

Harbor Springs City Council Meeting Minutes
December 20, 2004

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, Mick Heinz, Laura Kors and Pringle Pfeifer
Absent: Jim Grogan
Also Present: City Attorney James Ramer, City Manager Fred Geuder, and City Clerk/Comptroller/Treasurer Ron McRae

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

The following corrections were noted to the December 6, 2004 City Council Meeting minutes:

- a. Page 3, Item 4, second paragraph, third sentence reads, "...the barn on east lot be removed..." It should read, "...the barn on the east lot be removed..."
- b. Page 3, Item 4, third paragraph, first sentence reads, "...on the lot slit, if approved." It should read, "...on the lot split, if approved."
- c. Page 3, Item 4, fourth paragraph, third sentence reads, "...to build a wider home than..." It should read, "...to build a home wider than..."
- d. Page 4, Item 6, second paragraph, first sentence reads, "According to Bendzinski, the denial..." It should read, "According to the City's financial consultant, Robert J. Bendzinski, the denial..."
- e. Page 4, Item 6, second paragraph, third sentence reads, "The City's financial consultant, Robert J. Bendzinski, recommended..." It should read, "Bendzinski recommended..."
- f. Page 7, Item 11 F, first paragraph, second sentence reads, "...review the 2005 Proposed Budget and held in the Council Chambers..." It should read, "...review the 2005 Proposed Budget and will be held in the Council Chambers..."

#6979 – Motion by Pfeifer, second by Kors, to approve the December 6, 2004 regular City Council meeting minutes as amended, and the December 13, 2004 special meeting minutes as read.

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:

#7158-Miscellaneous A/P	Water Testing Fees	\$ 1,000.00	Water & Sewer
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#7159 – Trust Payouts	11/15-11/30/04 Collection	\$ 3,127.26 Trust Fund
#7160 – Payroll	PPE 12/12/04	\$ 20,137.61 General Fund 2,374.65 Major Streets Fd 885.50 Local Streets Fd 10,903.05 Electric Fund 5,240.67 Water & Sewer 901.82 Waterfront Fund 2,378.34 Equipment Fund 441.37 Historical Fund
#7161 - A/P	Council Bills, 12/20/04	\$ 52,289.06 General Fund 75.55 Major Streets Fd 65.34 Local Streets Fd 57,114.40 Electric Fund 34,367.06 Water & Sewer 1,198.11 Waterfront Fund 6,916.17 Equipment Fund 7,880.78 B.A. Const Fd 258.88 Historical Fd 3,231.67 B.A. Debt Fund

#6980 – Motion by Heinz, second by Pfeifer, to approve the bills in the amount of \$210,787.75.

Ayes – 4
 Nays – 0

THEREFORE, BE IT RESOLVED, that claims on voucher numbers 7158, 7159, 7160, and 7161 checked by the finance committee, in the amount of \$210,787.75 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	\$ 72,426.67
Major Streets Fund	2,450.20
Local Streets Fund	950.84
Electric Fund	68,017.45
Water & Sewer Fund	40,607.73
Waterfront Fund	2,100.39
Equipment Fund	9,294.51
B.A. Construction Fund	7,880.78
B.A. Debt Fund	3,231.67
Historical Fund	700.25
Trust Fund	<u>3,127.26</u>
 Total	 \$ 210,787.75 =====

3. Citizen Comments

None.

4. Public Hearing on the 2005 Proposed Budget and Spending Plan Document

Mayor Jardine opened the public hearing at 7:03 pm.

Mayor Jardine asked if there were any comments on the proposed 2005 Proposed Budget and Spending Plan Document.

There were no comments.

Mayor Jardine closed the public hearing at 7:04 pm.

5. Resolution to Amend the 2004 Adopted Budget and Spending Plan Document

City Manager Geuder stated that City Clerk McRae prepared a memorandum to explain some of the major changes requested on the 2004 Adopted Budget and Spending Plan Document. Manager Geuder reviewed some of the requested changes.

#6981 – Motion by Kors, second by Heinz, to approve the “Resolution to Amend the 2004 Adopted Budget and Spending Plan Document”, which amends the 2004 Adopted Budget and Spending Plan.

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

6. Resolution to Adopt the 2005 Budget and Spending Plan Document

City Manager Geuder stated that the City Clerk McRae prepared the “Resolution to Adopt the 2005 Budget and Spending Plan Document”. Manager Geuder stated that the Resolution is based upon the budget as presented to Council at the December 13, 2004 work session.

#6982 – Motion by Pfeifer, second by Heinz, to approve the “Resolution to Adopt the 2005 Budget and Spending Plan Document” as presented, except to change the wording in the first “WHEREAS” as follows:

“...the City Manager has submitted to the City Council an estimate of...”

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

7. Consideration of Ordinance No. 353

City Manager Geuder stated that the Planning Commission (PC) has recommended to Council that they approve Ordinance No. 353, which allows guest quarters in the R-1-B, R-1-C, TR, and AR Zoning Districts. Ordinance No. 353 sets a maximum length of stay and the required period of vacancy between visits.

