

August 17, 2015

Mayor Pfeifer called the seventeenth meeting of the eighty-second Harbor Springs City Council to order at 7:01 p.m., in the City Council Chambers at 160 Zoll Street, Harbor Springs, Michigan.

1. Roll Call and Verification of Quorum

Present: Pringle Pfeifer, Matt Bugera, John Cupps, Al Dika and Jeff James

Absent: None

Also Present: City Manager Thomas C. Richards, City Attorney James T. Ramer, Labor Attorney Steve Fishman (by telephone), Director of Electric Distribution Dennis A. Kruzel, Harbormaster Michael Johnson, Harbor Commission Chairman Jim Bartlett, Harbor Commission Vice-Chair Bill McCullough, Harbor Commissioner Laura Kors, and City Clerk Ronald B. McRae

City Clerk Ronald B. McRae acknowledged that all City Councilpersons were present and a quorum was present.

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#8266 – Motion by Dika, second by James, to approve the minutes of the August 3, 2015 City Council Meeting as read.

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>
8265	A/P	Payouts 7/15-7/31/15	Trust	\$1,556,419.81
8266	Payroll	PPE 8/9/15	General	\$ 45,556.90
			Major St.	1,075.11
			Local St.	143.28
			Historical	560.88
			Electric	12,880.25
			Water & Sewer	5,814.47
			Waterfront	7,621.27
			Equipment	1,506.19
8267	A/P	Council 8/17/15	General	\$ 27,999.97
			Major St.	52.15
			Local St.	14,552.15
			Historical	232.47
			DDA	52.15
			Electric	111,873.42
			Water & Sewer	91,012.37
			WT Water	11,805.06

<u>Voucher</u>	<u>To or For</u>	<u>Description</u>	<u>Fund</u>	<u>Amount</u>
			Waterfront	11,920.93
			Equipment	8,427.22

THEREFORE, BE IT RESOLVED that claims on vouchers 8265, 8266 and 8267 as checked by the Finance Committee, in the amount of \$1,909,506.05 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	\$73,556.87
Major St.	1,127.26
Local St.	14,695.43
Historical	793.35
DDA	52.15
Electric	124,753.67
Water & Sewer	96,826.84
WT Water	11,805.06
Waterfront	19,542.20
Equipment	9,933.41
Trust	1,556,419.81
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Totals	\$1,909,506.05
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#8267 - Motion by Bugera, second by Dika, to approve the bills in the amount of \$1,909,506.05.

Ayes – 5  
 Nays – 0

Motion carried.

3. Citizen Comments

Jack Blanchard, owner of 233 E. Bay Street (the Sip and Ski), discussed the food vendors parked in the parking spaces near his rental building, (the Sip and Ski). Blanchard stated that the Pizza Vendor created noise, smoke, created an obstacle to the view and caused a loss of rental fees. Blanchard asked that he be permitted to rent two parking spaces where the food trucks are next summer, asked if the food vendors pay for the electric usage and asked what the food vendor license fees are.

City Manager Richards provided the cost of the food vendor license fee per day and month, stated that any electric usage by the food vendors would not impact Mr. Blanchard and he stated that rental of any public parking spaces would be a matter under the control of City Council.

4. City Manager's Section

A. Bay Street Voltage Conversion

City Manager Richards stated that the City Electric Department has received bids for the electrical contractor work required for the voltage conversion on East Bay Street. This project was a budgeted item for 2015.

City Manager Richards reviewed the four bids received. The four bids received were:

Hydaker Wheatlake (Reed City)	\$69,015.00
Newkirk Electric (Muskegon)	\$77,597.75
CC Power (Kalkaska)	\$78,935.00
Kent Power (Kent City)	\$78,935.25

After review of the bids by GRP Engineering and the City Staff, it was determined that the low bid was found to be conforming to the contract and bid requirements. Further, there were no concerns expressed regarding the firm's work. Therefore, GRP Engineering and the City Staff recommend that City Council approve a contract with Hydaker Wheatlake at the low bid of \$69,015.00.

After a brief discussion with City Council, the following motion was offered:

#8268 - Motion by Cupps, second by James, to authorize the City Manager to award the contract for the East Bay Street Voltage Conversion Project to Hydaker Wheatlake at their low bid price of \$69,015.00.

Ayes – 5

Nays – 0

Motion carried.

#### B. Harbormaster Building – Proposed Relocation

Architect Laura Rose introduced herself from Next-Terrane. Rose discussed the earlier design and the reason that the Harbormaster Building was redesigned. Rose explained the revisions and the goal of reducing the necessary view obstructions from Spring and East Bay Street.

