

February 1, 2016

Mayor Pfeifer called the seventh 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

It was noted that the vote results on Item 4C, Motion No. 8320, page 5, was incorrect. The vote was "Ayes – 4" and "Nays – 1".

#8322 – Motion by James, second by Cupps, to approve the minutes of the January 18, 2016 regular 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>
8324	A/P	Payouts 1/1-1/15/16	Electric	\$ 123,261.81
8325	WIRE	MPPA 1/21/16	Electric	\$ 24,442.94
8326	Payroll	P.P.E. 1/24/16	General	\$ 38,285.30
			Major St.	5,684.69
			Local St.	2,845.79
			Historical	590.22
			Electric	10,054.47
			Water & Sewer	3,716.43
			Waterfront	729.37
			Equipment	2,276.83

<u>Voucher Number</u>	<u>To or For</u>	<u>Description</u>	<u>Fund</u>	<u>Amount</u>
8327	A/P	MPPA 1/27/16	Electric	\$ 25,865.68
8328	A/P	Council 2/1/16	General	\$ 39,428.72
			Major St.	302.85
			Local St.	300.69
			Historical	130.31
			Electric	20,546.47
			Water & Sewer	4,347.80
			Waterfront	3,152.43
			Equipment	62,356.58

THEREFORE, BE IT RESOLVED that claims on vouchers 8324, 8325, 8326, 8327 and 8328 as checked by the Finance Committee, in the amount of \$368,319.38 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	\$ 77,714.02
Major St.	5,987.54
Local St.	3,146.48
Historical	720.53
Electric	80,909.56
Water & Sewer	8,064.23
Waterfront	3,881.80
Equipment	64,633.41
Trust	123,261.81
Totals	\$ 368,319.38

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#8323 - Motion by James, second by Cupps, to approve the bills in the amount of \$368,319.38.

Ayes – 5
 Nays – 0

Motion carried.

3. Citizen Comments

City Manager Richards stated that two e-mails were received concerning the Deer Park. One was from Jane and Sherman Reynolds, supporting the closing of the Deer Park. The other was from Robert L. Brown, 609 E. Bluff Dr., supporting keeping the Deer Park open.

4. City Manager's Section

A. Vehicle Replacement for the Department of Public Works

City Manager Richards stated that the replacement of two vehicles for the Department of Public Works (the "DPW") was budgeted. The two trucks to be replaced are:

- 2000 Dodge 4X4; and,
- 1997 GMC flat bed.

The 2000 Dodge replacement was priced and bid. The bids received were from:

- Brown Motors Ford, Ford F150 at \$24,929.98;
- Mi-Deal (State of Michigan) vehicle from Signature Ford, Ford 150 at \$25,376.00; and,
- Brown Motors Dodge, Dodge 1500 at \$25,741.00.

Chevrolet/GMC models were vehicles that were not as well suited to the needs and more expensive than the current bids. Staff recommends purchasing the Ford F150 from Brown Motors at the low bid of \$24,929.98.

City Manager Richards stated that the replacement vehicle for the 1997 GMC was bid. The bids were received from:

- Brighton Ford, Ford F550, at \$43,343.90;
- Brown Motors Ford, Ford F550 at \$43,696.90; and,
- Frankenmuth Dodge, Dodge 5500 at \$48,479.00.

City Manager Richards stated that the Staff recommends purchasing the Ford F550 from Brown Motors. He noted that travel expense and labor cost to pick up the vehicle from Brighton Ford would likely offset the cost difference.

#8324 – Motion by Cupps, second by Dika, to follow the Staff recommendation to purchase the two vehicles from Brown Motors Ford, Ford F150 at \$24,929.98 and the Ford F550 at \$43,696.90.

Ayes – 5
Nays – 0

Motion carried.

B. Funding Request for the Harbor Way Multi-Use Pathway Engineering

City Manager Richards stated that Rachel Smolinski, Executive Director of H.A.R.B.O.R., Inc., has been fund raising to construct the proposed “Harbor Way” multi-use trail, connecting the Little Traverse Wheelway to the Harbor Springs waterfront and downtown. She is trying to get the engineering completed for the plan design.

Smolinski stated that the engineering will get the project to a point where actual construction estimates could be determined and funding efforts for the final project can begin. Smolinski stated she would like the City to pledge funds up to a maximum of \$2,063.

Smolinski stated that the Petoskey-Harbor Foundation has pledged \$8,000 and Walstrom Marine has also pledged to match \$5,000 which would be raised by the Community. To date \$3,937 has been raised.

#8325 – Motion by Bugera, second by James, to provide the requested commitment of up to \$2,063 for the engineering phase of the Little Traverse Wheelway.

Ayes – 5
Nays – 0

Motion carried.

C. Joint Parking Committee – City Council Representation

City Manager Richards stated that the Downtown Development Authority (the “DDA”) / Principal Shopping District (the “PSD”) Board approved a resolution requesting the Planning Commission to reconsider the effectiveness of their current policies which include minimum off-street parking requirements, and to consider possible changes to those policies. City Manager Richards also stated that the resolution would also consider alternative methods for funding additional parking in response to the growth in parking demand.

To address the parking issues pointed out in the DDA/PSD Board Resolution, the Planning Commission suggested that a joint committee consider and discuss the City’s public parking needs and policies. The proposed committee would consist of two representatives from the Planning Commission, the City Council and the DDA/PSD. City Manager Richards stated that the DDA/PSD Board has not considered or has it been discussed by the DAA/PSD Board.

