

**Harbor Springs City Council Minutes
April 20, 2009**

Mayor Pro-tem Kors called the sixteenth meeting of the Harbor Springs City Council to order at 7:00 p.m., in the City Council Chambers at 160 Zoll Street, Harbor Springs, Michigan.

1. Roll Call and Verification of Quorum

Present: Alan Hegedus, Laura Kors and Pringle Pfeifer

Absent: Alan Dika and Michael Heinz

Also Present: City Manager Thomas C. Richards, City Attorney James T. Ramer, Police Chief Daniel J. Branson, and City Clerk Ronald B. McRae

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

The following corrections were noted for the March 16, 2009 regular meeting minutes:

a. Page 3, Item 5, the term "Electric Optimization Plan" was used in two places. The term "Energy Optimization Plan" should be used.

b. Page 5, Item 8, the term "Michigan Public Power Agency Board of Directors" was used in three places. The term "Michigan Public Power Board of Commissioners" should be used.

#7564 – Motion by Pfeifer, second by Hegedus, to approve the March 16, 2009 regular City Council meeting minutes as amended.

Ayes – 3

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:

Voucher Number	Description	Fund Name	Amount
7541	Trust Payouts 3/8-3/12/09	Trust Fund	\$319.75
7542	Payroll Ending 3/15/09	General Fund	\$58,682.65
		Major St. Fund	1,795.52
		Local St. Fund	842.62
		Historical Fund	443.60
		Electric Fund	10,664.18
		Water & Sewer Fund	5,782.71
		Waterfront Fund	551.78
		Equipment Fund	3,153.89

7543	Payroll Ending 3/29/09	General Fund	\$35,537.46
		Major St. Fund	1,216.26
		Local St. Fund	726.55
		Historical Fund	443.60
		Electric Fund	10,728.08
		Water & Sewer Fund	5,060.85
		Waterfront Fund	1,124.07
		Equipment Fund	2,470.57
7544	Accounts Payable - Council 4/7/09	General Fund	\$44,013.89
		Major St. Fund	15.70
		Local St. Fund	9,848.00
		Historical Fund	355.13
		Electric Fund	172,951.54
		Water & Sewer Fund	34,179.67
		WTTP Water Fund	4,195.11
		Waterfront Fund	1,647.47
		Equipment Fund	8,154.28
7545	Sales and Withholding 3/31/09	General Fund	\$5,330.58
		Electric Fund	10,217.63
7546	Payroll Ending 4/12/09	General Fund	\$30,991.03
		Major St. Fund	1,001.41
		Local St. Fund	214.59
		Historical Fund	443.60
		Electric Fund	10,526.53
		Water & Sewer Fund	5,061.85
		Waterfront Fund	760.07
		Equipment Fund	1,972.57
7547	Accounts Payable - Council 4/20/09	General Fund	\$8,653.15
		Major St. Fund	0.00
		Local St. Fund	0.00
		Historical Fund	107.45
		Electric Fund	40,010.62
		Water & Sewer Fund	23,368.11
		WTTP Water Fund	0.00
		Waterfront Fund	3,464.96
		Equipment Fund	6,475.67

#7565 – Motion by Pfeifer, second by Hegedus, to approve the bills in the amount of \$563,505.45.

Ayes – 3
 Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers 7541, 7542, 7543, 7544, 7545, 7546 and 7547 checked by the Finance Committee, in the amount of \$563,505.45 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	\$183,208.76
Major Streets Fund	4,028.89
Local Streets Fund	11,632.09
Police Reserve	0.00
Historical Fund	1,793.38
Electric Fund	255,098.58
Water & Sewer Fund	73,453.19
West Traverse Water Fund	4,195.11
Waterfront Fund	7,548.72
Equipment Fund	22,226.98
Trust Fund	319.75

Total	\$563,505.45
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3. Citizen Comments

None

4. Funding Request from the Harbor Springs Garden Club

City Manager Richards stated that the Harbor Springs Garden Club requested assistance this year. No specific dollar amount was requested. Manager Richards stated that the City contributed \$1,000 in 2004 and \$500 in 2005. In 2006, 2007, and 2008 the City provided in-kind services, only.

