

**Harbor Springs City Council Meeting Minutes
November 21, 2005**

Mayor Jardine called the first 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, Mick Heinz, Laura Kors and Dennis Wiggins

Absent: None

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

2. Selection of the Mayor Pro-Tem

Mayor Jardine stated that she would like to recommend Councilperson Kors serve as Mayor Pro-Tem. Though Councilperson Kors was just elected, she did have the most seniority on City Council, with the exception of Mayor Jardine.

#7101 – Motion by Grogan, second by Jardine, to approve Councilperson Kors to serve as Mayor Pro-Tem for the 2005/2006 year by Unanimous Proclamation.

Ayes – 5
Nays – 0

3. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#7102 – Motion by Kors, second by Grogan, to approve the November 7, 2005 regular City Council meeting minutes, as read.

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:

#7243 – A/P	Sales Tax October 2005	\$ 4,085.91 General Fund 30,865.54 Local Streets Fd 11,048.46 Electric Fund 55.00 W & S Fund
#7244 – Payroll	P.P.E. 11/13/05	\$ 33,850.80 General Fund 1.0 Major Streets 1.0 Local Streets 1.0 Historical Fund 12,836.99 Electric Fund 5,446.69 W & S Fund 1.0 Waterfront Fund 1.0 Equipment Fund

#7245 – Trust Payouts	11/1 – 11/18/05	\$ 8,871.89 Trust Fund
#7246 – A/P	Council 11/27/05	\$ 46,240.80 General Fund 33,374.18 Major Streets Fd 30,388.30 Local Streets Fd 37.41 Police Reserves 1.0 Historical Fund 1,145.70 BA Constr Fund 48,924.03 Electric Fund 7,726.97 W&S Fund 4,035.00 W. T. Water Fd 8,478.21 Waterfront Fund 5,587.78 Equipment Fund

#7103 – Motion by Kors, second by Wiggins, to approve the bills in the amount of \$295,043.33.

Ayes – 5
 Nays – 0

THEREFORE, BE IT RESOLVED, that claims on voucher numbers 7243, 7244, 7245, and 7246, checked by the finance committee, in the amount of \$295,043.33 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	\$ 84,177.51
Major Streets Fund	33,971.91
Local Streets Fund	61,414.94
Police Reserve Fund	37.41
Historical Fund	482.91
B. A. Construction Fund	1,145.70
Electric Fund	72,809.48
Water & Sewer Fund	13,228.66
W. T. Water Fund	4,035.00
Waterfront Fund	8,806.41
Equipment Fund	6,061.51
Trust Fund	<u>8,871.89</u>
 Total	 \$295,043.33 =====

4. Citizen Comments

Judy Harvey, 488 W. Bluff Drive, asked Council if they would like her to represent the City in the discussions with Petoskey on assisting with the funding of the Petoskey Library operating costs. She did state she was a “library lover” and would be happy to help in any way possible.

Mayor Jardine stated that the City Council has informed the Petoskey Library that the City of Harbor Springs was not going to participate in any further discussions. City

Manager Geuder related some of the history on this issue. Council members also gave their views on funding the Petoskey Library.

Mayor Jardine thanked Harvey for her interest in this issue and City Council took no action.

4. Seasonal Dockage and Moorage Rate Increases

City Manager Geuder stated that the Harbor Commission has recommended that Council approve a three and a half percent (3.5%) rate increase on the seasonal dockage and seasonal moorage rates. Council members discussed the rates recommended by the Harbor Commission with City Manager Geuder.

Councilperson Wiggins asked specific questions relative to the number of seasonal slips and the seasonal moorings. Councilperson Grogan questioned the percentage differences between the City's dockage rates and those from the private marinas based on the size of the slip. Manager Geuder answered the questions and gave some history about the dockage rates over time. Councilperson Kors stated that she did not fully understand the method used to develop the rates, but believed that Council should follow the recommendation of the Harbor Commission.

