

Harbor Springs City Council Meeting Minutes
October 3, 2005

Mayor Jardine called the nineteenth 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 September 19, 2005 regular City Council meeting minutes:

1. Item 4, page 4, seventh paragraph, the second sentence reads, "Walstrom Marine, Inc. has developed a great reputation for cleanness, being fair and being good stewards of the Harbor." It should read, "Then he stated that Walstrom Marine, Inc. has developed a great reputation for cleanliness, being fair and being good stewards of the Harbor."
2. Item 4, page 4, seventh paragraph, the fourth sentence reads, "...Gail Gruendwald, the director of..." It should read, "...Gail Gruenwald, the Executive Director of..."
3. Item 4, page 5, first paragraph, the first sentence reads, "...fifty feet long boat..." It should read, "...fifty-foot long boat..."
4. Item 4, page 6, second paragraph, third sentence reads, "...if the boaters contributed anymore to the Harbor Springs community economy other than purchases..." It should read, "...if the boaters contributed more to the Harbor Springs community economy than purchases..."
5. Item 4, page 6, fourth paragraph, the third sentence reads, "...Walstrom Marine, Inc., would widen..." It should read, "...Walstrom Marine, Inc. would widen..."
6. Item 4, page 6, sixth paragraph, the second sentence reads, "...and make their decision..." It should read, "...and will make their decision..."

7. Item 6, page 7, first paragraph, reads, "Since this proposed lot split will create to non-conforming lots, City Council must approve the lot split. Councilperson Pfeifer stated that the PC approved the recommendation to have City Council approve the lot split because the two lots being created will be less conforming than the three fifty-foot wide lots were. Further, if the LaHood were to build an addition, the lot split may allow the addition to be constructed without a variance." It should read, "Since this proposed lot split will create two non-conforming lots, City Council must approve the lot split. Councilperson Pfeifer stated that the PC approved the recommendation to have City Council approve the lot split because the two lots being created will be more conforming than the three fifty-foot wide lots were. Further, if the Ms. LaHood was to build an addition, the lot split may allow the addition to be constructed without a variance."
8. Item 7, page 7, third paragraph, the sixth sentence reads, "But Chief Branson thought..." It should read, "Chief Branson thought..."
9. Item 7, page 7, fifth paragraph, the second and third sentences read, "Now that the construction in the 1915 part of the High School is completed and on site parking has been restored this parking area is no longer needed. Further, it helps the Department of Public Works' crew with making more room available for snow plowing." They should read, "Now that the construction on the south side of the High School is completed and on site parking has been restored this parking area is no longer needed. Further, it helps the Department of Public Works' crew by making more room available for snow plowing."
10. Item 7, page 8, first paragraph reads, "...on the south side of East Bluff Drive." It should read, "...on the south side of East Bluff Drive in front of the High School."
11. Item 7, page 8, second paragraph, first and second sentences read, "...on the south side of East Bluff Drive. Further, she pointed out that the School is charging Twenty dollars..." They should read, "...on the south side of East Bluff Drive in front of the High School. Further, she pointed out that the School is charging twenty dollars..."
12. Item 9, page 9, first paragraph reads, "...stated that received bids..." It should read, "...stated that the City received bids..."

#7086 – Motion by Pfeifer, second by Heinz, to approve the September 19, 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:

#7228 - Payroll	PPE 09/18/05	\$ 28,731.01	General Fund 500.14 Major Streets Fd 628.33 Local Streets Fd 10,484.90 Electric Fund 5,774.27 W&S Fund 4,223.43 Waterfront Fund 1,064.59 Equipment Fund 410.00 Historical Fund
#7229 – Trust	Tax Payouts	\$ 22,316.69	Trust Fund
#7230 – HSASDA/Harbor Travel	SRF Bond / Travel Exp	\$ 308.58	General Fund 1.0 Electric Fund 25,888.55 W & S Fund 1.0 Waterfront Fund 1.0 Equipment Fund
#7231 – A/P	10/03/05 Council Bills	\$ 19,060.81	General Fund 885.25 Major Streets Fd 3,946.75 Local Streets Fd 159,116.39 Electric Fund 6,991.41 W & S Fund 2,482.02 Waterfront Fund 2,153.81 Equipment Fund 12,484.25 B.A. Const Fund 380.00 Historical Fund

#7087 – Motion by Grogan, second by Heinz, to approve the bills in the amount of \$308,756.92.

Ayes – 5
 Nays – 0

THEREFORE, BE IT RESOLVED, that claims on voucher numbers 7228, 7229, 7230 and 7231, checked by the finance committee, in the amount of \$308,756.92 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	\$ 48,100.40
Major Streets Fund	1,385.39
Local Streets Fund	4,575.08
Electric Fund	169,909.87
Water & Sewer Fund	38,654.23
Waterfront Fund	7,014.03
Equipment Fund	3,526.98
B.A. Const Fund	12,484.25
Historical Fund	790.00
Trust Fund	<u>22,316.69</u>
 Total	 \$308,756.92 =====

3. Citizen Comments

None.

4. Consideration of Recommendation to the MDEQ and the U.S. Army Corps of Engineers for the Approval of the Walstrom Marine, Inc. Proposed Dock Expansion Project

Mayor Jardine stated that Council has had two public hearings on the Walstrom Marine, Inc. proposed Dock Expansion Project. Further, Council had received numerous written comments. Finally, Walstrom Marine, Inc. made a presentation to Council at the previous meeting.

