

Harbor Springs City Council Minutes
July 18, 2005

Mayor Jardine 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: Jean Jardine, Jim Grogan, Michael Heinz, Laura Kors and Pringle Pfeifer

Absent: None

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

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

The following changes were noted to the July 11, 2005 Council meeting minutes:

- a. Item 2B, page 2, the last fund listed should be the Trust Fund.
- b. Item 3, page 2, the second paragraph, first sentence reads, "...from the existing shore (to allow for circulation) and having a 60' gap between the shore and the east side floating breakwall." It should read, "...from the existing 'C' Dock (to allow for circulation) and having a 60' gap between the 'C' Dock and the east side floating breakwall."
- c. Item 3, page 3, the sixth paragraph, second sentence reads, "When she and her husband purchased their property in 2003 was made,..." It should read, "When she and her husband purchased their property in 2003,..."
- d. Item 3, page 3, the seventh paragraph, second sentence, should have the comma omitted after the word "economy".
- e. Item 3, page 4, the second paragraph, last sentence, should have the word "the" inserted to read, "...from the MDEQ and the United States Army Corps of Engineers."
- f. Item 3, page 4, the sixth paragraph should have the comma omitted after the word "project".
- g. Item 4, page 4, the third paragraph, second sentence, should have the phrase "behind the Middle School" inserted to read, "The Bike Tour Group would camp out behind the Middle School on Friday..."
- h. Item 6A, page 5, reads, "Councilperson Grogan asked if the MDEQ would wait for City Council's recommendation to approve the Walstrom Marine proposed dock expansion project." It should read, "Councilperson Grogan asked if the MDEQ would wait for City Council's recommendation on the Walstrom Marine proposed dock expansion project."

#7062 – Motion by Pfeifer, second by Grogan, to approve the July 11, 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:

#7212 - Payroll	PPE 07/10/05	\$ 18,368.57	General Fund
		980.78	Major Streets Fd
		322.52	Local Streets Fd
		12,589.80	Electric Fund
		6,128.13	W&S Fund
		7,993.74	Waterfront Fund
		639.49	Equipment Fund
		441.37	Historical Fund
#7213 – State of Michigan	June '05 Sales Tax	\$ 3,960.67	General Fund
		11,411.44	Electric Fund
#7214 – A/P	Council Bills – 07/18/05	\$ 28,233.86	General Fund
		24,544.54	Electric Fund
		4,913.74	W&S Fund
		726.08	Waterfront Fund
		1,525.99	Equipment Fund
		111.97	Historical Fund
		8,071.05	W.T.T. Water

#7063 – Motion by Grogan, second by Heinz, to approve the bills in the amount of \$130,963.74.

Ayes – 5
 Nays – 0

THEREFORE, BE IT RESOLVED, that claims on voucher numbers 7212, 7213, and 7214, checked by the finance committee, in the amount of \$130,963.74 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	\$ 50,563.10
Major Streets Fund	980.78
Local Streets Fund	322.52
Electric Fund	48,545.78
Water & Sewer Fund	11,041.87
Waterfront Fund	8,719.82
Equipment Fund	2,165.48
Historical Fund	553.34
W.T.T. Water	<u>8,071.05</u>
 Total	 \$130,963.74
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3. Citizen Comments

None.

4. Community Event

City Manager Geuder said he received a request from the Harbor Springs Chamber of Commerce to hold their third annual Labor Day Event on Monday, September 5, 2005. The Chamber is requesting that Main Street, from Gardner Street west to State Street, be closed from 10:00 a.m. until 3:00 p.m. The merchants will be permitted to have two tables, 30 inches by 96 inches, or one table and a clothes rack. A clothes rack would take the place of a table.

Kathy Lott, Executive Director of the Harbor Springs Chamber of Commerce, reviewed the events scheduled to take place during the Labor Day Event. Council members reviewed their concerns with her, which were addressed. One idea was to not allow any outside displays, except the tables and racks. This would keep merchandise from expanding beyond the table and clothes rack areas. All merchandise would either be on and under the tables and clothes racks.

#7064 – Motion by Kors, second by Heinz, to approve the Chamber of Commerce Labor Day Event, as requested.