#7104 – Motion by Heinz to table this issue until the December 5, 2005 Council meeting to give Council members an opportunity to study and review the proposed seasonal dockage and the seasonal moorage rates.

Mayor Jardine declined taking further action on Motion No. 7104 due to the lack of a second to the motion.

After a brief discussion, the following motion was offered:

#7105 – Motion by Grogan, second by Heinz, to increase the seasonal dockage rates by five percent (5%) and the seasonal mooring rates by four percent (4%) over the 2005 rates.

Councilperson Heinz asked what the reason was for the different percentages? Grogan stated that he looked at them differently. The mooring rates are for boaters who have to boat out to their boats and do not have the same benefits that boaters at the docks have.

Councilperson Kors believed that Council should approve the seasonal dockage and moorage rates as recommended by the Harbor Commission because they have already studied and considered this issue. She further stated she would like to keep the mooring rates at the same percentage as recommended by the Harbor Commission (the inflationary rate) because she would like to keep boating affordable and allow local people living in Harbor Springs the benefits of boating.

After discussion, the following motion was offered:

#7106 – Motion by Grogan, second by Heinz, to amend Motion No. 7105 to read, "Motion by Grogan, second by Heinz, to increase the seasonal dockage rates by five percent (5%) and the seasonal moorage rates three percent (3%) over the 2005 rates."

Ayes – Kors, Wiggins, Jardine, Grogan and Heinz
Nays – None

Mayor Jardine called the question on the restated Motion No. 7105, which reads as follows:

#7105 – Motion by Grogan, second by Heinz, to increase the seasonal dockage rates by five percent (5%) and the seasonal mooring rates by three percent (3%) over the 2005 rates.

Ayes – Wiggins, Jardine, Grogan, and Heinz
Nays – Kors

5. Resolution to Dissolve the Michigan Public Power Agency Power Pool

City Manager Geuder stated that with the Lansing Board of Water and Light leaving the Michigan Public Power Agency (MPPA) Power Pool (the Power Pool), the remaining participants believe that it is in everyone's best interest to dissolve the Power Pool. Manager Geuder further stated that the Power Pool participants plan to be studying other means of acquiring generation capacity.

After Council reviewed the "Resolution Authorizing Termination of Participation in the Power Pool" (the Resolution), the following motion was offered:

#7107 – Motion by Grogan, second by Heinz, to approve the "Resolution Authorizing Termination of Participation in the Power Pool". Further, to authorize the City Clerk to execute the Resolution.

Ayes – Jardine, Grogan, Heinz, Kors and Wiggins
Nays – None

6. Request from the Chamber of Commerce for the Merchants' Open House

City Manager Geuder stated that the Merchants' Open House has simply happened over the years. The Harbor Springs Chamber of Commerce (the Chamber) is formally requesting that they be recognized as the sponsor of the Merchants' Open House. The Chamber has advertised and promoted this event in the past and the City has ensured ample and safe pedestrian areas and police protection, but neither organization has taken steps to create policies to regulate this event. Manager Geuder stated that this event is a night that the merchants give back to the community.

Kathy Lott, Executive Director of the Harbor Springs Chamber of Commerce, stated that the Chamber is requesting the sponsorship of the Merchants' Open House to be able to establish policies for this event. They will be able to resolve issues such as consumption of alcohol on streets and sidewalks and participation of non-CBD businesses and organizations whose intentions appear to be strictly entrepreneurial. Lott stated that the Chamber would work with the City Staff to formulate the policies and regulations for the Merchants' Open House.

Councilperson Grogan stated that he believes the Chamber of Commerce is doing a good job of administering their events.

#7108 – Motion by Grogan, second by Kors, to approve the Harbor Springs Chamber of Commerce sponsorship of the Merchants' Open House to administer and establish policies for this annual event, and further to approve the Merchants' Open House for Wednesday evening, December 7, 2005.

