided background to candidate search. Jennifer Tien was present and addressed Council.

*Motion by Balmer, second by Walker, to approve the appointment of Jennifer Tien as the City Treasurer for the City of Douglas. – Motion carried by unanimous roll call vote.*

City Clerk Kasper administered official oath of office to Jennifer Tien, officiating Tier as the City Treasurer for the City of the Village of Douglas.

- B. Resolution 13-2024 - Amending the Budget of the 2023/2024 General Appropriations Act (L. Nocerini) - Monika Fontaine, contractual consultant with Plante Morane addressed councilmembers and provided background to the annual procedural budget item.

*Motion by Balmer, second by O'Malley, to adopt resolution 13-2024, outlining amendments to the City of the Village of Douglas 2023-2024 fiscal year budget. – Motion carried by unanimous roll call vote.*

- C. Carbon Six Architectural Design Agreement (L. Nocerini) – City Manager Nocerini addressed Councilmembers on the procedural items of action needed, following approval of agreement. (concurrent to agenda items; 8.D., 8.E.)

*Motion by Walker, second by O'Malley, to approve the agreement for Carbon Six Construction to complete the architectural design phase for 415 Wiley Road. – Motion carried by unanimous roll call vote.*

- D. Carbon Six Architectural Design Phase Funding (L. Nocerini)

*Motion by O'Malley, second by Walker, to approve funding in the amount of \$129,150.00 for Carbon Six Construction to complete the architectural design phase for 415 Wiley Road, with funds to be allocated from the FY24/25 budget under the building fund, including a transfer from the general fund to the building fund to cover these costs. – Motion carried by unanimous roll call vote.*

- E. Resolution 14-2024 - Architectural Design Reimbursement (L. Nocerini)

*Motion by Balmer, second by O'Malley, to adopt resolution 14-2024, approving reimbursement to the general fund from future loan proceeds for architectural design work at 415 Wiley Road, in the amount of \$129,150.00 upon closure of the loan. – Motion carried by unanimous roll call vote.*

- F. Ordinance No. 03-2024 - Amending Procedures for Transfer of Surplus Real Property - Second Reading (Public Hearing) (L. Nocerini)

*Motion by Balmer, second by Walker, to open the public hearing for ordinance 03-2024. – Motion carried by unanimous roll call vote.*

1. Administration Report – City Manager Nocerini addressed - City Council directed the City Administration to work with the City Attorney and suggested amendments to the existing Surplus Property Ordinance. Discussions for revisions with the current surplus property ordinance provided

needed amendments to the detailing sections that were cumbersome and restrictive, noting the process to be laden with red tape, hindering the efficient and effective management of City-owned surplus properties. Additionally stated, the Amendment ordinance is essential to cut unnecessary red tape, broaden the scope of property utilization, and safeguard the integrity of the City's assets, thus inherently enabling more efficient management, enhancing a potential for community development, and uphold public trust.

2. Public Comments – No comments received

3. Council Comments – Balmer was in favor of the amendments to the ordinance. Mayor North mentioned additional wording amendment to section 5. Item 2.; from *shall* to *may*, as recommended by the City Attorney, but did not reflect in the provided draft. Walker concurred.

*Motion by Seabert, second by Balmer, to close the public hearing for ordinance 03-2024. – Motion carried by unanimous roll call vote.*

*Motion by Walker, second by O'Malley, to adopt ordinance 03-2024, amending procedures for transfer of surplus real property, as amended with the change to section 5. Item 2. By updating the work from Shall to may. - Motion carried by unanimous roll call vote.*

G. Ordinance No. 04-2024 - Zoning of Annexed Parcel - 6825 Wiley Road - Second Reading (Public Hearing) (S. Homyen)

*Motion by Seabert, second by Walker, to open the public hearing for ordinance 04-2024. – Motion carried by unanimous roll call vote.*

1. Administration Report – Planning and Zoning Administrator Homyen addressed Councilmembers on the item that was presented as a first reading at the June 3, 2024, meeting. The Planning and Zoning Administrator's report to the Planning Commission dated April 19, 2024 was included for reference in the Council packet and provided review of procedures of assigning a zoning designation, analysis of the amendment criteria, and resolution of the purchasing of the property. Reiteration was stated for the terms of assigning the *zoning* of a parcel.

