

**City of Harbor Springs  
City Council Minutes  
January 16, 2006**

Mayor Jardine called the fifth meeting of the Harbor Springs City Council to order at 7:00 pm, in the City Council Chambers at 160 Zoll Street, Harbor Springs, Michigan.

1. Roll Call and Verification of Quorum

Present: Jean Jardine, Jim Grogan, Mick Heinz, and Laura Kors

Absent: Dennis Wiggins

Also Present: City Attorney James Ramer, City Manager Fred Geuder, City Police Chief Dan Branson, Superintendent of Public Works Rick Ward and City Clerk Ron McRae.

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#7120 – Motion by Grogan, second by Kors, to approve the December 19, 2005 regular City Council meeting minutes, as read.

Ayes – 4

Nays – 0

B. Approval of Bills

I have examined the bills appearing on the vouchers below and recommend they be allowed and payment be made from the following funds:

#7256 – A/P	No Council 12/22/05	\$ 7,827.53 General Fund 185.27 Historical Fund 2,271.10 Electric Fund 1,225.85 Wtr & Sewer Fd 3,783.00 W.T. Water Fd 147.95 Waterfront Fund 2,027.18 Equipment Fund
#7257 – Payroll	P.P.E. 12/25/05	\$ 26,940.19 General Fund 2,403.35 Major St Fund 932.35 Local St Fund 410.00 Historical Fd 9,733.12 Electric Fund 5,029.37 W & S Fund 222.30 Waterfront Fund 1,777.04 Equipment Fund
#7258 – A/P	No Council 1/6/06	\$ 10,058.13 Waterfront Fd 331.92 Major St Fund 331.92 Local St Fund 2,038.70 Historical Fund 176.31 BA Const Fund 164,310.54 Electric Fund 647.90 W & S Fund 44.99 Waterfront Fund 1,319.42 Equipment Fund

#7259 – Payroll	P.P.E. 01/13/06	\$ 34,345.13 General Fund 1,015.88 Major St Fund 434.96 Local St Fund 416.20 Historical Fund 10,403.05 Electric Fund 6,565.44 W & S Fund 1,245.75 Waterfront Fd 1,560.41 Equipment Fd
#7260 – A/P	Council 01/16/06	\$ 52,342.95 General Fund 568.59 Major St Fund 568.59 Local St Fund 24.81 Historical Fund 3,167.60 BA Const Fund 62,806.29 Electric Fund 30,778.44 W & S Fund 3,738.71 W.T. Fund 2,425.09 Waterfront Fd 9,574.31 Equipment Fd

#7121 – Motion by Kors, second by Heinz, to approve the bills in the amount of \$466,157.63.

Ayes – 4  
 Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers #7256, #7257, #7258, #7259, and #7260, checked by the Finance Committee, in the amount of \$466,157.63 be allowed for payment, and the City Manager and the Mayor are hereby authorized to execute warrants to be drawn on the following funds:

General Fund	\$ 131,513.93
Major Streets Fund	4,319.74
Local Streets Fund	2,267.82
Historical Fund	3,074.98
B.A. Construction Fund	3,343.91
Electric Fund	249,524.10
Water & Sewer Fund	44,247.00
W. T. Water Fund	7,521.71
Waterfront Fund	4,086.08
Equipment Fund	<u>16,258.36</u>
Total	\$466,157.63 =====

3. Citizen Comments

Mayor Jardine had Boy Scouts from Boy Scout Troop No. 55 introduce themselves. Those present were Tucker Bartz, Issac Gracy, Jordan Hartman, Michael Sutton, Max Wiggins and Ian Green. Mayor Jardine asked Wiggins if he would like to sit in his Father’s seat at the Council Table. Wiggins took his Father’s seat.

There were no other comments.

4. Rezone the Area at 669 State Street

City Manager Geuder stated that the owners of 669 State Street, Dan and Connie Warner (hereinafter referred to as the "Warners"), who are also the owners of Harbor Springs Car Care, proposed rezoning the property at 669 State Street from R-1-C Single Family Residential to TR Transitional Residential. This property is a residential home on a lot that is adjacent and located to the south of the Harbor Springs Car Care business. The purpose of this request is to enable the owners to add parking for their business. Manager Geuder stated that this could help to reduce the number of cars being parked on State Street, which has been the source of complaints.

Manager Geuder stated that TR zoning area is designed to allow a parking use (under a Special Land Use permit) without changing the zoning to be a full commercial designation. The TR Zoning District use transitions a property from an adjacent commercial use to a residential-like use in a controlled way.

Council questioned whether the alley was a public alley. City Attorney Ramer stated that the alley was a public alley. Superintendent Rick Ward stated that the alley has been maintained by the Department of Public Works as far back as he can remember. Council also questioned if this was "spot zoning". Manager Geuder stated that this issue came up at a previous meeting. The City's Planning Consultant, Larry Nix of Williams and Works, responded to the issue of "spot zoning" via a memo. It is the opinion of Nix that approval of the zoning district change from R-1-C to TR is not "spot zoning" because there is a need recognized by the City of Harbor Springs Zoning Code to transition a commercial use to a residential use. The TR-Transitional Residential Zoning District accomplishes that transition.

