

March 6, 2006

Mayor Jardine called the eighth 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, Laura Kors and Dennis Wiggins

Absent: None

Also Present: City Attorney James Ramer, City Manager Fred Geuder, City Police Chief Dan Branson, and City Clerk Ron McRae.

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#7135 – Motion by Grogan, second by Heinz, to approve the February 20, 2006 regular City Council meeting minutes, as read.

Ayes – 5

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:

#7271 – Payroll	P.P. E. 2/19/06	\$ 26,929.53 General Fund 2,270.62 Major St Fund 539.64 Local St Fund 422.40 Historical Fund 9,921.43 Electric Fund 6,060.08 W & S Fund 943.00 Waterfront Fd 2,426.38 Equipment Fd
#7272 – A/P	Council 03/06/06	\$130,343.24 General Fund 1,838.78 Major St Fund 870.91 Local St Fund 1,740.60 Historical Fund 175,358.15 Electric Fund 161,405.97 W & S Fund 8,540.12 Waterfront Fd 29,418.76 Equipment Fd

#7136 – Motion by Kors, second by Wiggins, to approve the bills in the amount of \$559,029.61.

Ayes – 5

Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers #7271 and #7272, checked by the Finance Committee, in the amount of \$559,029.61 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	157,272.77
Major Streets Fund	4,109.40
Local Streets Fund	1,410.55
Historical Fund	2,163.00
Electric Fund	185,279.58
Water & Sewer Fund	167,466.05
Waterfront Fund	9,483.12
Equipment Fund	31,845.14
Total	\$559,029.61 =====

3. Citizen Comments

None.

4. Gazebo Repairs and Upgrades

City Manager Geuder stated that the Harbor Springs Chamber of Commerce (the "Chamber") is planning to restore the Gazebo. Kathy Lott, Executive Director, addressed Council and reviewed the improvements that the Chamber would like to make. The following improvements were presented:

- a. A small, green and white striped dome shaped awning for the front window.
- b. Flower boxes underneath the oval shaped windows on both sides of the front window.
- c. A brick walkway extending from the curb to the front window of the Gazebo with a small apron to allow for placement of planted flower containers.
- d. A cement pad underneath the Gazebo to retard deterioration of its underside.

Lott stated that Pat Rheams, a Chamber Board member, organized the Gazebo Improvements Project. A large portion of the labor and materials have been donated. However, because the project will require changes to the City property where the Gazebo is located, the project does require Council approval. Lott further explained that a sprinkler head may be located within the project area and may need to be moved or removed, which could require City assistance. If there is a cost to the moving or removal of the sprinkling head, the Chamber will reimburse the City any related costs.

Lott also requested that Council approve the selling of personalized, stamped bricks to be used in the walkway to generate funds for any costs of the project that may be required.

Council discussed this issue with Lott and City Manager Geuder. After the discussion the following motion was offered:

#7137 – Motion by Heinz, second by Wiggins, to approve the “Gazebo Repairs and Upgrades” project as presented by the Chamber of Commerce; to approve the fundraiser of selling bricks to help pay for the project costs not donated; and to authorize the City Manager to coordinate any City services that may be required for the Project.

Ayes – 5  
Nays – 0

## 5. Proposed City Code Amendments

### A. Outdoor Wood Furnaces

City Manager Geuder stated that he and City Attorney Ramer have done some research on the Outdoor Wood Furnaces. Manager Geuder reviewed some of the documentation, which addressed health concerns, chimney heights to minimize smoke issues, sample ordinances and other data with Council. Manager Geuder also introduced Tim Ward, owner of Harbor Hardwoods. Mr. Ward sells the Outdoor Wood Furnace built by Central Boiler, Inc.

Ward gave Council a brief explanation of how these boilers are installed and the manner in which they are used to reduce heating costs. Ward stated that the Outdoor Wood Burning Furnaces are to be used only as a second heating source. Ward stated that the City should require that the Outdoor Wood Burning Furnaces be UL approved. Ward also stated that the Outdoor Wood Burning Furnaces should be installed at least 150 feet away from neighboring homes. Ward addressed questions from Council members.

