

**Harbor Springs City Council Minutes**  
**March 21, 2005**

Mayor Jardine called the tenth 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 Pringle Pfeifer

Absent: None

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

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

The following corrections to the March 7, 2005 regular City Council meeting minutes were noted:

1. Item 5, page 4, first paragraph, the fourth fifth sentences read, "...current water system map is not on computer in AutoCad format. If the water map needs..." They should read, "...current water system map is not on a computer in AutoCad format. If the water system map needs..."
2. Item 7, page 4, second paragraph, first sentence reads, "Amendment 1 changes Article II, Section 2.01 allows for an automatic renewal of the lease each year, after December 31, 2005, unless either the lessee or the tenant terminates the lease prior in writing prior to December 1 of each year, beginning in 2005." It should read, "Amendment 1 changes Article II, Section 2.01, to allow for an automatic renewal of the lease each year, after December 31, 2005, unless either the lessee or the tenant terminates the lease in writing prior to December 1 of each year, beginning in 2005."
3. Item 7, page 4, fourth paragraph, first sentence reads, "Amendment 2 changes Article III, Section 3.01, sets the 'Change Date' for the rent for the next ensuing five years based on the percentage change of the Consumer Price Index for all consumers as determined by the United States Department of Labor during the most recent sixty (60) month period immediately prior to each Change Date for which figures are available as published by the United States Department of Labor." It should read, "Amendment 2 changes Article III, Section 3.01, to set the 'Change Date' for the rent for the next ensuing five years based on the percentage change of the Consumer Price Index for all consumers as determined by the United States Department of Labor during the most recent sixty (60) month period immediately prior to each 'Change Date' for which figures are available as published by the United States Department of Labor."
4. Item 7, page 5, second paragraph, first sentence reads, "Amendment 3 changes Article III, Section 3.02, which states that the..." It should read, "Amendment 3 changes Article III, Section 3.02, to state that the..."

5. Item 8, page 5, first paragraph, first and second sentences read, "...who do not have an income or very small income. However, the United States Government..." It should read, "...who do not have an income or have a small income. The United States Government..."
6. Item 10B, page 6, second sentence reads, "...City McRae..." It should read, "...City Clerk McRae..."

#7021 – Motion by Pfeifer, second by Heinz, to approve the March 7, 2005 regular City Council meeting minutes as amended.

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:

#7183 – Payroll	PPE 03/06/05	\$ 12,611.77 General Fund 1,930.90 Major Streets Fd 568.12 Local Streets Fd 11,993.39 Electric Fund 5,903.32 Water & Sewer 764.08 Waterfront Fund 2,643.96 Equipment Fund 441.37 Historical Fund
#7184 – A/P	Council Bills 03/21/05	\$ 68,344.79 General Fund 300.00 Major Streets Fd 300.00 Local Streets Fd 36,582.35 Electric Fund 141,116.19 Water & Sewer 525.95 Waterfront Fund 10,835.27 Equipment Fund 56.07 B.A. Const Fund 64.20 Historical Fund 130.00 Police Reserves 3,168.00 W.T.T. Water Fd

#7022 – Motion by Heinz, second by Grogan, to approve the bills in the amount of \$298,279.73.

Ayes – 5  
 Nays – 0

THEREFORE, BE IT RESOLVED, that claims on voucher numbers 7183 and 7184, checked by the finance committee, in the amount of \$298,279.73 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	\$ 80,956.56
Major Streets Fund	2,230.90
Local Streets Fund	868.12
Electric Fund	48,575.74
Water & Sewer Fund	147,019.51
Waterfront Fund	1,290.03
Equipment Fund	13,479.23
B.A. Const Fund	56.07
Historical Fund	505.57
Police Reserves	130.00
W.T.T. Water Fund	<u>3,168.00</u>
Total	<u>\$298,279.73</u> =====

3. Citizen Comments

None.

4. Baseball Request for Funding

City Manager Geuder stated that City Clerk McRae prepared a memo showing the in-kind contribution being made by the City each year for the baseball area of the Hoyt Street Park. Manager Geuder also stated that he wrote a memo stating that he believed that the City should maintain the facilities. The City has contributed to the maintenance of the facilities in the past. The City also pays all of the utility bills and telephone bills. Manager Geuder stated that one option for the City would be to do an in-kind contribution, by re-roofing the concession stand.