Council heard comments from Lynn Stedman, an attorney representing the Warners. Stedman encouraged Council to approve Ordinance No. 357, which would authorize the Zoning District change.

City Manager Geuder stated that the Planning Commission recommended unanimously that Council approve Ordinance No. 357. Further, Manager Geuder stated that the approval of Ordinance No. 357 does not constitute an approval of a parking plan for the Warners. They will need to bring a proposed plan to the Planning Commission for approval.

#7122 - Motion by Kors, second by Heinz, to adopt Ordinance No. 357, which approves the rezoning of the parcel commonly known as 669 State Street from a R-1-C - Single Family Residential Zoning District to a TR - Transitional Resident Zoning District.

Ayes - Grogan, Heinz, Kors and Jardine  
Nays - None  
Absent - Wiggins

5. Baseball Scoreboard Sponsorship Sign

City Manager Geuder stated that he received a request for a sponsorship sign to be placed above the new scoreboard purchased for the Baseball Commission by the First Community Bank. The new scoreboard is roughly four feet by eight feet. The sponsorship sign proposed would be two feet by eight feet.

Council members questioned if the sponsorship signs were approved in the past. Superintendent Ward and Councilperson Heinz stated that sponsorship signs are not a new practice. It has been done in the past and the sizes of such signs controlled by the City. Councilperson Heinz stated that a vendor purchased a scoreboard years ago and had a sign as part of the scoreboard.

Council members discussed the possibility of reducing the size of the sponsorship sign. Manager Geuder noted that the sign could be approved for eighteen inches by eight feet. Council members thought that six inches would not be enough to note a difference. After the discussion the following motion was offered:

#7123 – Motion by Grogan, second by Heinz, to approve a sponsorship sign for the scoreboard not to exceed two feet by eight feet and that the sign be placed on top of the scoreboard.

Ayes – 4

Nays – 0

#### 6. Electric Rate Study Proposal

City Manager Geuder stated that City Clerk McRae had requested a proposal from Courtney and Associates to perform an Electric Rate Study. Clerk McRae stated that he would like to see the Rate Study begin as soon as possible. Clerk McRae noted that after the Electric Rate Study is completed, an ordinance will need to be approved to have new electric rates in place for the summer months.

Councilperson Grogan stated that the proposed “Agreement between the City of Harbor Springs, Michigan, and Courtney and Associates, Public Utility Consultants, for Professional Services” did not make sense to him because of the wording concerning the proposed number of trips to Harbor Springs and what was included in the dollar amount, not to exceed \$19,500.00. This issue was discussed with Council and City Manager Geuder and City Clerk McRae.

After the discussion, the following motion was offered:

#7124 – Motion by Kors, second by Grogan, to approve the “Agreement between the City of Harbor Springs, Michigan, and Courtney and Associates, Public Utility Consultants, for Professional Services” to perform the Electric Rate Study at a cost not to exceed \$19,500, plus out-of-pocket expenses pursuant to Exhibit 2 of the Agreement; and to authorize the City Manager to execute the Agreement upon approval as to form by the City Attorney.

Ayes – Heinz, Kors, Jardine and Grogan

Nays – None

Absent - Wiggins

#### 7. Boards and Commissions

##### A. Planning Commission (PC)

Mayor Jardine announced that the PC meeting is scheduled for 6:00 p.m., Thursday, January 19, 2006. The meeting will be held in the City Council Chambers. Council reviewed the agenda for the PC meeting.

B. Harbor Commission (HC)

There will be no HC meeting in January 2006. Mayor Jardine announced that the next HC meeting is scheduled for 4:00 p.m., Wednesday, February 15, 2006. The meeting will be held in the City Council Chambers.

C. Appointments

Mayor Jardine stated that she was not ready to make any appointments at this time.

D. Emmet County Planning Commission Seminar

Mayor Jardine announced the Planning Commission Seminar being hosted by the Emmet County Planning, Zoning and Enforcement Department. The seminar is scheduled for 4:00 p.m. to 6:00 p.m., Wednesday, January 18, 2006 in the Board of Commissioners Room in the Emmet County Building at 200 Division Street, Petoskey, MI 49770. Council Members Grogan and Kors indicated they would attend.

E. Next City Council Meeting

The next City Council meeting is scheduled for 7:00 p.m., Monday, February 6, 2006, in the City Council Chambers.

8. Old and New Business

None.

9. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 7:43 pm.

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Ronald B. McRae, City Clerk

Approved: February 6, 2006

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Jean Jardine, Mayor

City Council Meeting Minutes  
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Attachments