City Attorney Ramer reviewed the ordinance format for Council to consider the proposed ordinances. Attorney Ramer stated that he placed three ordinances beside each other. The first column was the existing ordinance. The second column presented the amendment to “ban” Outdoor Wood Burning Furnaces. The third column presented the amendment to “regulate” Outdoor Wood Burning Furnaces. Manager Geuder and City Attorney Ramer reviewed specific points in the proposed ordinance amendments.

#7138 – Motion by Jardine, second by Kors, to table this issue until the March 20, 2006 regular City Council meeting to give Council members an opportunity to review the documentation provided by the City Manager and the City Attorney.

Ayes – 5  
Nays – 0

### B. Revision of Title VII of the City Code – Businesses and Trades

City Manager Geuder and City Attorney Ramer discussed the proposed amendment to Title VII. Attorney Ramer stated that the Ordinance 358 revises Title VII to deal with several inconsistencies and omissions in the existing Code.

Council discussed this issue with City Manager Geuder and City Attorney Ramer. The focus of the discussion was “at what point should the City license a business in the home?” After considerable discussion, Manager Geuder and City Attorney Ramer stated that they would try to develop language that would address that point, and bring it back to the Council.

6. Resolution to Permit an Employee to Purchase Years of Service

City Manager Geuder stated that Council would need to approve a "Resolution to Permit an Employee to Purchase Years of Service" if an employee wishes to buy service time toward his or her pension. Manager Geuder stated that he personally would like to purchase one year and eight months of service time.

Manager Geuder explained that to purchase the additional service time, the employee has to make the purchase with the employee's own personal funds. The service time is paid upfront so that it does not affect the City's pension contribution rate. Further, it does not affect the other employees' contribution rate.

Council discussed this issue with Manager Geuder and City Clerk McRae. After the discussion the following motion was offered:

#7139 – Motion by Wiggins, second by Grogan, to approve the "Resolution to Permit an Employee to Purchase Years of Service", which authorizes City Manager Geuder to purchase one year and eight months of additional service time for pension purposes at his own expense.

Ayes – Grogan, Heinz, Kors, Wiggins and Jardine  
Nays – None

7. Boards and Commissions

A. Planning Commission (PC)

Mayor Jardine announced that the next PC meeting is scheduled for 6:00 p.m., Thursday, March 16, 2006. The meeting will be held in the City Council Chambers.

B. Harbor Commission (HC)

Mayor Jardine announced that the next HC meeting is scheduled for 4:00 p.m., Wednesday, March 22, 2006. The meeting will be held in the City Council Chambers. A public hearing on the proposed Walstrom Marine dock expansion plan is scheduled.

C. Boards and Commissions Membership Rosters

Manager Geuder stated that he had distributed the updated Boards and Commissions Membership Roster to Council members now that all of the appointments for 2006 have been made.

D. Board of Review

Mayor Jardine announced that the Board of Review is scheduled to meet on Monday, March 13, 2006 from 9:00 a.m. until noon and from 2:00 p.m. until 5:00 p.m., and on Tuesday, March 14, 2006 from 1:00 p.m. until 4:00 p.m. and from 6:00 p.m. until 9:00 p.m.

E. Next City Council Meeting

The next City Council meeting is scheduled for 7:00 pm, Monday, March 20, 2006, in the City Council Chambers.

8. Old and New Business

A. Dilapidated Building Ordinance

Councilperson Grogan questioned why Council did not consider the "Dilapidated Building Ordinance." Manager Geuder stated that the Ordinance Amendment for the dilapidated buildings would be considered at the same time as the Outdoor Wood Burning Furnace Amendment, because both of them were part of the larger area of "nuisances."

9. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 7:52 pm.

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Ronald B. McRae, City Clerk

Approved: March 20, 2006

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Jean Jardine, Mayor

City Council Meeting Minutes  
March 6, 2006  
Attachments