

**Harbor Springs City Council Minutes
December 19, 2005**

Mayor Jardine called the fourth 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, Jim Grogan, Mick Heinz, Laura Kors, and Dennis Wiggins

Absent: None

Also Present: City Attorney James Ramer, City Manager Fred Geuder, and City Police Chief Dan Branson.

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

Page 1 – The opening paragraph should read “second” meeting, not “first.”

Page 2, #3 – Strike the word “for” in front of “years of service.”

Page 2, #5 – The words “and entertainment” should be added after “recreational” in the last sentence.

Page 3, top paragraph – The second to last sentence should be re-worded as follows, “Baker presented Council with a preliminary drawing of the proposed building.”

Page 3, third paragraph – In the first sentence, there should be a “.” placed after “Ed Crowle”. Then continue a new sentence to read, “Crowle, a former City Clerk and Kiwanian, contributed much time and energy to the development of Kiwanis Park.”

#7112 – Motion by Grogan, second by Kors, to approve the December 5, 2005 regular City Council meeting minutes, as amended.

Ayes – 5

Nays – 0

#7113 – Motion by Heinz, second by Grogan, to approve the December 12, 2005 special City Council meeting minutes, as presented.

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:

#7251 – A/P	Sales Tax	\$ 3,451.73 General Fund 11,716.63 Electric Fund
#7252 – Payroll	P.P.E. 12/16/05	\$ 26,118.07 General Fund 2,031.05 Major St Fund 759.30 Local St Fund 410.00 Historical Fd 10,429.28 Electric Fund 4,968.25 W & S Fund

#7252 – Payroll Continued	P.P. E. 12/16/05	\$ 1,435.20 Waterfront Fd 1,419.25 Equipment Fd
#7253 - Trust	Payouts 12/1 – 12/15/05	\$441,631.72 Trust Fund
#7254 - Wire Transfer	MMPA Transmission	\$193,103.49 Electric Fund
#7255 – A/P	Council 12/19/05	\$ 43,975.50 General Fund 458.41 Major St Fund 626.41 Local St Fund 344.02 Historical Fund 48,864.62 Electric Fund 26,448.86 W & S Fund 840.93 Waterfront Fd 103,854.06 Equipment Fd

#7114 – Motion by Kors, second by Wiggins, to approve the bills in the amount of \$922,886.78.

Ayes – 5
 Nays – 0

THEREFORE, BE IT RESOLVED that claims on voucher numbers #7251, #7252, #7253, #7254, and #7255, checked by the Finance Committee, in the amount of \$922,886.78 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	\$ 73,545.30
Major Streets Fund	2,489.46
Local Streets Fund	1,385.71
Historical Fund	754.02
Electric Fund	264,114.02
Water & Sewer Fund	31,417.11
Waterfront Fund	2,276.13
Equipment Fund	105,273.31
Trust Fund	<u>441,631.72</u>
 Total	 \$922,886.78 =====

3. Citizen Comments

None

4. Public Hearing on 2006 Proposed Budget

City Manager Geuder noted that the Pine Street project, while in the budget, was not yet a certainty. He also noted that while the budget did not contain any utility rate increases, the increases may occur following rate studies.

No public comment was received.

Motion by Heinz, second by Grogan, to close the public hearing. Motion carried.

5. Resolution to Amend the 2005 Financial Plan and Budget Document

The City Manager noted City Clerk Ron McRae’s memo describing the proposed amendments.

#7115 – Motion by Grogan, second by Heinz, to approve a Resolution to Adopt the 2005 Amended Financial Plan and Budget Document.

Ayes – 5
Nays – 0

6. Resolution to Adopt the 2006 Financial Plan and Budget Document

Mayor Jardine asked if there were any additional comments or questions on the budget. Hearing none, she asked for a motion to approve.

#7116 – Motion by Heinz, second by Kors, to approve the Resolution to Adopt the 2006 Financial Plan and Budget Document.

Ayes – 5
Nays – 0

7. Planning Commission Recommendation to Re-Zone 669 State Street from R-1-C to TR

City Manager Geuder reviewed the request from Harbor Car Care to re-zone 669 State Street for the purpose of using a portion of the property for parking. He noted that the Planning Commission had unanimously recommended the re-zoning, but had tabled consideration of the parking plan.

The City Council discussed the permitted uses in the TR District and the proposed parking plan. The City Attorney and City Manager answered questions, and explained that the Council's role in the re-zoning process and Planning Commission's role in the Special Land Use process.

Jim Nichols, owner of a business adjacent to Harbor Car Care, stated that he was against the proposal because he felt it represented spot zoning and an expansion of the business.

Council member Heinz suggested that if a project is done that storm water be channeled to the City's Lake Street sewer.

#7117 – Motion by Heinz, second by Kors, to table consideration of an ordinance to re-zone 669 State Street to TR.

Motion carried.

8. Planning Commission Recommendation to Permit a Lot Split by Clayton Brown at 138 W. Third Street

City Manager Geuder explained the history of this property and the request to split by Mr. Brown. The property is zoned B-1, not CBD, so the split would create non-conforming zero setbacks. He further explained that if a firewall were needed at some future time, it would be the responsibility of the applicant. The Planning Commission unanimously recommended approval of the split.

In reply to a question, the City Manager noted that the applicant could accomplish the same 'split' by creating a condominium, but that it would likely cost more. The City Manager also noted that the proposed porch as shown on the drawing would not be approved as part of the split.

#7118 – Motion by Heinz, second by Grogan, to approve the lot split for 138 W. Third, as presented.

City Council Meeting Minutes
December 19, 2005
Page 4

Ayes – 5
Nays – 0

9. Confidentiality Resolution for the Coordinated Energy Partnership Committee

City Attorney Ramer explained that the proposed resolution is an exception to the Freedom of Information Act. The resolution is applicable for a study such as this, when an electricity supplier may present proprietary information. The City adopted a similar resolution during an earlier study.

#7119 – Motion by Kors, second by Heinz, to adopt a Resolution Regarding Confidentiality of Certain Documents and Information of the Coordinated Energy Partnership Committee.

Ayes – 5
Nays – 0

10. Sale of Surplus Vehicles and Equipment

The City Manager noted that the City will realize over \$28,000 from the sales of various surplus equipment and vehicles.

11. Boards and Commissions

- A. Zoning Board of Appeals (ZBA)
The Council reviewed the ZBA minutes for December 14, 2005.
- B. Planning Commission (PC)
The Council reviewed the PC minutes for December 15, 2005.
- C. City Council
The City Council meeting scheduled for Tuesday, January 3, 2006, has been cancelled. The next regular meeting of the City Council will be held on Monday, January 16, 2006, at 7:00 pm.

12. Old and New Business

None.

13. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:10 pm.

Frederick W. Geuder, City Manager
Acting Clerk

Approved: January 16, 2006

Jean Jardine, Mayor