Council discussed Ordinance No. 353 with the City Manager and the City Attorney. The purpose of Ordinance No. 353 is to provide a tool for the administration to control the occupation of guest quarters.

#6983 – Motion by Pfeifer, second by Heinz, to approve Ordinance No. 353, which is to allow and control the use of guest quarters in the R-1-B, R-1-C, TR, and AR Zoning Districts.

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

8. Waterfront Rule Changes

City Manager Geuder stated that the Harbor Commission (HC) has recommended City Council approve to new rules by adding Sections B 24 and B 25 to the “Restated Harbor, Waterfront and Marina Rules and Regulations”, to read as follows:

B-24 Storage of Fuel Cans

No fuel cans shall be placed, stored, or located in the City Marina, including but not limited to the City Docks, the Ford Park Launch Ramp, Ford proper, the Two Hour Courtesy Dock, or other City property, except within a watercraft. No fuel cans shall be stored or placed on any dock system in the City Marina or at Ford Park.

B-25 Smoking Prohibited

Smoking is prohibited on the City Docks, including but not limited to the Harbor Springs Main Pier, the finger piers and the Two Hour Courtesy Dock. Smoking is also prohibited on the City Beach at Zorn Park (sandy area) and within any City-owned waterfront buildings and restrooms.

Council members discussed the proposed new rules. After clarification of the rules, the following motion was offered:

#6984 – Motion by Kors, second by Pfeifer, to change the “Restated Harbor, Waterfront and Marina Rules and Regulations” by adding sections B-24 and B-25 to read as follows:

B-24 Storage of Fuel Cans

No fuel cans shall be placed, stored, or located in the City Marina, including but not limited to the City Docks, the Ford Park Launch Ramp, Ford proper, the Two Hour Courtesy Dock, or other City property, except within a watercraft. No fuel cans shall be stored or placed on any dock system in the City Marina or at Ford Park.

B-25 Smoking Prohibited

Smoking is prohibited on the City Docks, including but not limited to the Harbor Springs Main Pier, the finger piers and the Two Hour Courtesy Dock. Smoking is also prohibited on the City Beach at Zorn Park (sandy area) and within any City-owned waterfront buildings and restrooms.

Ayes – 4
Nays – 0

9. Boards and Commissions

A. Zoning Board of Appeals (ZBA)

Council reviewed the December 8, 2004 ZBA meeting minutes. It was noted that Robert Thoma was elected the Chairperson of the ZBA. Mayor Jardine announced the next regular ZBA meeting is scheduled for 5:30 pm, Wednesday, January 12, 2004. The meeting will be held in the Council Chambers.

B. Planning Commission (PC)

Council reviewed the December 16, 2004 PC meeting minutes. Mayor Jardine announced the next PC meeting is scheduled for 6:30 pm, Thursday, January 20, 2005. The meeting will be held in the Council Chambers.

C. Harbor Commission (HC)

Council reviewed the December 8, 2004 HC meeting minutes. Mayor Jardine announced the next HC meeting is scheduled for 4:00 pm, Wednesday, January 12, 2005. The meeting will be held in the Council Chambers.

D. Meeting Schedules for City Council, Planning Commission and Zoning Board of Appeals

City Manager Geuder stated that he had presented City Council with the meeting schedules for the City Council, the Planning Commission and the Zoning Board of Appeals. All three bodies will meet in the City Council Chambers. The Planning Commission meetings will meet at 6:00 pm. They used to meet at 6:30 pm.

E. Next City Council Meeting

The next regular City Council meeting is scheduled for 7:00 pm, Tuesday, January 4, 2005. The meeting will be held in the Council Chambers at 160 Zoll Street, Harbor Springs, MI 49740.

10. Closed Session

City manager Geuder stated that he needed to review the strategy connected with the negotiation of the collective bargaining agreements with City Council and requested to go to "Closed Session".

#6985 – Motion by Heinz, second by Pfeifer, to go to "Closed Session" under Section 8 (c) of Public Act 267 (the "Open Meetings Act) of 1976, as amended, to review strategy connected with the negotiation of the collective bargaining agreements with the International Brotherhood of Electrical Workers Union and the Police Officers Labor Council.

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

Mayor Jardine recessed from "Open Session" at 7:43 pm to go to "Closed Session".

Mayor Jardine called the "Open Session" to order at 8:15 pm.

11. Old and New Business

A. H.A.R.B.O.R., Inc. Recreation Study

Councilperson Pfeifer questioned if the recreation study by H.A.R.B.O.R., Inc. would result in a "Recreational Authority". City Manager Geuder thought it could be a catalyst. However, alone, the H.A.R.B.O.R., Inc. Recreational Study would not create a "Recreational Authority".

B. Training Session

Councilperson Kors commented on the Training Session for Zoning Board of Appeals members, Planning Commission members and City Council members. She thought the training session was well done and she learned a lot from it.

12. Adjournment

With no further business, Mayor Jardine adjourned the meeting at 8:42 pm.

Approved: January 4, 2004

Ronald B. McRae, City Clerk

Jean Jardine, Mayor

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Attachments