

**Harbor Springs City Council Minutes  
May 5, 2008**

Mayor Jardine called the eleventh 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, Alan Hegedus, Michael Heinz, Laura Kors and Pringle Pfeifer

Absent: None

Also Present: City Attorney James T. Ramer, City Manager Frederick W. Geuder, Police Chief Daniel J. Branson and City Clerk Ronald B. McRae

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

The following changes were requested to be made to the April 21, 2008 regular meeting minutes:

1. Page 6, Item 10, fifth paragraph, second sentence reads, "...to change potage rates..." It should read, "...to change postage rates..."
2. Page 8, Item 14B, the sentence reads, "...any agenda item", it should read, "...any agenda item."
3. Page 8, Item 14C, the title reads, "Harbor Commission Meeting (HC)", it should read, "Harbor Commission (HC)".
4. Page 8, Item 14E should be Item 14. The remaining numbers would change to the following:
  - 15 Boards and Commissions
  - 15E Next City Council Meeting
  - 16 Old and New Business
  - 17 Adjournment

#7436 – Motion by Pfeifer, second by Hegedus, to approve the April 21, 2008 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:

Voucher Number	Description	Fund Name	Amount
7461	Payroll Ending 4/27/08	General Fund	\$30,164.18
		Major St. Fund	175.14
		Local St. Fund	77.84
		Historical Fund	432.80
		Electric Fund	8,738.62
		Water & Sewer Fund	5,327.76
		Waterfront Fund	2,131.62
		Equipment Fund	293.56

7462	Accounts Payable - Council 5/5/08	General Fund	\$16,895.38
		Major Street Fund	0.00
		Local Street Fund	0.00
		Historical Fund	231.82
		Electric Fund	210,965.32
		Water & Sewer Fund	29,468.14
		West Traverse Water	0.00
		Waterfront Fund	422.22
		Equipment Fund	945.92

#7437 – Motion by Pfeifer, second by Hegedus, to approve the bills in the amount of \$306,270.32.

Ayes – 5  
 Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers 7461 and 7462 checked by the Finance Committee, in the amount of \$306,270.32 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	\$47,059.56
Major Streets Fund	175.14
Local Streets Fund	77.84
Police Reserve	0.00
Historical Fund	664.62
Electric Fund	219,703.94
Water & Sewer Fund	34,795.90
West Traverse Water Fund	0.00
Waterfront Fund	2,553.84
Equipment Fund	1,239.48
Trust Fund	0.00
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Total	\$306,270.32
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3. Citizen Comments

None

4. Request by the Association for Harbor Arts to Use Ottawa Stadium

City Manager Geuder stated that the Association for Harbor Arts (AHA) would like to use the Ottawa Stadium to present “The Night of the Northern Stars’ 08” on Thursday, July 24, 2008 at the Ottawa Stadium. The gates would open at 6:00 p.m. and the show is anticipated to over at 10:00 p.m. Wednesday, July 23<sup>rd</sup> will be the dress rehearsal and the rain date will be Friday, July 25<sup>th</sup>.

Manager Geuder noted that the Schools have already approved the date and use of Ottawa Stadium. However, because AHA is not part of the School curriculum, the City must approve the use of Ottawa Stadium, too.

Council discussed this issue briefly. After the discussion the following motion was offered:

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#7438 – Motion by Heinz, second by Kors, to approve the use of the Ottawa Stadium by the Association for the Harbor Arts to present their program, “The Night of the Northern Stars’ 08”, as requested.

Ayes – 5

Nays – 0

#### 5. Consideration of the Resolution for the Michigan Liquor Control Commission

City Manager Geuder stated that the Liquor Control Commission (LCC) did not accept the format of the resolution adopted by Council for the Pier Restaurant Project a couple meetings ago. Because the resolution was not in their format, Council is being asked to approve the resolution in a format provided by the State LCC. Manager Geuder stated that the terms of the earlier resolution do not change. The resolution presented tonight only crosses the “t’s” and dots the “i’s” for the LCC.

#7439 – Motion by Heinz, second by Pfeifer, to approve the resolution in the format required by the LLC, for the Pier Restaurant Project.

Ayes – 5

Nays – 0

#### 6. Consideration of the Right-of-Way Policy

City Manager Geuder stated that he met with Councilperson Pfeifer on the proposed Right-of-Way Policy. After a few changes, Manager Geuder stated that he and Councilperson Pfeifer came to the conclusion that this one policy could work for both the issues of burying the electric lines and installing curbs and sidewalks, as well as any other project proposed for the right-of-way.

Council members discussed the policy. After the discussion, the following motion was offered:

#7440 – Motion by Pfeifer, second by Kors, to approve the proposed Right-of-Way Policy, as dated May 5, 2008, and to rescind the Policy to Bury Electric Lines.

Ayes – 5

Nays – 0

#### 7. Board and Commissions

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

Mayor Jardine announced that the next PC meeting is scheduled for 6:00 p.m., Thursday, May 15, 2008 in the City Council Chambers.

##### B. Zoning Board of Appeals (ZBA)

Mayor Jardine announced that the ZBA meeting is scheduled for 5:30 p.m., Wednesday, May 14, 2008 in the City Council Chambers, if there is any agenda item

C. Appointments to Boards and Commissions

Mayor Jardine stated that she would like to appoint Lee Kramer to fill the vacancy on the PC. This issue was discussed by Council. Councilperson Heinz believed that Peter Sears should be reappointed if he wants to retain the position. He believes that Council should table this issue until Mayor Jardine has the opportunity to discuss this issue with Sears.

#7441 – Motion by Heinz, second by Kors, to table this issue until the May 19, 2008 Council meeting to give Mayor Jardine more time to discuss the appointment with Sears.

Ayes – 5  
Nays – 0

D. Next City Council Meeting

Mayor Jardine announced the next regular City Council meeting is scheduled for 7:00 p.m., Monday, May 19, 2008 in the City Council Chambers.

8. Old and New Business

None

9. Closed Session

#7442 – Motion by Heinz, second by Pfeifer, to go to Closed Session under Section 8(e) of Public Act No. 267 of 1976 (the “Open Meetings Act”), as amended, to consult with the City Attorney regarding trial strategy in connection with the David and Mary Woods vs the City of Harbor Springs lawsuit.

Ayes – Kors, Pfeifer, Hegedus and Heinz  
Nays – Jardine

Mayor Jardine recessed from Open Session at 7:32 p.m.

Mayor Jardine reconvened the City Council meeting in Open Session at 7:54 p.m.

10. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 7:55 p.m.

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Ronald B. McRae, City Clerk

Approved: May 19, 2008

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Jean Jardine, Mayor

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Attachments