

**Harbor Springs City Council Minutes
November 19, 2007**

Mayor Jardine called the first 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, James C. Grogan, Laura Kors and Pringle Pfeifer

Absent: Michael K. Heinz

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 November 5, 2007 meeting minutes:

- a. Page 3, Item 4, second paragraph, last sentence reads, "...August 3, 2007." It should read, "...August 3, 2008."
- b. Page 5, Item 7B, first paragraph, first sentence reads, "...from July 25 – 27, 2008." It should read, "...from Friday through Monday, July 25, 2007 through July 28, 2007."
- c. Page 5, Item 7B, Motion No. 7371 reads, "...Thursday through Sunday (4 nights),..." It should read, "...Thursday through Sunday (4 nights), July 24, 2007 through July 27, 2007,..."

#7374 – Motion by Grogan, second by Kors, to approve the November 5, 2007 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 |
|----------------|--|---|--|
| 7421 | Trust Payouts 10/16/07 – 10/31/07 | Trust Fund | \$16,963.04 |
| 7422 | Sales Taxes and State Income Tax Withholding | General Fund Electric Fund | \$ 3,970.05 12,813.23 |
| 7423 | Payroll Ending 11/11/07 | General Fund Major St. Fund Local St. Fund Historical Fund Electric Fund Water & Sewer Fund Waterfront Fund Equipment Fund | \$30,534.92 418.92 659.84 422.40 11,526.18 4,671.25 1,083.00 822.55 |

| | | | |
|------|------------------|--------------------------|-------------|
| 7424 | Accounts Payable | General Fund | \$42,740.57 |
| | Council 11/19/07 | Major Street Fund | 3,578.86 |
| | | Local Street Fund | 69.60 |
| | | Historical Fund | 63.35 |
| | | Electric Fund | 19,154.39 |
| | | Water & Sewer Fund | 33,365.52 |
| | | West Traverse Water Fund | 6,286.75 |
| | | Waterfront Fund | 3,277.94 |
| | | Equipment Fund | 5,031.57 |

#7375 – Motion by Pfeifer, second by Kors, to approve the bills in the amount of \$197,453.93.

Ayes – 4
 Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers #7421, #7422, #7423 and #7424, checked by the Finance Committee, in the amount of \$197,453.93 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 | \$77,245.54 |
| Major Streets Fund | 3,997.78 |
| Local Streets Fund | 729.44 |
| Police Reserve | 0.00 |
| Historical Fund | 485.75 |
| B. A. Construction Fund | 0.00 |
| Electric Fund | 43,493.80 |
| Water & Sewer Fund | 38,036.77 |
| West Traverse Water Fund | 6,286.75 |
| Waterfront Fund | 4,360.94 |
| Equipment Fund | 5,854.12 |
| Trust Fund | 19,963.04 |
| | ----- |
| Total | \$ 197,453.93 |
| | ===== |

3. Citizen Comments

None

4. Underground Electric Policies

City Manager Geuder stated that he had changed the draft of the Policy for Burying Utility Lines using the agreed policy that the individuals paying for the project of this type are those who initiate the project. For example, if the City buries an electric line, the City pays for the costs of the project. If the customer initiates a project to bury the electric lines, the customer(s) pay for the project. Further, Manager Geuder stated that once the bid prices are in, the customers would be required to pay 110% of the project costs upfront. If any monies are left over from the project, the monies would be returned to the customers paying for the project. The City would absorb all costs over the 110% of bid project costs.

Council members discussed the proposed policy. Councilperson Grogan stated that he could understand the City Manager's thinking about the City absorbing all of the project costs over the 110% of project bid costs billed to the customer's on a project of this nature. He did not believe that the City should "nickel and dime" the customers on a customer paid project.

Council directed the City Manager to bring a final draft of the "Policy for Burying Utility Lines" back to them for formal approval after making some wording changes that he had discussed.

5. Consideration of the Seasonal Dockage, Moorage and other Rates

City Manager Geuder reviewed the Harbor Commission discussion on the Waterfront Seasonal Rates. The Harbor Commission recommended a five (5%) percent increase for the Seasonal Dockage and Moorage Rates. The Harbor Commission recommends leaving the Launch Ramp Permit Rates, Dinghy Storage Permit Rates, Kayak/Canoe Storage Permit Rates and the Daily Transient Mooring Rates at last year's rate.

Councilperson Grogan stated that he did not believe that the Harbor Commission rushed into their recommendation of the proposed seasonal rates. They took their time in the consideration of the rates. Further, they also reviewed closely their recommendations for improvements of the waterfront facilities. They also are watching very closely for the need to dredge if the water levels continue to drop.

Grogan also noted that the cost of docking at Mackinaw Island is included in the registration fees paid to enter the Port Huron and Chicago to Mackinac Sail Boat Race, and the State marina does charge for docking.