Ayes – 5
Nays – 0

7. Harbor Springs Community Schools Request to Camp the Shoreline Bicycle Tour Group

City Manager Geuder stated that the City received a request from the Harbor Springs Community Schools (the Community Schools) to authorize them to permit the Shoreline Bicycle Tour Group (the Group) to camp on the Harbor Springs Middle School / Shay School grounds on August 5-6, 2006. The Group will start arriving after 10:00 a.m. on the August 5th and depart by 10:00 a.m. on August 6th.

The Group will have three portable restrooms on site and will also be using the Middle School Cafeteria. They will have the showers and restrooms available for their use. Further, the school will have a custodian available on site the whole time the Group is using the school's facilities. It is estimated that approximately four hundred (400) cyclists will be using the facilities.

Manager Geuder stated that the Group has used the school's facilities in the past, but this year formal approval has been requested from Council, as should be the case with a non-school use.

#7109 – Motion by Kors, second by Wiggins, to approve the Shoreline Bicycle Tour Group event as requested by the Harbor Springs Community Schools.

Ayes – 5
Nays – 0

8. City Organizational Chart

City Manager Geuder reviewed the City's organizational chart with Council. Manager Geuder stated that he does this when new Council members are elected. Manager Geuder further stated that Council, as a whole, gives direction to the City Manager for the operation of the City, however, he does not have a problem with Council members asking questions directly to the City Staff.

City Attorney Ramer discussed how each of the various City departments, boards and commissions are established and who they report to. He also reviewed the difference between those City bodies established by the City Charter and by contract through the approval of Council.

9. Ice Skating Rink

City Manager Geuder stated that the Skate Park summer equipment will have to be removed and the Ice Skating Program will be held at the Skate Park rather than up at Kiwanis Park as has been discussed. City Manager Geuder stated that a number of issues would preclude moving the rink for this season.

Councilperson Heinz stated that he would like to see a head count of the number of people who use the Ice Rink, Skate Park and Sled Hill. City Manager Geuder stated that he would have the staff complete a head count at each facility this year.

10. Boards and Commissions

A. Planning Commission (PC)

Mayor Jardine announced that the next PC meeting is scheduled for 6:00 p.m. on Thursday, December 15, 2005 in the City Council Chambers.

B. Zoning Board of Appeals (ZBA)

Council reviewed the minutes of the November 9, 2005 ZBA meeting. Councilperson Grogan complimented City Attorney Ramer for his time spent in training the ZBA in the factors that the ZBA should consider when approving a variance.

Mayor Jardine announced that the next ZBA meeting is scheduled for 5:30 p.m. on Wednesday, December 14, 2005. The meeting will be held in the City Council Chambers.

C. Harbor Commission (HC)

Mayor Jardine announced that the next HC meeting is tentatively scheduled for 4:00 p.m. on Wednesday, January 18, 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, December 5, 2005. The meeting will be held in the City Council Chambers.

E. Appointments

Mayor Jardine stated that she was not prepared to make any board or commission appointments this evening. However, should anyone have any suggestions, please contact her so that she could consider the individual.

11. Old and New Business

A. Happy Thanksgiving Wish

Councilperson Grogan wished everyone present a Happy Thanksgiving Holiday.

A. Recycling

Councilperson Kors stated that she appreciated the information about the recycling status from the Emmet County Department of Public Works, but as yet she has not seen anything about the volume of recyclables being picked up at the IGA parking lot station. Further, she did compliment the Emmet County Department of Public Works for keeping the cost increase at approximately two and a half percent (2.5 %). That is less than the average inflation rate. City Manager Geuder stated that he would get with the Emmet County Department of Public Works to obtain the data that was originally requested by Councilperson Pfeifer and Councilperson Kors.

C. Election Results

Mayor Jardine noted the City Council Election official results from the November 8, 2005 General Election. Eighty-nine (89) ballots were cast, eighty-three (83) votes were for Councilperson Kors and seventy-five (75) votes were for Councilperson Wiggins.

12. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:20 p.m.

Approved: December 5, 2005

Ronald B. McRae, City Clerk

Jean Jardine, Mayor

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Attachments