Rose discussed the proposed Harbormaster Building location, now proposed to be located to the west side of the walkway and closer to the water's edge. She explained the "C" shaped building, designed to wrap around and screen the electric enclosures. She explained that the new building would have a roof that would more effectively shed water and snow. She explained that with the new location of the building, fifty (50) feet further south, the view obstruction would appear to be smaller than the existing building. She pointed out that there would be fewer entrances to the building, which would include a modest boaters' lounge and covered deck. Rose also stated that the restrooms would be larger, so that they could be compliant with the American Disabilities Act (the "ADA").

After the presentation, City Council discussed the proposed relocation and building design with City Manager Richards and Rose. By consensus Council expressed its support for proceeding with the Harbormaster Building designs in the new location.

### 5. City Manager's Report

#### A. Merchants' Walkway – Stairway Repair

City Manager Richards stated that the brick stairway going from Spring Street down into the Merchants' Walkway was deteriorated and presented a possible risk of trip and fall accidents.

City Manager Richards stated that the City Staff believes that the brick stairway should be promptly replaced with a concrete stairway.

City Manager Richards stated that only two bids were received. They are:

Cupps Masonry	\$2,650
Marshall Concrete	\$4,435

City Manager Richards stated that if City Council directs that the project be re-bid to get more bidders, he would delay the project to do so. Cupps stated that he could not be a part of that decision because of his personal involvement with Cupps Masonry.

The consensus of the other City Council members was to get the project completed and remove the potential liability of the existing brick stairway. Further, it was the consensus of the remaining Council Members to go with the low bidder, Cupps Masonry, at their low bid price of \$2,650.

B. Bike Route Signage

City Manager Richards informed City Council that the signage on M-119 has to be approved by the Michigan Department of Transportation (MDOT). The City is working to coordinate with existing trail way signage to get the additional signage needed. MDOT has to approve all signage on the state highway.

C. Food Truck Parking Obstacles

City Manager Richards stated that after neighbors attempted to block the food trucks by purposely parking vehicles in the permitted spaces, the problem appears to be resolved. Each food truck has been provided with a "No Parking After 8:00 a.m." sign that they can post in the designated space each evening before they plan to operate. One neighbor was ticketed when he/she disregarded the sign.

D. Downtown Development Authority/Principal Shopping District Board Resignation

City Manager Richards stated that Stephanie Baker has resigned from the Downtown Development Authority/Principal Shopping District (the "DDA/PSD") Board due to time constraints.

E. Petoskey News Review New Reporter

City Manager Richards stated that reporter Craig Currier has been promoted. Richards introduced new reporter Jillian Fellows who has been assigned to report on Harbor Springs and the City's activities.

F. Paddle Board Race

City Manager Richards stated that Christi Shibata has requested to hold another paddle board race. This race will take place on the morning of September 12 from the Zoll Street Park. City Manager Richards stated that the previous races have been held without any difficulties or issues.

There were no City Council objections to the proposed paddle board race.

G. Schedule of Upcoming Board and Commission Meetings

City Manager Richards stated the following Board and Commission Meetings all meet in the City Council Chambers of City Hall, 160 Zoll Street, Harbor Springs, MI 49740, and have been scheduled for the following dates:

1. Harbor Commission (HC), 4:00 p.m., Wednesday, August 19, 2015;
2. Planning Commission (PC), 6:00 p.m., Thursday, August 20, 2015;
3. DDA/PSD Board, 8:00 a.m., Thursday, September 3, 2015; and,
4. Zoning Board of Appeals (ZBA), 5:30 p.m., Wednesday, September 9, 2015.

6. Appointments

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

7. City Council New and Old Business

None

8. Closed Session

City Manager Richards recommended that the Council go into Closed Session.

#8269 – Motion by James, second by Cupps, to go to Closed Session under Public Act 267 (the “Open Meetings Act”) of 1976, Section 8(e), to consult with the Attorney, Steve Fishman, Bodman Law Group, regarding trial and a settlement strategy in connection with specific pending litigation, which would have a detrimental financial effect on the litigating or settlement position of the public body if discussed in an open meeting.

Ayes: Dika, James, Pfeifer, Bugera and Cupps

Nays: None

Motion carried.

Mayor Pfeifer recessed from “Open Session” at 7:38 p.m. to go to “Closed Session”.

Mayor Pfeifer called the “Open Session” back to order at 8:20 p.m.

9. Adjournment

With no further business, Mayor Pfeifer adjourned the meeting at 8:21 p.m.



Ronald B. McRae, City Clerk

Approved: September 10, 2015

  
Pringle Pfeifer, Mayor