2. Public Comments – No comments received

3. Council Comments – Balmer mentioned the importance of the property as relating to future goals and growth of the City, along with the requirement to assign zoning.

*Motion by Balmer, second by Walker, to close the public hearing for ordinance 04-2024. -Motion carried by unanimous roll call vote.*

*Motion by Walker, second by O'Malley, to adopt ordinance 04-2024, assignment of the R-5 zoning district to the parcel located at 6825 Wiley Road (PPN 59-017-089-40) annexed by the City of the Village of Douglas. – Motion carried by unanimous roll call vote.*

H. Ordinance No. 05-2024 - Zoning Text Amendment - Swimming Pools - Second Reading (Public Hearing) (S. Homyen)

*Motion by Balmer, second by O'Malley, to open the public hearing for ordinance 05-2024. – Motion carried by unanimous roll call vote.*

1. Administration Report - Planning and Zoning Administrator Homyen addressed Councilmembers on the item that was presented as a first reading at the June 3, 2024, meeting. Recent applications for pools within the City revealed some outdated language in the Zoning Ordinance pertaining to the requirements for fencing, citing that swimming pool installation requires a zoning permit and a

building permit before construction can begin. The Zoning Ordinance and building codes both have the intent to prioritize safety, with the building codes ability to change more frequently as technology and building materials evolve for more efficiency and safety. The Zoning Ordinance should usually reflect this type of change as well, as the two codes tend to work in unison. Michigan Township Services building inspectors administer the 2015 International Swimming Pool and Spa Code 2015, which reflects more comprehensive requirements than the Michigan Residential Code.

2. Public Comments – No comments received

3. Council Comments – No comments received

*Motion by Balmer, second by O'Malley, to close the public hearing for ordinance 05-2024. – Motion carried by unanimous roll call vote.*

*Motion by Balmer, second by O'Malley, to adopt ordinance 05-2024, text amendment to Article 16, General Provisions, Section 16.6, Swimming Pools, Subsection 3, Fences, parts a. and c. of the City of the Village of Douglas Zoning Ordinance. – Motion carried by unanimous roll call vote.*

## **9. REPORTS**

### **A. Commission/Committee/Boards**

1. Planning Commission – continued work on master plan, and Westshore public trails item moving on to Council
2. Kalamazoo Lake Sewer Water – discussion of local watermain break
3. Downtown Development Authority – upcoming Douglas Farmers Market on Tuesdays, and Beats on Beery event
4. Kalamazoo Lake Harbor Authority – no meeting
5. Douglas Harbor Authority – no meeting
6. Douglas Brownfield Authority – no meeting
7. Fire Board – met prior to Council and approved their budget, Council will hold a special meeting on June 24<sup>th</sup>, 2024 for their approval
8. Community Recreation – no meeting
9. Playground Committee – no meeting

- B. Administration Report – City Manager Nocerini provided updates - Council will hold a workshop in July to meet with Flywheel, welcomed the new City Treasurer Jennifer Tien, mentioned the Fire Departments work with their budget and well-maintained equipment, and thanked the Police and DPW for the work with the Town Crier race.

## **10. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES, ITEMS NOT ON AGENDA):** No communication

- 11. COUNCIL COMMENTS:** Balmer thanked everyone for their hard work and welcomed Jennifer Tien. O'Malley mentioned concern with KLSWA not fixing the watermain break mentioned in the report. Donovan said he feels procedurally the raise with the manager was wrong. Seabert mentioned addressing weeds on bike path and the need for action with the deer issue.

- 12. MAYOR'S REPORT/COMMENTS:** Mayor North welcomed the new City Treasurer Jennifer Tien and acknowledged the Fire Department meeting was well set up.

## **13. ADJOURNMENT**

*Motion by Balmer, second by Walker, to adjourn the meeting.*

Approved on this 1<sup>st</sup> day of July 2024

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Cathy North, Mayor

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Laura Kasper, City Clerk

**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 June 17, 2024, I further certify that the meeting was duly called and that a quorum was present.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Laura Kasper, City Clerk