City Manager Geuder stated that he had received an amended drawing where the east break wall matched the plan that was submitted to the Michigan Department of Environmental Quality (MDEQ) and the U.S. Army Corps of Engineers.

Councilperson Grogan stated that he has reviewed all of the comments of the voters and the materials provided by Walstrom Marine, Inc. He believes that Walstrom Marine, Inc. worked well with the Harbor Commission and kept their proposed dock expansion plan within the parameters established by the Harbor Plan adopted in 2003. Personally he believes that Walstrom Marine, Inc. has presented a good plan that he personally approves. However, because of the number of voters against the project, he would have to vote "no" on a recommendation for approval by the MDEQ and the U.S. Army Corps of Engineers. Councilperson Grogan stated that the numbers against the project are about five to one, by his count. If he allowed for errors in his count, he believed that the number of people who oppose the project would still be about four to one.

Mayor Jardine stated that she had received a number of phone calls and comments. The phone calls and comments were from people both for and against the project.

Mayor Jardine asked if anyone else had any comments. Hearing none, the following motion was offered:

#7088 – Motion by Heinz, second by Grogan, to forward a favorable recommendation on the proposed Walstrom plan to the MDEQ and the U.S. Army Corps of Engineers with the condition that the south east slip be eliminated to provide for a wider opening for the channel.

Councilperson Kors asked if the conditions that were discussed by the Harbor Commission could be added to the motion?

Councilperson Heinz stated that he would restate the motion to include the conditions recommended by the Harbor Commission in their motion to recommend approval of the Walstrom Marine, Inc. proposed dock expansion project. Councilperson Grogan stated that he would still second the restated motion.

#7088 – Motion by Heinz, second by Grogan, to forward a favorable recommendation on the Walstrom Marine, Inc. proposed dock expansion plan to the Michigan Department of Environmental Quality and the U.S. Army Corps of Engineers with the condition that the south east slip be eliminated to provide for a wider opening for the channel. Further, to include the conditions as set forth by the Harbor Commission in their recommendation to Council that docking be prohibited on the south face of the proposed new dock; and that a fire suppression system, as approved by the Harbor Springs Fire Department, be required as part of the plan.

Ayes – Kors and Heinz

Nays – Pfeifer, Jardine and Grogan

The motion was defeated.

5. Petoskey Public Library Discussion

City Manager Geuder stated that Councilperson Kors and he had attended a "Service Area" meeting. The City of Harbor Springs is in the Petoskey Library "Service Area" because the City had many years ago decided to have the City's share of Penal Fines for library services assigned to the Petoskey Library. The Harbor Springs Library is not eligible to receive the Penal Fines because it is not a "Public Library". The Harbor Springs Library is open to the public, but its funding and control are still "private".

Manager Geuder stated that the Petoskey Library was looking for ways to fund its operations. They are requesting that neighboring municipalities assist the City of Petoskey in the support of their Library.

Manager Geuder did state that there were discussions about the past actions of the Petoskey City Council that affected the construction of the new library and the operations and control of the Petoskey Library. There was no consensus that came from this meeting, except to meet again in the future. Manager Geuder will continue to keep Council updated on the future discussions and developments concerning the Petoskey Public Library.

6. Status of Fall Road Projects

City Manager Geuder stated that the repair of the State Street, M-119 and East Bluff Drive intersection is scheduled for the week of October 10th. This project will take approximately two days to complete, plus curing time.

Manager Geuder also stated the West Third Street Road, Sidewalk and Storm Sewer project has been scheduled to begin the same week. Harbor Springs Excavating has been contracted to do the work. It appears that this project will take approximately two weeks.

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, October 20, 2005 in the City Council Chambers.

B. Zoning Board of Appeals (ZBA)

Council reviewed the ZBA meeting notice for a variance request for Larry Haras on October 12, 2005. Mayor Jardine announced that the next ZBA meeting is scheduled for 5:30 p.m. on Wednesday, October 12, 2005. The meeting will be held in the City Council Chambers.

C. Harbor Commission (HC)

Mayor Jardine announced that the next HC meeting that was scheduled for October 19, 2005 in the City Council Chambers.

D. Next City Council Meeting

Mayor Jardine announced that the next regular City Council meeting is scheduled for 7:00 p.m., Monday, October 17, 2005. The meeting will be held in the City Council Chambers.

8. Old and New Business

A. Status Reports

Councilperson Pfeifer asked if Council could get status reports on the following:

0. Tree Inventory
0. Bluff Appurtenance Documentation
3. Mapping Project.

Manager Geuder commented that he had reviewed the documentation project with Tim Grimm, and that photos would be taken later in the fall.

B. Farmers' Market

Councilperson Grogan stated that he read that a farmers' market in another community was moved to a downtown location and did much better than it did on the outskirts of town. He wondered what other Council members thought of moving the Farmers' Market in Harbor Springs to the vacant lot on the west side of the alley behind the Hollywood Gas Station?

Council members discussed this issue. It was pointed out that a suggestion was made to have the Farmers' Market move to the Jean Jardine Park, south of the City Hall south parking lot. The Farmers' Market representative, at that time, stated that the vendors would rather be in Tourist Park. The visibility for the market was better there than in Jean Jardine Park or perhaps anywhere else in Harbor Springs.

12. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 7:38 p.m.

Approved: October 17, 2005

Ronald B. McRae, City Clerk

Jean Jardine, Mayor

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Attachments