It was the consensus of the Council members present that a contribution should be made. After a brief discussion on the amount to be contributed, the following motion was offered:

#7566 – Motion by Pfeifer, second by Hegedus, to contribute \$500 to the Harbor Springs Garden Club from the Electric Fund's Community Promotion's Account and direct Manager Richards to continue to have the Department of Public Works to provide in-kind services to the Harbor Springs Garden Club.

Ayes – 3
Nays – 0

5. Request for a Triathlon

City Manager Richards stated that the City received a request to hold a Triathlon. Manager Richards introduced Tom Behan and Will Baker, the people who are proposing this event.

Baker stated that the Triathlon is proposed for Sunday, July 19, 2009. The Triathlon is proposed to start at 8:30 a.m. and be completed and cleaned up by 2:00 p.m. The first event of the Triathlon is an 800 meter swim race to leave from Zoll Street Beach, swim out 400 meters into the Bay, then return to Zoll Street Beach. The second event is the bicycle race. The contestants will return from the swim and get on their bicycles in Jean Jardine Park and ride out to Stutsmanville Road via M-119 then return the same route. The third event is the running race. The contestants will run from Jean Jardine Park out to the Ramona Park Subdivision and return.

Baker stated that the races should be completed by 12:00 noon. The awards ceremony should take place at 12:30 p.m. and clean up should be completed by 2:00 p.m.
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Lastly, Bay Tennis and Fitness will take care of the race management, insurance, set-up and clean-up for the Triathlon.

Council members questioned the conflict that could occur due to people coming into town for the 9:00 a.m. mass at the Holy Childhood Catholic Church. Baker and Behan stated that they would review the schedule and could perhaps start a half an hour earlier. Council directed Baker to work out the details with City Manager Richards and Police Chief Branson to avoid any conflict with the Church traffic.

Councilperson Pfeifer thought this was a good event. After a brief discussion by Council, the following motion was offered:

#7567 – Motion by Pfeifer, second by Hegedus, to approve the Triathlon as presented, with the condition that the conflict with the Church traffic be worked out with the City Manager and Chief of Police.

Ayes – 3
Nays – 0

6. Request for “Truth in Taxation” Public Hearing

City Manager Richards stated that City Clerk McRae is recommending the 2009 City millage rate be set at 5.7618 mills. Manager Richards stated that the recommended millage rate for 2009 is based on the budgeted needs of the City. Though the recommended millage rate for 2009 is less than the millage rate levied in 2008, the “Truth in Taxation” Public Hearing is required because the recommended millage rate for 2009 is greater than the “Truth in Taxation” millage rate of 5.5819 mills. Manager Richards recommended that Council approve the “Truth in Taxation” Public Hearing for May 18, 2009.

Manager Richards and City Clerk McRae addressed Council member’s questions and concerns. After the discussion, Council members present, by consensus, authorized the “Truth in Taxation” Public Hearing for May 18, 2009.

7. Approval of Poll Workers for the School Election

City Manager Richards stated that City Clerk McRae is requesting City Council approval of the poll workers for the May 5, 2009 School Election. Council reviewed the memorandum prepared by City Clerk McRae, then offered the following motion:

#7568 – Motion by Hegedus, second by Pfeifer, to approve the following poll workers:

Morning Shift: Eleanor Jardine, Norine McBride, Mike Heinz and Robert Thoma.
Afternoon Shift: Betty Taylor, Marge Owen, Tanya Graham and Robert Thoma.

The City will pay \$75 per half day shift and \$150 for an all day shift; pay \$10 per hour for training and mileage at the current IRS rate for attending training at the Emmet County Building in Petoskey. Further, the City will provide meals and refreshments.

Ayes – 3
Nays – 0

8. City Manager's Reports

A. Energy Optimization Plan

City Manager Richards stated that the "Energy Optimization Plan" (the "Plan") was submitted to the Michigan Public Service Commission (MPSC) before the deadline. Further, Manager Richards is working with the other Municipal Electric Systems in reviewing a 3rd party administrator for the Plan. Lastly, Manager Richards stated that Council will need to hold a Public Hearing to get public comments on the proposed Plan.

