

November 16, 2015

Mayor Pfeifer called the first meeting of the eighty-third 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

City Council:

Present: Pringle Pfeifer, Matt Bugera, John L. Cupps, Alan J. Dika and Jeffrey V. James

Absent: None

City Clerk McRae stated that a quorum was present.

Also Present: City Manager Thomas C. Richards, City Attorney James T. Ramer, Police Chief Daniel J. Branson and City Clerk Ronald B. McRae

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

One correction was noted:

Page 6, Item 7B reads, "...Theater Project is being bid." It should read, "...Theater Project has been bid and is awarded."

#8297 – Motion by James, second by Dika, to approve the minutes of the November 2, 2015 City Council Meeting as amended.

Ayes – 5
Nays – 0

Motion carried.

B. Approval of Bills

I have examined the bills appearing on the vouchers listed below and recommend they be allowed and payment made from the following funds:

<u>Voucher Number</u>	<u>To or For</u>	<u>Description</u>	<u>Fund</u>	<u>Amount</u>
8294	Payroll	P.P.E. 11/01/15	General	\$ 39,809.91
			Major St.	127.79
			Local St.	93.86
			Historical	560.88
			Electric	12,213.51
			Water & Sewer	5,185.57
			Waterfront	2,825.14
			Equipment	1,952.64
8295	WIRE	MPPA 11/04/15	Electric	\$ 24,287.95
8296	WIRE	Sales Tax 10/31/15	General Electric	\$ 5,274.17 14,385.64

<u>Voucher Number</u>	<u>To or For</u>	<u>Description</u>	<u>Fund</u>	<u>Amount</u>
8297	A/P	Payouts 10/16-10/31/15	Trust	\$ 40,062.72
8298	WIRE	MPPA 11/10/15	Electric	\$ 35,971.59
8299	A/P	Council 11/16/15	General	\$ 18,938.49
			Major St.	324.00
			Historical	24.07
			Electric	149,693.57
			Water & Sewer	36,979.16
			Waterfront	3,832.71
			Equipment	5,705.48

THEREFORE, BE IT RESOLVED that claims on vouchers 8294, 8295, 8296, 8297, 8298 and 8299 as checked by the Finance Committee, in the amount of \$398,248.25 be allowed for payment, and the Mayor and the City Manager are hereby authorized to execute warrants to be drawn on the following funds:

General	\$ 64,022.57
Major St.	451.79
Local St.	93.86
Historical	584.95
Electric	236,552.26
Water & Sewer	42,164.26
Waterfront	6,657.85
Equipment	7,658.12
Trust	40,062.72
Totals	\$ 398,248.85

#8298 - Motion by James, second by Cupps, to approve the bills in the amount of \$398,248.85.

Ayes – 5
 Nays – 0

Motion carried.

3. Citizen Comments

City Manager Richards stated that he received more Deer Park letters. Councilperson James stated that he believed that City Council should address the Deer Park issue as an agenda item. After some discussion, it was the consensus of City Council Members to address the Deer Park issue at the January 4, 2015 City Council Meeting.

4. City Manager's Section

A. The November 3, 2015 General Election Results

City Manager Richards stated that City Clerk McRae wrote a memorandum for City Council to approve the November 3, 2015 General Election results. According to the City Charter, City Council serves as the City's Board of Canvassers.

City Clerk McRae also stated in his memorandum that the Emmet County Board of Canvassers has already upheld and certified the General Election results. City Clerk McRae reported the following election results:

John L. Cupps, City Councilperson	183 votes
Jeffrey V. James, City Councilperson	139 votes

The road Millage Ballot Question was voted down by a vote of 106 for and 108 votes against.

#8299 – Motion by Dika, second by Bugera, to receive and file the Emmet County Board of Canvassers report as reported by the City Clerk.

Ayes – 5
Nays – 0

Motion carried.

B. Harbormaster Building Conceptual Design Presentation and Consideration

City Manager Richards stated that Laura Rose and Anne Vaterlaus of Next – Terrane were present for the presentation of the Harbormaster Building Conceptual Design. City Manager Richards stated that this presentation was given to the Harbor Commission at their 4:00 p.m. meeting today.

Rose reviewed the criteria which had to be addressed through the design of the proposed Harbormaster Building Design. She reviewed the relocation of the building to the west and further to the south. She also explained how the proposed design of the Harbormaster Building helped to hide the electric transformers, vending machines, trash containers and provided storage space for the golf cart and perhaps a bike rack.

Rose then discussed the proposed floor plan, the elevation, and slope of the roof on the proposed building. Rose also discussed the proposed deck on the south side of the proposed building.

Vaterlaus discussed the green space, the proposed parking area changes and traffic flows through the parking lot. Vaterlaus also discussed the view from the proposed office area to the west, south and east to view the docks.

Mayor Pfeifer asked how the Harbor Commission perceived this conceptual design. Both Harbor Commission Chairperson Bartlett and Councilperson Dika stated that the Harbor Commission consensus was to recommend that the City Council authorize Next-Terrane to proceed to the next phase in the Harbormaster Building Design.

Council Members discussed their opinions concerning the conceptual redesign of the Harbormaster Building. It was their consensus that Next-Terrane be authorized to proceed with a more detailed design which would allow Next-Terrane to develop cost estimates. Based on those cost estimates, grants would be explored to provide funding for the Harbormaster Building reconstruction.

C. Sale of Vehicles

City Manager Richards stated that the pick-up truck used by the Water and Sewer Department and the Digger truck used by the Electric Department were put out for bid to sell.