Councilperson Heinz noted some of the history on the construction of the baseball fields and discussed the work performed by the Department of Public Works crew over the years. Councilperson Heinz stated that he would prefer to give the baseball commission funds, and have them do the work with volunteer labor.

Mayor Jardine asked if Council could restrict the monies donated by the City be used only for the baseball facilities located within the City. (Note: individual projects could be specified.)

Councilperson Pfeifer stated that she would prefer to donate \$5,000 to the baseball commission and specify which projects she would like to see funded with the monies. Manager Geuder stated that if funds were donated, the funds should come from the Electric Fund "Community Promotions" account.

After further discussion, the following motion was offered:

#7023 – Motion by Pfeifer, second by Heinz, to grant \$5,000 to the Baseball Commission, to be paid from the Electric Fund "Community Promotions" account, to fund the following projects within the City of Harbor Springs at the Hoyt Street Park:

1. New diamond dust on the Junior Field,
2. Renovation of the building that houses the concession stand, restrooms and equipment storage,
3. Sprinkler system expansion.

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

5. 2005 Summer Contributions

City Manager Geuder stated that last year the City provided \$1,000 to the Garden Club and \$500 to the Chamber of Commerce to be used toward their Street Musique Program. Manager Geuder asked if Council would like to make similar contributions for 2005 from the Electric Fund's "Community Promotion" account.

Council members discussed the contributions made last year. Council discussed the level of contributions for this year. Funding suggestions were considered based on the changes in the Street Musique program approved by Council and the needs of the Garden Club. After the discussion, the following motion was offered:

#7024 – Motion by Jardine, second by Heinz, to approve a contribution to the Harbor Springs Garden Club in the amount of \$500 and a contribution to the Chamber of Commerce to be used for their Street Musique Program in the amount of \$250.

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

6. Resolutions Honoring the Harbor Springs High School Boys Ski and Basketball Teams

City Manager Geuder stated that the Harbor Springs Boys Ski Team won the 2005 Michigan Class B-C-D State Ski Meet held at Marquette Mountain on February 28th. Also, the Harbor Springs Boys Basketball Team won the Michigan Class C District Tournament at East Jordan High School on March 4<sup>th</sup>. To give the team coaches and players recognition for their accomplishments, Manager Geuder stated that he prepared Resolutions honoring both teams.

Council members discussed the accomplishments of both teams. After the discussion the following motion was offered:

#7025 – Motion by Pfeifer, second by Grogan, to approve the Resolution Honoring the Harbor Springs High School 2005 Boys Ski Team for their accomplishment of becoming the State Championship Ski Team in the Class B-C-D Ski Meet held at Marquette Mountain on February 28<sup>th</sup>; and to approve the Resolution Honoring the Harbor Springs High School 2005 Boys Basketball Team for their accomplishment of becoming the Class C District Basketball Champion at East Jordan High School on March 4<sup>th</sup>.

Ayes – 5  
Nays – 0

7. Vendor License Request

Mayor Jardine excused Councilperson Grogan from the Council meeting (Grogan retired at 8:10 pm).

City Manager Geuder stated that he received a request from Will Grogan, Councilperson Grogan's grandson, for a permit to run his vending business, Will's Wieners, at the Marina for the 2005 Summer Season. Grogan stated that he will open the business when he comes up to Harbor Springs after school lets out for the summer and close in August when school resumes. Manager Geuder stated that last year Grogan did a good job of being open consistently and kept the area free of trash. Manager Geuder stated he would recommend that Grogan be given the permit, allow him to use the pad by the Pier Restaurant, and waive the fees because Grogan is less than eighteen years of age.

Council members discussed Grogan's request. After the discussion, the following motion was offered:

#7026 – Motion by Pfeifer, second by Heinz, to issue a vendor's license to Will Grogan to operate his business, Will's Wieners, near the Pier Restaurant on the waterfront by the City Marina. All license fees are to be waived.

Ayes – 4  
Nays - 0  
Absent - 1 (Grogan)

(Grogan returned to the Council meeting at 8:15 pm.)

#### 8. Waterfront Projects Update

City Manager Fred Geuder stated that the State of Michigan, Department of Environmental Quality (MDEQ) is not charging the City for a bottomland lease because no fees charged for the use of the two-hour courtesy dock. However, the MDEQ must still go through the process to issue the bottomland lease. Unless the public hearings and notification process starts moving along, the bottom-land lease may not be approved until this summer or fall. That would delay expansion of the two-dock until next spring.