City Manager Richards stated that Council should appoint two members if this is supported by all three groups. After discussing this proposal briefly, James and Bugera stated that they would serve on the joint committee. Cupps stated that he thought that the joint committee was a good idea.

There were no Council objections to Bugera and James serving on the joint committee.

D. Paddle Board Races

City Manager Richards stated that he met with Kristi Shibata concerning paddle board races this summer. Shibata requested four paddle board races. The proposed dates for the paddle board races are:

- June 18, 2016;
- July 23, 2016;
- August 6, 2016; and,
- September 10, 2016.

Police Chief Branson stated that he did not have any issues that would prevent the proposed paddle board dates from taking place. The consensus of the City Council was to authorize the City Manager to approve the proposed dates for the paddle board races.

5. City Manager’s Report

A. Odawa Lawsuit Representation

City Manager Richards stated that he and City Attorney Ramer met with the Emmet County Lakeshore Association because they were discussing the filing of a motion to intervene in the action taken by the Odawa against the State of Michigan. City Manager Richards stated that the Lakeshore Association was informed of the actions taken by the cities and counties affected by the lawsuit.

City Manager Richards stated that he has received a copy of the Motion to Intervene filed on behalf of the City. The Tribe and the State did not object to the City’s intervention in the case. Further, it has been learned that the City of Charlevoix and Charlevoix Township have also filed motions.

City Manager Richards stated that he believes the City has done what it can do to protect the interests of the City, its residents and property owners.

B. Meeting with Representative Chatfield

City Manager Richards stated that he had met with Representative Chatfield to express the City's concerns with several legislative items under consideration.

- A bill that would require a City to pay another utility for the cost of relocating underground utility lines if the City gave less than one year's notice that the relocation was necessary.
- The Representative's opinion column promoting expansion of "electric choice" without recognizing the added burden this places on the regulated utilities and the increased costs that get passed on to their customers.
- Recent language that was slipped into an election finance bill, placing strict penalties on any municipal body that uses public funds to disseminate information about a ballot issue within 60 days of the election. This puts a "gag order" on municipalities, while allowing any other person or group an unlimited opportunity to distribute whatever information they choose about a ballot issue.
- Reforms that would place new limitations in the existing tax-increment-financing laws, superseding the local controls that communities and taxing organizations already have.

C. Council Member E-Mail Contacts on the City's Website

City Manager Richards stated that three City Council members have contacted him to set up special e-mail addresses enabling the public to write them an e-mail directly, without exposing the Councilperson's personal e-mail account. The City's tech support consultant is setting up these special email forwarding accounts that will be added to the website as soon as his work is done.

D. Harbormaster Building Construction Estimate

City Manager Richards stated that two local builders are helping to put together a construction estimate for the construction of the Harbormaster Building. These construction estimates are based on the building designs considered and approved by the Harbor Commission and the City Council.

E. Portable Vending – East Jordan

City Manager Richards stated that the City of East Jordan is considering policies to permit and regulate food trucks in the City of East Jordan. The City of East Jordan has contacted the City of Harbor Springs on several occasions to learn about the City of Harbor Springs' process and policies that were adopted. It appears that the City of Harbor Springs' experience will be used in guiding the City of East Jordan.

F. Personal Property Tax and Compliance Reminders

City Manager Richards stated that the City sent out mailings to businesses last week advising them of several issues. They are:

- The opportunity to file for an exemption for personal property taxes if the value of their personal property is \$80,000 or less. They must file by the Board of Review date or before; February 10, 2016.
- To remind businesses that the property owners are responsible for sidewalk maintenance and snow and ice removal; and,

- To inform businesses of the approval process and regulations for signage, the outdoor display of goods and outdoor seating and dining.

G. Upcoming Board and Commission Meetings

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

- DDA/PSD Board will meet at 8:00 a.m., Thursday, February 4, 2016; and,
- The Zoning Board of Appeals will meet at 5:30 p.m., Wednesday, February 10, 2016.
- The Planning Commission will meet at 6:00 p.m., Thursday, February 18, 2016;

H. Police Department Activity Report

City Manager Richards stated that the Police Department Activity Report was in the Council Packets.

I. Electric Department Activity Report

City Manager Richards stated that the Electric Department Activity Report was in the Council Packets.

6. Appointments

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

7. City Council New and Old Business

A. Deer Park Voting

Councilperson Bugera stated that City Council represents the residents and the tax payers in the City. Councilperson Bugera asked if a survey on the Deer Park question could happen when the summer tax billings went out.

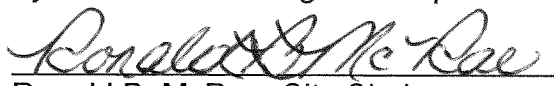
City Council discussed this process suggested by Councilperson Bugera. It was the consensus that the ballot issue was the best way to gauge the local opinion.

B. Roof on the Lyric Theater Building

Councilperson James stated that he has received e-mails concerning the replacement of the roof on the Lyric Theater building. Councilperson James stated the removal was part of the original plans.

8. Adjournment

With no further business, Mayor Pfeifer adjourned the meeting at 7:29 p.m.



Ronald B. McRae, City Clerk

Approved: February 15, 2016



Pringle Pfeifer, Mayor