Ayes – 5

Nays – 0

5. Police Annual Report

City Manager Geuder said that the Police Department Annual Report had been placed on the agenda to give Council an opportunity to review their concerns and questions with Police Chief Branson.

Council members felt the Annual Report was very thorough and expressed their appreciation for all that Chief Branson and his staff do for the City.

6. Resolution Regarding Confidentiality of Certain Documents and Information

City Manager Geuder said the “Resolution Regarding Confidentiality of Certain Documents and Information” (hereinafter referred to as the “Resolution”), drafted by the Michigan Public Power Agency attorney Dickinson Wright, PLLC, was intended to keep pricing, terms and conditions of power supply offers made to the Michigan Public Power Agency (hereinafter referred to as the “MPPA”) exempt from public disclosure, as authorized by Michigan State Law MCL 460.10y(12). To invoke the exemption, the governing body of each utility member should adopt a resolution stating that the information in question is exempt from public disclosure.

City Attorney Ramer also reviewed MCL 460.10y(12) and stated he concurred with the Dickinson Wright, PLLC opinion that the adoption of the Resolution is necessary to keep the above referenced information exempt from public disclosure by the MPPA. Attorney Ramer believes Council should adopt the Resolution.

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

#7065 – Motion by Pfeifer, second by Grogan, to approve the “Resolution Regarding Confidentiality of Certain Documents and Information” which will enable the MPPA to keep certain pricing, terms and conditions of power supply offers made to the Michigan Public Power Agency exempt from public disclosure.

Ayes – Kors, Pfeifer, Jardine, Grogan and Heinz
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. on Thursday, July 21, 2005 in the City Council Chambers.

B. Zoning Board of Appeals (ZBA)

Council reviewed the minutes from the July 13, 2005 ZBA meeting. Mayor Jardine announced that the next ZBA meeting is scheduled for 5:30 p.m. on Wednesday, August 10, 2005. The meeting will be held in the City Council Chambers.

C. Harbor Commission (HC)

Council reviewed the minutes from the July 13, 2005 HC meeting. Mayor Jardine announced that the next HC meeting is scheduled for 4:00 p.m. on Wednesday, August 10, 2005. The meeting will be held in the City Council Chambers.

D. Next City Council Meeting

Mayor Jardine announced that the next City Council meeting is scheduled for 7:00 p.m., Monday, August 1, 2005. The meeting will be held in the City Council Chambers.

8. Old and New Business

A. Holy Childhood Catholic Church Yard Sale

Councilperson Heinz asked if the Holy Childhood Catholic Church ever had their yard sale. Mayor Jardine responded that they had decided there was not enough time to properly plan and advertise for the sale.

B. Sign for Road Work at the Intersection of West Bluff Drive and State Street

Councilperson Grogan asked if the City could place a sign at the intersection of West Bluff Drive and State Street to let the public know that the City was paying for the repair of the intersection. City Manager Geuder stated he did not know why it could not be done and would look into the cost of a sign.

C. Orange Buoys in the Bay

Councilperson Pfeifer asked if the orange buoys in the bay were marking the area to be taken up by the Walstrom Marine proposed dock expansion project. Manager Geuder stated that he believed so, but that he would check with Walstrom.

D. Power Outage

Councilperson Kors asked about the reason for the power outage on Saturday morning, July 16, 2005. City Manager Geuder stated that some equipment had failed at the sub-station. Manager Geuder stated that is one reason why the City is looking into having an electric system study completed.

E. Web Cams

Mayor Jardine asked how many web cams are installed in the City. She noticed that one had been removed. City Manager Geuder stated that he believed that to be the only one.

F. Trash Dumpster on East Third Street by the Old Presbyterian Church

Mayor Jardine asked how long the dumpster would be in front of the old Presbyterian Church. City Manager Geuder stated that he did not know, but would check on the status. Mayor Jardine asked if there was a time limit or deadline that construction could not be done in the public rights-of-way. Manager Geuder stated that within the Central Business Zoning District only, June 15th is the deadline. The old Presbyterian Church is not within the Central Business Zoning District. Daily construction time limits were also discussed.

9. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 7:40 p.m.

Approved: August 1, 2005

Ronald B. McRae, City Clerk

Jean Jardine, Mayor

City Council Meeting Minutes
July 18, 2005
Attachments