The electrical upgrade project for the east dock has also been reconsidered. Due to revised requirements brought about by recent changes in the Electrical Code, the City needs to change how the electric wire will be run in the dock. Further, electrical transformers will need to be placed on the docks, not under the decking material. All of these changes will increase the total project to about \$90,000 from the original budget of \$50,000.

Council discussed the impact of the changes necessary to complete the electrical upgrade of the east dock. Manager Geuder stated that the construction of the two-hour courtesy dock improvements could be delayed until next spring to save some monies because those improvements were budgeted for \$42,000. Council members stated that they did not want one project held up by the other project. If the MDEQ grants the bottomland lease for the two-hour courtesy dock improvements in time for the project to be completed, the City should complete the two-hour courtesy dock improvements. After the discussion, the following motion was offered:

#7027 – Motion by Kors, second by Grogan, to authorize the City Manager to proceed with the electrical upgrade project to have it completed for the summer season at a rough cost estimate of \$90,000. Further, if the bottomland lease is approved so that there is time to complete improvements to the two-hour courtesy dock, the City Manager is authorized to do so.

Ayes – Kors, Pfeifer, Jardine, Grogan and Heinz

9. Boards and Commissions

A. Zoning Board of Appeals (ZBA)

Council reviewed the minutes from the March 9, 2005 ZBA meeting. Councilperson Grogan reviewed some of the specifics of the ZBA members' considerations for granting the variance. Mayor Jardine announced that the next ZBA meeting is scheduled for 5:30 pm, Wednesday, April 13, 2005. The meeting will be held in the Council Chambers.

B. Planning Commission (PC)

Mayor Jardine announced that the next PC meeting is scheduled for 6:00 pm, Thursday, April 21, 2005. The meeting will be held in the City Council Chambers.

City Manager Geuder stated that he was sending out letters on the proposed Bluff Ordinance inviting property owners to attend the meeting and make comments on the proposal.

C. Next City Council Meeting

The next regular City Council meeting is scheduled for 7:00 pm, Monday, April 18, 2005. The meeting will be held in the Council Chambers at 160 Zoll Street, Harbor Springs, MI 49740. The April 4, 2005 meeting was cancelled.

10. Old and New Business

A. Proposed City Council Members Open Hours

Councilperson Grogan stated that he was still thinking on how to proceed with individuals talking to Council. He was considering having two sessions to get feedback on the Walstrom Dock Proposal and the Christmas Tree Lighting date. Councilperson Grogan stated that he would do the sessions because this was his idea.

City Manager Geuder stated that he would like to address the Christmas Tree Lighting issue in May or June. That way the date could be well advertised. Manager Geuder stated that he would work out the schedule for the sessions with Councilperson Grogan.

B. Thank you for Approval of the Municipal Employees' Retirement System

Mayor Jardine stated that she received a thank you from a City employee for Council's approval of the membership in the Municipal Employees' Retirement System. Mayor Jardine commented that it was nice of the employee to show his/her appreciation of the new pension plan.

C. Mapping Project Status

Mayor Jardine questioned if the mapping project would be completed by the year-end. If not, when could it be completed. City Manager Geuder stated that he is not sure if the mapping project will be done. However, the project is being worked on. As changes occur in the location of the City's utility systems, the changes will be noted on the maps. Manager Geuder will get a status of where the project is and inform Council.

D. Harbor Springs Area Sewage Disposal Authority Minutes and the Harbor - Petoskey Airport Authority Minutes

Mayor Jardine thanked City Manager Geuder for the Harbor Springs Area Sewage Disposal Authority meeting minutes. She also thanked him for the Harbor-Petoskey Airport Authority meeting minutes. The minutes were discussed briefly.

E. D.A.R.E. Program Graduation

Mayor Jardine stated that she enjoyed the D.A.R.E. Program Graduation at the Shay Elementary School. Mayor Jardine thought the Police Department did a good job with the Program and thanked Officer Johnston and Officer Pater for the invitation to the event and their efforts.

11. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:30 pm.

Approved: April 18, 2005

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Ronald B. McRae, City Clerk

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Jean Jardine, Mayor

City Council Meeting Minutes  
March 21, 2005  
Attachments