

**CITY OF THE VILLAGE OF DOUGLAS  
COUNTY OF ALLEGAN  
STATE OF MICHIGAN**

**RESOLUTION NO. 10-2022**

**RESOLUTION ORDERING CONSTRUCTION OF SIDEWALKS AND  
CONSTRUCTION BY THE CITY AT 333 S. BLUE STAR HIGHWAY, DOUGLAS, MI 49406**

At a meeting of the City Council for the City of the Village of Douglas, Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 18<sup>th</sup> day of April 2022, at 7:00 p.m.

PRESENT: Naumann, North, Seabert, Van Loon

ABSENT: Donovan, Miller, Toepper

The following resolution was offered by Councilperson Van Loon and supported by Councilperson Naumann

**RESOLUTION**

**WHEREAS**, the Douglas Planning Commission during a public hearing at their regular meeting on 02-09-2022 approved, with conditions, Site Plan Review for 333 Blue Star Highway (PPN: 03-59-016-074-01) “Lots and Premises”, Michael Jones “Applicant” (Section 24.02, Douglas Zoning Ordinance) and Dunes Realty LLC “Property Owner” (§93.006(B)), recommending City Council, *by resolution, require the owners of lots and premises to construct or repair sidewalks in the public streets adjacent to and abutting upon the lots and premises* pursuant to §93.006 Ordering Construction of the City of the Village of Douglas Code of Ordinances;

**WHEREAS**, the City Engineer of the City of the Village of Douglas provided an estimate dated 02-28-2022 for the construction of those sidewalks in the public right-of-way as

recommended adjacent to 333 Blue Star Highway “Address of Sidewalk” (§93.006(B)), pursuant to §93.002 Specifications and Permits “Specifications for Construction” (§93.006(B)), and approved by the City Engineer;

**WHEREAS**, the Property Owner was given not less than 10 days written notice of the public hearing, pursuant to §93.006(A), to consider this Resolution requiring the Property Owner to construct public sidewalk within the public right-of-way, adjacent to and abutting the Lots and Premises;

**WHEREAS**, the Council of the City of the Village of Douglas shall designate a period of time to accomplish the required construction, as recommended by the Douglas Planning Commission and pursuant to §93.006(B).

**WHEREAS**, the City Council shall direct the Superintendent of Streets to contract or hire the work done if the Property Owner shall fail to build the sidewalk as described (§93.007) Construction by the City, after which the City shall send notice to the Property Owner of the total actual costs and expenses to be paid within 30 days.

**WHEREAS**, after Construction by the City has been completed pursuant to §93.007, Douglas Code of Ordinances, the City of the City of the Village of Douglas shall charge for total actual costs and expenses of construction plus collection fee of 10 percent, to be an assessment against and lien upon the property §93.006(B).

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. City Council grants approval to Order Construction for the Address and Sidewalk described herein, to occur within 2 years (730 days) to commence running from the next following date of service of this resolution upon the Property Owner pursuant to §93.006 of the City of the Village of Douglas Code of Ordinances.

2. The Superintendent of Streets shall contract or hire the work done, filing a statement of total actual costs and expenses of the construction (sidewalks, grading, and storm water culverts) in accordance with §93.007 of the City of the Village of Douglas Code of Ordinances, if the Property Owner shall fail to build the sidewalk as described and required herein, at 333 Blue Star Highway (PPN: 03-59-016-074-01), located in Douglas, Michigan.

YEAS: Naumann, North, Seabert, Van Loon

NAYS: None

ABSTAIN: None

ABSENT: Donovan, Miller, Toepper

ADOPTED this 18th day of April 2022.

CITY OF THE VILLAGE OF DOUGLAS

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Jerome Donovan, Mayor

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Pamela Aalderink, CMC, City Clerk

CERTIFICATION

I, Pamela Aalderink, the duly appointed Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held April 18, 2022 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: \_\_\_\_\_  
Pamela Aalderink, CMC, City Clerk