

**Harbor Springs City Council Minutes
October 20, 2008**

Mayor Jardine called the twenty-second 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 and Pringle Pfeifer

Absent: Laura Kors

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

Page 3, Item 5, second paragraph, second sentence reads, "...but believed that..." It should read, "...but Manager Geuder believed that..."

#7495 – Motion by Pfeifer, second by Heinz, to approve the October 6, 2008 regular City Council meeting minutes as amended.

Ayes – 4

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
7499	Trust Payouts 9/16/08 Through 9/30/08	Trust Fund	\$33,224.76
7500	Sales Taxes and State Income Tax Withholding 9/30/08	General Fund Electric Fund	\$4,336.46 15,697.14
7501	Payroll Ending 10/12/08	General Fund Major St. Fund Local St. Fund Historical Fund Electric Fund Water & Sewer Fund Waterfront Fund Equipment Fund	\$27,541.86 276.30 241.79 432.80 11,092.43 5,555.17 2,612.02 2,202.95

7502	Accounts Payable - Council 10/20/08	General Fund	\$17,406.16
		Major Street Fund	329.89
		Local Street Fund	329.89
		Police Reserve Fund	9.89
		Historical Fund	96.59
		Electric Fund	47,831.09
		Water & Sewer Fund	6,936.78
		West Traverse Water	0.00
		Waterfront Fund	1,358.84
		Equipment Fund	8,888.43

#7496 – Motion by Pfeifer, second by Hegedus, to approve the bills in the amount of \$186,401.24.

Ayes – 4
 Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers 7499, 7500, 7501 and 7502 checked by the Finance Committee, in the amount of \$186,401.24 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	\$49,284.48
Major Streets Fund	606.19
Local Streets Fund	571.68
Police Reserve	9.89
Historical Fund	529.39
Electric Fund	74,620.66
Water & Sewer Fund	12,491.95
West Traverse Water Fund	0.00
Waterfront Fund	3,970.86
Equipment Fund	11,091.38
Trust Fund	33,224.76

Total	\$186,401.24
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3. Citizen Comments

Michael Smelt, 302 Perry Street, on behalf of his wife and himself, thanked Mayor Jardine for twenty-two years of service and great leadership to the Community.

4. Fourth of July Parade

City Manager Geuder stated that he received a letter from Guy Britton about the candy being thrown from the parade vehicles. Britton stated in his letter that the candy throwing entices youngsters to run out in the parade route to get the candy – making an unsafe condition. Manager Geuder stated that Gregg Garver, a Chamber Board Member, was in attendance this evening to address the Chamber’s efforts in trying to stop the candy throwing.

Council discussed this issue. City Attorney Ramer stated that there were some options that Council could follow to address this issue. One would be to pass an ordinance and

ticket the participants in the parade who throw the candy and ban them from participation for a number of years.
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Councilperson Heinz stated that candy throwing is done in many parades and is not in favor of ticketing participants. Councilperson Pfeifer believes that candy throwing creates a dangerous situation and needs to be addressed.

Garver addressed the steps that the Chamber has followed to stop the candy throwing. They are doing their best to address this issue.

Mayor Jardine stated that the Chamber Board should make a recommendation to Council about the steps to be taken to enforce the "No Candy Throwing" requirement. Garver stated that the Chamber Board will address this issue and make a recommendation to Council, if the Chamber Board agrees on a recommendation.

No further action was taken.

5. Off Premise Signs

City Manager Geuder discussed the off-premise sign issue. Councilperson Heinz stated that the Manager was directed to let "sleeping dogs lie" until someone complained. Now is the time to rescind the policy that permits "Moving Mates" use of the rights-of-way to place their signs. Other Council members concurred. After a brief discussion, the following motion was offered:

#7497 – Motion by Heinz, second by Pfeifer, to rescind the policy authorizing Moving Mates to place their signs in the City's rights-of-way to direct people to their business.

Ayes – 4
Nays – 0

(Note: the City Manager will implement this policy effective December 1, 2008, at the end of the current selling season.)

6. Traffic Control Order No. 001-2008

City Manager Geuder stated that Chief Branson will address this issue.

Chief Branson stated that on Artesian Street, in West Wequetonsing Association near the Colonial Inn, residents were complaining about cars parking on the west side of the street. The parked cars were inhibiting vehicles turning south from an alley and a driveway on to Artesian Street.

To resolve this issue, Chief Branson suggested extending the current "no parking" zone another sixty (60) feet to the north on the west side of Artesian Street. This would remove a parking spot and create a smaller parking spot for a compact car. This would also allow access to an existing fire hydrant.

Council discussed this issue with Council. Chief Branson stated that the residents of the area affected agreed to the change.

#7498 – Motion by Hegedus, second by Heinz, to approve Traffic Control Order No. 001-2008, which would extend the no parking area on the west side of Artesian Street another sixty feet north, authorize a parking space for compact vehicles only and allow better access to the existing fire hydrant.