After Council's discussion of the proposed seasonal rates, the following motion was offered:

#7376 – Motion by Grogan, second by Pfeifer, to approve the 2008 Seasonal Dockage, Moorage and other Rates as recommended by the Harbor Commission, which are:

| | | |
|---------------------|------------------------------|---------|
| Dockage: | 30 Feet Slips | \$3,926 |
| | 35 Feet Slips | 4,906 |
| | 40 Feet Slips | 5,477 |
| | 45 Feet Slips | 6,355 |
| | 60 Feet Slips | 8,988 |
| Moorage: | 100 Resident | \$ 418 |
| | 100 Non-Resident | 594 |
| | 200 Resident | 655 |
| | 200 Non-Resident | 965 |
| | 300 Resident | 1,050 |
| | 300 Non-Resident | 1,676 |
| Lunch Ramp Permits: | | |
| | Daily | \$ 5 |
| | Seasonal-Resident | 25 |
| | Seasonal-Non-Resident | 50 |
| | Commercial-City Business | 50 |
| | Commercial-Non-City Business | 200 |
| | Sailing/Fishing Charter | 150 |

| | | |
|------------------------------|----|-----|
| Dinghy Storage Permits: | | |
| Seasonal Mooring Holders | \$ | 50 |
| Daily, If available | | 5 |
| Kayak/Canoe Storage Permits: | | |
| Seasonal Only | \$ | 100 |
| Daily Transient Mooring: | | |
| 100 | \$ | 9 |
| 200 | | 15 |
| 300 | | 20 |

Ayes – Grogan, Kors, Pfeifer and Jardine
Nays – None
Absent - Heinz

6. Proposed Budget Calendar

City Manager Geuder stated that the proposed Budget Calendar is the same as previous years. The first Monday in December, 12/03/07, is the introduction of the 2008 Budget, the second Monday on December, 12/10/07, is the Budget Work Session, and the third Monday in December, 12/17/07, is the Budget Hearing and Adoption.

There were no objections from Council for the 2008 Budget Approval Schedule as proposed by the City Manager. Mayor Jardine directed the City Manager to proceed with the proposed Budget Schedule by Council consensus.

7. Acceptance of the Emmet County Board of Canvassers Election Results

City Manager Geuder stated that when City Council served as the Board of Canvassers the City Council Election results were always made part of the City Council Minutes. This has not been done in a long time. City Clerk McRae recommended that City Council “accept” the Emmet County Board of Canvassers official election results so that the results can be made part of the City’s official record.

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

#7377 – Motion by Kors, second by Grogan, to accept the Emmet County Board of Canvassers’ City Council election results for the November 6, 2007 General Election, which were:

| | |
|-----------------|-----------|
| Laura Kors | 149 votes |
| Pringle Pfeifer | 125 votes |
| Dennis Wiggins | 92 votes |

Said results declare Laura Kors and Pringle Pfeifer winners. Kors and Pfeifer take their City Council seats effective November 7, 2007.

Ayes – 4
Nays – 0

8. Board and Commissions

A. Harbor Commission (HC)

Council reviewed the November 13, 2007 HC meeting minutes. Mayor Jardine announced that the next HC meeting will be scheduled when needed.

B. Planning Commission (PC)

Mayor Jardine announced that the November 2007 PC meeting is cancelled and the next PC meeting is scheduled for 6:00 p.m., Thursday, December 20, 2007 in the City Council Chambers.

C. Zoning Board of Appeals (ZBA)

Mayor Jardine announced that the November 2007 ZBA Meeting is cancelled and the next ZBA meeting is scheduled for 5:30 p.m., Wednesday, December 12, 2007.

D. Next City Council Meeting

Mayor Jardine announced the next City Council meeting is scheduled for 7:00 p.m., Monday, December 3, 2007 in the City Council Chambers.

9. Old and New Business

A. Boat List

Councilperson Grogan asked how the Boat waiting list updates were going.

City Manager Geuder stated that he is working on the lists. There are a lot of people paying the \$10 fee. There are also a number of letters returned because the addresses have not been updated.

B. Energy Conservation Light Bulbs

Councilperson Grogan suggested he would be willing to get more information from the Lansing Board of Water and Light on their conservation program, and update Council at a later date.

10. Closed Session

Mayor Jardine stated that she would like to go to Closed Session to consult with the City Attorney on the City's legal strategy relating to the David and Mary Woods Law Suit.

#7378 – Motion by Kors, second by Pfeifer, to go to Closed Session under Section 8(e) of Public Act 267 of 1976 (the "Open Meetings Act"), as amended, to consult with the City Attorney to review legal strategy relating to the Woods vs. the City of Harbor Springs law suit.

Ayes – Kors, Pfeifer, Jardine and Grogan
Nays – None

Mayor Jardine recessed the Open Session at 8:25 p.m. to go to Closed Session.

Mayor Jardine called the Open Session back to order at 8:47 p.m.

No action was taken.

11. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:49 pm.

Approved: December 3, 2007

Ronald B. McRae, City Clerk

Jean Jardine, Mayor

City Council Meeting Minutes
November 19, 2007
Attachments