B. Curbside Recycling

Manager Richards stated that he had provided a copy of the Curbside Recycling statistics provided by the Emmet County Department of Public Works. Councilperson Pfeifer stated that she would like more information on the Curbside Recycling Program. Manager Richards stated that he would contact the Emmet County Department of Public Works for the information requested.

C. Judd Hill Railing

Manager Richards stated that the railing on the Judd Hill was in poor condition. Manager Richards stated that DPW Superintendent Clark proposed that the railing be rebuilt by using 4 X 4 treated lumber posts to which the salvageable pieces of pipe would be attached. This conceptual idea would provide a more natural look and save money over the more costly engineered solutions.

D. Moving Mates Signs

Manager Richards advised Council of Jane Mancour's letter, requesting reconsideration of the decision to rescind the privilege of putting the Moving Mates signs at the corner of State Street and East Lake Street and at the corner of East Lake Street and M-119. Mancour, in her letter, stated that she would be available after April 27, 2009 to meet with Council. Mayor Pro-tem Kors stated that the issue should be revisited after April 27, 2009 as requested by Mancour.

9. Boards and Commissions

A. Planning Commission (PC)

Council reviewed the April 15, 2009 PC meeting minutes. Mayor Pro-tem Kors stated that the next PC meeting is scheduled for 6:00 p.m., Thursday, May 21, 2009.

B. Zoning Board of Appeals (ZBA)

Council reviewed the April 8, 2009 ZBA meeting minutes. Mayor Pro-tem Kors announced that the next ZBA meeting is scheduled for 5:30 p.m., May 13, 2009.

C. District Library Planning Committee (DLPC) Report

Councilperson Pfeifer gave a report on the three meetings that the DLPC has had. Their next meeting is scheduled for April 23, 2009 at the West Traverse Township Hall at 7:00 p.m.

D. Appointments

Mayor Pro-tem Kors stated that Mayor Dika had discussed the reappointments of Henry Pfeifer, Donna Niederstadt and Ann Burrows to the ZBA. All three agreed to be reappointed. Their new terms would expire on April 2, 2012. It was the consensus of all the Council members present that Niederstadt and Burrows be reappointed. Councilperson Pfeifer stated that because Henry Pfeifer was her husband, she would abstain from making any comments. The majority of the Council members present approved, by consensus, that Henry Pfeifer be reappointed.

Mayor Pro-tem Kors stated that based on the memorandum prepared by City Clerk McRae, City Manager Richards should be appointed to several Boards replacing City Manager Geuder, who recently retired. Council discussed this issue briefly. The following motion was made:

#7569 – Motion by Kors, second by Pfeifer, to approve the appointment of City Manager Thomas C. Richards to the:

- a. Harbor-Petoskey Area Airport Authority, term expiring 12/07/09;
- b. Harbor Springs Building Authority, term expiring 5/21/11; and,
- c. H.A.R.B.O.R., Inc. Recreation and Open Space Initiative, as the Mayor's designee.

Ayes – 3

Nays – 0

E. Next Council Meeting

Mayor Pro-tem Kors announced the next regular City Council meeting is scheduled for 7:00 p.m., Monday, May 4, 2009 in the City Council Chambers.

10. Old and New Business

A. Tree Over Beach Street at Zoll Street

Councilperson Pfeifer stated that a tree is on the north side of Beach Street leans over Beach Street near the Zoll Street intersection. She asked if the tree could be check to determine if it needs to be cut down. City Manager Richards stated that the tree has been inspected by the DPW Superintendent and Ben Veiling, an Arborist. Neither person believes the tree to be a danger. Manager Richards stated that the tree can be inspected again.

B. Green Garbage Cans

Councilperson Pfeifer asked if the DPW was going to be placing the green garbage cans in the parks soon. Manager Richards stated that he would check with DPW Superintendent Joel Clark on this issue.

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11. Adjournment

With no further business, Mayor Pro-tem Kors adjourned the meeting at 7:46 p.m.

Ronald B. McRae, City Clerk

Approved: May 4, 2009

Laura Kors, Mayor Pro-tem

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Attachments