Ayes – 4

Nays – 0

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7. Seasonal Dockage and Moorage Rates for 2009

City Manager Geuder stated that the Harbor Commission recommended leaving the seasonal dockage and moorage rates the same for 2009 as they were in 2008. Manager Geuder stated that the Harbor Commission believed that the economic situation and the fact that the commercial marinas were discussing no rate increases in 2009, the City should do the same. Further, there is a sufficient cash balance in the Waterfront Fund. Lastly, the City has made its last bond payment on the Waterfront Bond Issue for the floating docks, which will improve the annual cash flow in the Waterfront Fund.

It was also noted that the State of Michigan is not raising their rates in 2009.

#7499 – Motion by Hegedus, second by Pfeifer, to set the 2009 seasonal dockage and moorage rates at the 2008 level. All other seasonal rates shall also stay at the 2008 level. There will be no increases.

Ayes – 4
Nays – 0

8. Appointment of Poll Workers for the November 4, 2008 General Election

CITY Manager Geuder stated that this approval was the same as the previous approvals for poll workers. Council reviewed the poll workers listed. The following motion was offered:

#7500 – Motion by Heinz, second by Pfeifer, to approve the following poll workers and compensation for the November 4, 2008 General Election:

Tanya Graham	Democrat	Absentee Ballot Processing
Mary Ivey	Republican	Staff / Absentee Ballot Processing
Eleanor Jardine	Democrat	Half Day
Norine McBride	Republican	Half Day
Patty Swiss	Democrat	Half Day
William Owen	Republican	Half Day
Robert Thoma	Democrat	All Day
Betty Taylor	Democrat	Half Day
Marge Owen	Republican	Half Day
Terry Thoma	Democrat	Half Day
Ron McRae	Republican	Staff

The half day poll workers will be paid \$75, plus \$10/hour for training and mileage for training. The All day poll worker will receive \$150, plus \$10 / hour for training and mileage for training. Staff will be paid their normal wages and any mileage due for training. All poll workers will receive meals and refreshments. Mary Ivey will also be working the entire day on the election.

Ayes – 4
Nays – 0

9. City Manager Search

City Manager Geuder introduced Mr. Bill Richards, former Assistant City Manager of Farmington, Michigan. Richards has been associated with the Michigan Municipal

League (MML) since 1989 and has completed over forty (40) executive searches since that time.

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Richards outlined the City Manager search process, which would be done on the time schedule adopted by the City Council. Richards stated that he would receive the applications and screen them, then forward them to City Manager Geuder so he could distribute them for Council review. Richards stated that he would supply a short list of candidates for interview. The short list would not be binding. Council could add or remove a candidate for consideration in the interview process. Richards stated that he would do a reference check.

A week before the interviews to be held on January 30 and 31, 2008, Richards stated he would provide a list of draft questions for Council to ask in the interview process, a list of questions which should not be asked in the interview process and evaluation forms for Council members to rate the candidates. Richards recommended to Council that they hold a selection discussion immediately following the interviews. If Council concurs on a candidate, a conditional employment offer could then be made. A decision does not have to be made immediately following the interviews.

Council could make their final decision at their February 2, 2008 meeting and a conditional employment offer could be made on February 3, 2008. Richards suggested that the City Manager's contract be negotiated by the City Attorney. Richards stated that the City should do a thorough background check on the preferred candidate. He suggested hiring an outside firm, such as the Pinkerton's.

Lastly, Richards asked for approval to change the ad to include the interview dates and wording stating that a Bachelor's Degree "from an accredited school" is required. Council, by consensus, had no problem with the two wording changes.

10. Boards and Commissions

A. Planning Commission (PC)

Council reviewed the October 16, 2008 PC meeting minutes. Mayor Jardine announced that the next regularly scheduled PC meeting is scheduled for 6:00 p.m., Thursday, November 20, 2008.

B. Zoning Board of Appeals (ZBA)

Mayor Jardine announced that the next ZBA meeting is scheduled for 5:30 p.m., Wednesday, November 12, 2008.

C. Harbor Commission (HC)

Council reviewed the October 15, 2008 HC meeting minutes. Mayor Jardine announced that the next HC meeting will be scheduled as needed.

D. Next City Council Meeting

Mayor Jardine announced the next City Council meeting is scheduled for 7:00 p.m., Monday, November 3, 2008 in the City Council Chambers.

11. Old and New Business

A. 499 Ann Street

Councilperson Heinz stated that he asked Mr. and Mrs. Richard Andrews to be at the Council meeting this evening to discuss the issue of cleaning up 499 Ann Street, which was the home of the late Gladys Andrews. Lisa Andrews discussed the issues surrounding the house. She did state that they have done some cleanup and repairs, but there is a lot more to do. However, she stated that they have limited funds to work with. Andrews stated that they are continuing to work on the home as they have time and can afford.

Andrews stated that there has been interest shown by a number of people to purchase the home. However, nothing has been put in writing and no formal offers made at this time.

The City Manager noted that it is time to do something and offered to work with the Andrews.

B. Businesses Moving Out and Putting Papers over the Windows

Ed Throckmorton questioned if there was a code or restriction to prevent property owners from putting papers over the windows when businesses close for the season or move out. He offered some ideas. Council members thought that perhaps the Chamber of Commerce should look into this issue.

12. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:27 p.m.

Ronald B. McRae, City Clerk

Approved: November 3, 2008

Jean Jardine, Mayor

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Attachments