City Manager Richards stated that the five bids on the pick-up truck were:

Tri-County Excavating	\$6,101
Leo Hagan	\$3,501
John Casteel	\$3,210
Matthew McLeod	\$2,800
Haggard Plumbing	\$2,019

City Manager Richards stated that the Staff believes that the bid of \$6,101 is a reasonable bid, based on the age and value of the pick-up truck and recommends that City Council authorize the approval for that bid.

City Manager Richards stated that three bids received on the digger/derrick truck used by the Electric Department. Those bids were:

Tri-County Excavating	\$6,501
Weller Auto and Truck Parts	\$4,300
Haggard's Plumbing	\$ 959

City Manager Richards stated that Staff recommends rebidding for the sale of this vehicle. Based on the information reviewed by Staff, this vehicle has a value of \$12,000 or more. The bid of \$6,501 is too far below the value for comparable vehicles. The rebidding sale of this vehicle would take place after the first of the year.

Council discussed the recommendation from Staff. It was a consensus that City Manager should follow the recommendation of the City Staff.

D. Curbside Recycling – Purchase of New Bins and Containers

City Manager Richards stated that Elisa Seltzer, the Director of the Emmet County Department of Public Works (the "DPW"), has asked to address City Council on a proposal that would improve the convenience and capacity for the curbside recycling service. Curbside recycling is under the Emmet County DPW. Further, curbside recycling is a service that is provided to most of the residential properties in Harbor Springs.

Seltzer provided the background for the Recycling Expansion Project, which is to give every residence a new recycling cart to go with the current bins. Carts are shown to substantially increase participation in a recycling program. Seltzer stated that the Emmet County DPW recycling program has been recognized by the State of Michigan and national non-profit organization that have awarded grants totaling \$160,000. The Emmet County DPW is providing \$253,000 toward the proposed Expansion Project and the County needs to raise \$196,000 more to fully fund the Expansion Project.

Seltzer stated to increase participation and recycling capacity in the City, 846 households would be given carts. The City would provide \$4,230 or \$5 per cart. The project would proceed if the remaining funds can be secured through other fundraising efforts.

The benefits of the Recycling Expansion Project are:

- The creation of a more sustainable, healthier and vibrant community;
- New recyclables help to feed local manufacturing and reduces landfill wastes;
- Protects the natural beauty of Harbor Springs by staying cleaner; and,
- Reduces greenhouse gases and saves on water and energy consumption.

Seltzer also stated that the Expansion Project includes an educational campaign for residents.

Council members discussed recycling. They reviewed their perceptions of how the recycling program has positively affected the community and how much they use the recycling services currently.

Councilperson Dika asked the City Clerk if there were any funds which could be used for this project. City Clerk McRae stated that there were. City Council preferred to use the Community Promotion Program funds from the Electric Fund to cover the costs of the \$4,230, which was recommended by the City Manager.

#8300 – Motion by James, second by Cupps, to participate in the “Recycling Expansion Project” as presented by Elisa Seltzer, the Emmet County DPW Director; and further, to pay the City’s share of the carts from the Electric Fund’s Community Promotions Program

Ayes – 5
Nays – 0

Motion carried.

5. City Manager’s Report

A. LTBB of Odawa Indians Federal Lawsuit

City Manager Richards stated that the Little Traverse Bay Bands of Odawa Indians “LTBB” have filed a lawsuit in Federal Court against Governor Rick Snyder. LTBB are asking for a declaratory ruling requiring the State to honor an 1855 Treaty claiming the western half of Emmet County as the LTBB’s reservation. The area for the reservation includes Cross Village, Good Hart, Harbor Springs, Petoskey and the northern half of Charlevoix County.

The lawsuit seeks to have the State honor the boundaries that the LTBB claims were given in that treaty and seeks to have sovereignty and jurisdiction over the area, claiming the area as “Indian Country”.

City Manager Richards stated the area communities are consulting with the State Attorney General, and the Michigan Municipal League to prepare to take whatever action is necessary and appropriate to prevent any court action that might negatively impact the City, our Citizens and or property owners.

B. DDA/PSD – Administrative Services Agreement – H.A.R.B.O.R., Inc.

City Manager Richards stated that the Downtown Development Authority (DDA) / Principal Shopping District (PSD) Board has approved a one-year administrative services agreement with H.A.R.B.O.R., Inc. to provide services including plan development, research and document preparation, coordination of committees, grant writing and facilitation of DDA projects. Rachel Smolinski, the H.A.R.B.O.R., Inc. Executive Director, has already been providing a great deal of facilitation and support to the DDA/PSD in an unofficial (and uncompensated) role. This agreement will provide \$5,000 over the course of the coming year for the services anticipated to be provided during 2016.

C. Up Coming Board and Commission Meetings

City Manager Richards stated that the City’s Boards and Commissions will be meeting, as follows:

- Planning Commission will meet at 6:00 p.m., Thursday, November 19, 2015;
- DDA / PSD Board will meet at 8:00 a.m., Thursday, December 3, 2015; and,
- Zoning Board of Appeals will meet at 5:30 p.m., Wednesday, December 9, 2015.

All of the meetings will be held in the City Council Chambers, City Hall, 160 Zoll Street, Harbor Springs, MI 49740.

6. Appointments

Mayor Pfeifer stated that she has no appointments to make this evening.

7. City Council New and Old Business

None

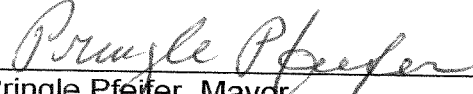
8. Adjournment

With no further business, Mayor Pfeifer adjourned the meeting at 8:03 p.m.



Ronald B. McRae, City Clerk

Approved: November 30, 2015



Pringle Pfeifer, Mayor