Chairman Jim Bartlett called the Harbor Commission meeting to order at 4:00 PM in the Harbor Springs City Council Chambers, 160 Zoll Street, Harbor Springs, MI, 49470

1. **Roll Call and Verification of a Quorum**

Present: Jim Bartlett, Yvonne DeWindt, Al Dika, Tom Graham Jr., Bill McCullough, Keith McGlaughlin, Fred Rachwitz, Jane Ramer and Dick Schiller

Absent: Jim Offield

Also Present: Harbormaster Michael Johnson, City Manager Tom Richards, Police Chief Dan Branson and City Clerk Ron McRae

2. **Approval of Minutes**

Motion by McGaughlin, second by Schiller, to approve the October 17, 2012 regular meeting minutes as read.

Ayes – 6
Nays – 0

[Enter Yvonne DeWindt 4:01 p.m.]

Motion by Schiller, second by Rachwitz, to approve the May 22, 2013 special meeting minutes as read.

Ayes – 7
Nays – 0

3. **Public Comments - Correspondence**

None
4. **New Business**

A. **Updates to Harbor Rules**

Chairman Bartlett stated that the City Manager has some updates to the Harbor Rules which are proposed. City Manager Richards went through the proposed changes. The changes were related to adding the wording to treat the kayak and dinghy storage deposit fees be handled as the dock and mooring fees are handled. Also, rules were added where people could swim and use their kayaks, canoes and dinghies. During the discussion, it was suggested that the term for the kayak, canoe and dinghy vessels be referred to as “rack storable non-motorized vessels”.

The consensus of the Harbor Commission was that the reference made to “rack storable non-motorized vessels” was appropriate because most of the dinghy storage is paid with the mooring fees and the racks are designed and sized to fit kayaks and canoes, not “Sunfish” sailboats. The term “rack storable non-motorized vessels” also establishes a size limitation. The boat or vessel has to be able to fit the storage rack at Ford Park. Also during the discussion, it was the consensus that swimming should not be allowed in the dock area, but should be allowed in the mooring area. Lastly, the rules addressed the authority of the lifeguards on the beach and addressed the safety issue of any vessel going into the swimming area.

After the review of the changes and suggestions offered, Chairman Bartlett directed the City Manager to make the amendments to the draft changes as offered by the Harbor Commission and to bring the Harbor Rules back to the Harbor Commission for their final approval at the July 2013 regular meeting.

B. **Dredging Needs and Options**

City Manager Richards updated the Harbor Commission on the Dredging Application. City Manager Richards stated the application is with the Corps of Engineers. City Manager Richards reviewed the proposed dredging plans. City Manager Richards stated that the State of Michigan, Department of Natural Resources (MDNR) has backed off a little on the Agency’s demands and onerous requirements tied to the City’s Agreement to receive the grant funds. City Manager Richards did state that he told the MDNR that the City of Harbor Springs may wish to leave the Grant on the table unless the MDNR changes some of their requirements of the Dredging Grant.
C. Dock Lowering Project Update

Harbormaster Johnson stated that the “Dock Lowering Project” has been completed on the east dock. However, the project still needs to be completed along the wall south of the Tennis Courts. City Manager Richards showed the Harbor Commission some pictures of the lowered docks and steps built to accommodate boaters getting down to the level of their boats. Harbormaster Johnson discussed the fencing installed between the bottom of some of the docks and the water surface. The docks were lowered twenty-one (21) inches by Walstrom Dock and Dredge.

D. Waterfront Tennis Courts – Council Discussion

City Manager Richards stated that City Council did not approve the removal of the Waterfront Tennis Courts at their June 17, 2013 City Council meeting. City Manager Richards reviewed the City Council discussion and directions concerning the removal of the Waterfront Tennis Courts over the last three meetings. After the review, City Manager Richards stated that he does not know what the City Council direction on the Waterfront Tennis Courts will be.

4. New Business

A. Kayak Refund Request

Chairman Bartlett referred the Harbor Commission to the letter from Kenyon and Sally Stebbins requesting that their Kayak Rack Storage deposit be returned to them. Chairman Bartlett requested that the Harbor Commission be given the rules on the deposits.

Harbormaster Johnson reviewed the rules. The deposits are applied to the first year’s storage fee if a spot is offered to the depositor. If the depositor turns down the spot, the deposit is forfeited. However, if the depositor requests the deposit be returned prior to a spot being offered, the deposit is returned. Harbormaster Johnson stated these rules have been in effect for years.

The Harbor Commission discussed the request from Mr. and Mrs. Stebbins. It was the consensus of the Harbor Commission that the deposit would not be returned.

5. Open Forum

A. Kayaks Left

Harbormaster Johnson stated that people leave their kayaks from time to time and asked what should be done. Perhaps a storage fee of some sort should be charged.
McLaughlin stated that when he was in East Lansing, the store owners were permitted to charge a storage fee. Chairman Bartlett stated that currently, if a boat is left on the docks after November 1st, they are towed to the Irish Boat Shop or Walstrom Marine and the owner has to pay fees to get the vessel returned.

Chief Branson said that at the present time the Police Department may store the boat if it is not picked up, but when it is claimed, the boat is returned to the owner without any fee. Chief Branson stated that he would prefer to have something in writing. Chief Branson pointed out that the non-permitted storage fees for the trailers in the overflow lot has a $5 per day fee that the owners have to pay. Perhaps the $5 per day fee would be good for kayaks and canoes left on the grounds at Ford Park or elsewhere on the waterfront. Chairman Bartlett believes that the Harbor Rules currently cover charging the storage fees.

City Manager Richards stated that he would review this issue with the City Attorney.

B. Aggressive Follow-Up on Seasonal Fees and Waiting Lists

Harbormaster Johnson stated that this year he had all sixty-six moorings rented and thirty out of thirty-one seasonal dock slips rented. He almost had the thirty-first one rented, but the boater backed out at the last minute. Further, he stated that Deputy Clerk Saddison has been following up on the wait lists and the seasonal mooring and seasonal dockage issues very aggressively.

Harbormaster Johnson stated that Saddison suggested giving a copy of the Harbor Rules to each depositor when they get on the wait list so that they know that updating their address and telephone changes are the depositor’s responsibility. Harbormaster Johnson complimented Saddison’s efforts. The Harbor Commission discussed this issue. It was their consensus that Saddison’s suggestion be followed and that Harbormaster and the Deputy Clerk continue to proceed in the aggressive manner that they have been using.

6. Next Meeting Schedule

Chairman Bartlett stated that the next Harbor Commission is scheduled for July 17, 2013.

7. Adjournment

With no further business, Chairman Bartlett adjourned the meeting at 5:02 p.m.

Ronald B. McRae, City Clerk