

March 20, 2006

Mayor Jardine called the ninth 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, D.P.W. Superintendent Rick Ward and City Clerk Ron McRae.

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#7140 – Motion by Grogan, second by Heinz, to approve the March 6, 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:

#7273 – Payroll	P.P. E. 3/5/06	\$ 31,233.99 General Fund 2,655.39 Major St Fund 867.74 Local St Fund 422.40 Historical Fund 10,554.80 Electric Fund 6,234.07 W & S Fund 520.38 Waterfront Fd 1,606.02 Equipment Fd
#7273 – A/P	Sales Tax Feb 06	\$ 3,535.44 General Fund 10,713.53 Electric Fund
#7275 – A/P	Trust Payouts	\$1,205,100.00 Trust Fund
#7276 – A/P	Council 3/20/06	\$ 36,020.67 General Fund 17.80 Major Sts Fund 28.53 Historical Fund 53,179.34 Electric Fund 7,803.00 W & S Fund 3,781.00 W.T. Fund 464.90 Waterfront Fd 7,532.32 Equipment Fd

#7141 – Motion by Wiggins, second by Kors, to approve the bills in the amount of \$1,382,271.32.

Ayes – 5

Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers #7273, 7274, 7275 and #7276, checked by the Finance Committee, in the amount of \$1,382,271.32 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	70,790.10
Major Streets Fund	2,673.19
Local Streets Fund	867.74
Historical Fund	450.93
Electric Fund	74,447.67
Water & Sewer Fund	14,037.07
West Traverse Fund	3,781.00
Waterfront Fund	985.28
Equipment Fund	9,138.34
Trust Fund	<u>1,205,100.00</u>
Total	\$1,382,271.32 =====

3. Citizen Comments

Michael Smelt, 302 Perry Street, appeared before Council to discuss a “dog barking” complaint that had been filed against him. Smelt stated that last Friday the Police Department came to see him because they had a complaint about his dog barking. Smelt reviewed the steps he has taken to prevent the dog barking from becoming a nuisance.

Smelt stated that the complaints have all come from one neighbor. The neighbor has complained about other neighbors from time to time. He asked for clarification of the ordinance because he believes he is being harassed.

City Manager Geuder, City Attorney Ramer and Council discussed this issue with Mr. Smelt. No action was taken by Council.

4. Proposed Waterfront Project

City Manager Geuder informed Council that he has been approached about using the flowing well in front of the former Wendell Smith property at 251 East Bay Street as part of a water feature in the park across the street. The neighbors to the east of the Wendell Smith property, Dave and Mary Wood, live at 263 East Bay Street. They also have a “water feature” in their front yard. Manager Geuder had suggested that the Woods talk to Sheridan Jones, a landscape architect. Ms. Jones has been working with the Woods, the City Staff and the Harbor Springs Garden Club.

Jones presented the proposed Waterfront Project (the “Project”). The Project would require the improvement of the water feature in front 251 East Bay Street. The line feeding the Wood’s water feature would remain in tact. However, a new drain line would be installed from the improved water feature in front of 251 East Bay Street which would run south across Bay Street to the water. The drain line would feed a constructed water feature in a flowerbed. The proposed water feature would consist of a three-foot diameter structure, finished in stone, and approximately three feet high. The water would overflow into a constructed open creek and flow south-southeast approximately fifty feet. A covered drain line would then drain the water to the Bay. The water would discharge into the rocks on the water’s edge.

Jones stated that the existing flowerbed is forty-five feet long and much wider than the proposed flowerbed. The new flowerbed would be approximately fifty feet long and much narrower. There is a tree in the existing flowerbed that would be removed. Jones also requested that the willow next to the water be removed.

Council questioned the size of the proposed "water feature". They asked if it would block the view. Diane McKenzie, President of the Harbor Springs Garden Club, stated that the existing flowerbed blocks more of the view than what is proposed.

Council questioned why the creek would be covered once it left the flowerbed. Manager Geuder stated that he believed that it should be covered for safety and maintenance purposes.

Council concurred that the project would enhance the park. They also concurred that the drain should be installed across Bay Street. However, before starting the construction of the water feature, they would like to see a few of the examples cited that are located in Wequetonsing. The approval of the proposed "water feature" will be considered at the April 17, 2006 City Council meeting.

Manager Geuder stated that the Woods have offered to pay for the concrete, stonework, and tree removal, and Gow Litzenburger, owner of Litzenburger Landscape Company, has offered to build the flowerbed at no cost to the City. Manager Geuder did state that the City would help with the drainage, provide new topsoil and relocate the sprinkler heads as needed.

5. Resolution Honoring the Harbor Springs High School Boys Ski Team

City Manager Geuder stated that the Boys Ski Team won the 2006 State of Michigan Class B-C-D State Ski Championship in a meet at Nubs Nob on February 27th. They also won the State Championship in 2005.

#7142 – Motion by Heinz, second by Kors, to approve the "Resolution Honoring the Harbor Springs High School 2006 Boys Ski Team" for winning their second straight State Championship.

Ayes – 5
Nays – 0

6. Approval of Ordinance No. 358

City Manager Geuder stated that he and City Attorney Ramer have added the language for the proposed Section 70.101 to exempt a license for any business, trade, profession or occupation carried on in the home that meets certain requirements. City Attorney Ramer reviewed the wording with Council. Section 70.103 was amended to include the exemption for businesses under Section 70.101.

Council discussed the proposed changes to the City Code. After the discussion the following motion was offered:

#7143 – Motion by Grogan, second by Kors, to approve Ordinance No. 358, which amends the City Code to clarify the business and trade licensing requirements.

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

7. Boards and Commissions

A. 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.

B. Cancellation of the April 3, 2006 City Council Meeting

City Manager Geuder discussed canceling the April 3, 2006 City Council meeting with Council. After the discussion the following motion was offered:

#7144 – Motion by Wiggins, second by Heinz, to cancel the April 3, 2006 City Council meeting.

Ayes – 5

Nays – 0

C. Next City Council Meeting

The next City Council meeting is scheduled for 7:00 pm, Monday, April 17, 2006, in the City Council Chambers.

8. Old and New Business

A. Crooked Tree Arts Council Home Tour

Councilperson Kors announced that the next Crooked Tree Arts Home Tour is scheduled to take place in Harbor Springs on June 26, 2006.

B. Art in the Park

Councilperson Kors stated that she recommends moving the public sculpture display from the waterfront to Shay Park. The Crooked Tree Arts Council will move the display the next time the art changes. Councilperson Kors stated she would get input from the Harbor Springs Area Historical Society as to where to locate the art display so that it will not interfere with the “Shay Days” exhibit which takes place in Shay Park each year. She will notify Liz Ahrends, Director of the Crooked Tree Arts Council, as to where to place the art.

9. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:12 pm.

Ronald B. McRae, City Clerk

Approved: April 17, 2006

Jean Jardine, Mayor

City Council Meeting Minutes
March 20, 2006
Attachments