

Mayor Brown called the tenth meeting of the eighty-fourth Harbor Springs City Council to order at 7:00 p.m. in the City Council Chambers at City Hall, 160 Zoll Street, Harbor Springs, Michigan.

1. Roll Call and Verification of Quorum

City Council:

Present: William M. Brown Jr., Matthew Bugera, John L. Cupps, Jeffrey V. James, Pringle Pfeifer

Absent: none

City Clerk Whitaker stated that a quorum was present.

Also Present: City Manager Thomas C. Richards, City Attorney James T. Ramer, DPW Director Lucas VanderZee, and City Clerk Nick Whitaker

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#8455 – Motion by Cupps, second by Bugera, to approve the minutes of the March 20, 2017 regular City Council Meeting as read.

Ayes – 5

Nays – 0

Motion carried.

B. Approval of Bills

The bills on the following vouchers, as listed below, have been examined. It has been recommended that they be approved for payment from the following funds:

<u>Voucher number</u>	<u>Description</u>	<u>Payment to or for</u>	<u>Fund</u>	<u>Amount</u>
8482	Payroll	P.P.E. 3/19/17	General	\$31,014.59
			Major St.	\$302.25
			Local St.	\$226.34
			Historical	\$560.88
			Electric	\$10,533.76
			Water/Sewer	\$5,121.89
			Waterfront	\$957.17
			Equipment	\$9,667.37
8483	Wire	MPPA 3/22/17	Electric	\$25,868.48
8484	Wire	MPPA 3/29/17	Electric	\$28,934.50
8485	No Council	Accounts Payable 4/3/2017	General	\$53,419.82
			Major St.	\$538.46
			Local St.	\$282.21
			Historical	\$805.29
			DDA	\$1,043.25
			Electric	\$24,241.19
			Water/Sewer	\$30,833.60
			W/T Water	\$5,081.10
			Waterfront	\$3,190.24
Equipment	\$73,652.19			
	Trust	\$54.33		

<u>Voucher number</u>	<u>Description</u>	<u>Payment to or for</u>	<u>Fund</u>	<u>Amount</u>
8486	Payroll	P.P.E. 4/02/17	General	\$55,043.48
			Major St.	\$1,074.78
			Local St.	\$595.89
			Historical	\$560.88
			Electric	\$11,617.59
			Water/Sewer	\$6,039.61
			Waterfront	\$212.77
			Equipment	\$4,390.18
8487	Wire	MPPA 4/05/17	Electric	\$27,677.33
8488	Wire	Sales Tax 3/31/17	General	\$4,220.23
			Electric	\$11,927.15
8489	Wire	MPPA 4/12/17	Electric	\$50,039.86
8490	Council	Accounts Payable 4/17/2017	General	\$24,021.43
			Major St.	\$472.00
			Local St.	\$5,034.63
			Historical	\$99.49
			DDA	\$7.20
			Electric	\$90,527.42
			Water/Sewer	\$11,266.56
			Waterfront	\$6,756.70
			Equipment	\$3,684.73

BE IT RESOLVED that claims on vouchers 8482 through, and including, voucher number 8490 as checked by the Finance Committee, in the amount of \$621,598.82, 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	\$167,719.55
Major St.	\$2,387.49
Local St.	\$6,139.07
Historical	\$2,026.54
DDA	\$1,050.45
Electric	\$281,367.28
Water/Sewer	\$53,261.66
W/T Water	\$5,081.10
Waterfront	\$11,116.88
Equipment	\$91,394.47
Trust	\$54.33
<b>Totals</b>	<b>\$621,598.82</b>

#8456 - Motion by Bugera, second by Pfeifer, to approve the bills in the amount of \$621,598.82

Ayes – 5

Nays – 0

Motion carried.

### 3. Citizen Comments

Mayor Brown opened the floor for any citizen comments and stated that he would also ask for citizen comments at the end of the meeting.

John Cupps, Jr. stated that he represents a small group of individuals who would like to consider donating some trees, and other items, to add to the beautification of the Deer Park and is asking for Council's permission so that they can come up with a plan to do so. Cupps Jr. stated the group is also looking for clarification on what the potential would be for any future re-consideration of the closure of the Deer Park. City Manager Richards stated that the possibility will always be there and that there is no legal permanence to it. Discussion followed about what type of beautification they are planning. There were no objections from Council or City Attorney Jim Ramer. Cupps Jr. further stated that he would proceed with a plan and report back to Council.

Julie Farr, City resident, complimented the City's Police Department and the City for their work on improving the speeds along Lake Street by installing new signs and increasing patrols in the area. Farr further stated that she wanted to compliment Josh Johnston on his dedication and vigilance to the safety of the community along Lake Street.

Kimberly Simon, representing the All Hands on Deck Organization, stated that she was here to speak to Council about an upcoming event they are planning. City Manager Richards stated that her request to speak to council about the event was listed on the agenda and will be covered later in the meeting. Simon continued to describe the event, stating that the group is planning a non-partisan, peaceful event to raise awareness for the protection of the Great Lakes. Simon further stated that Michael Sullivan, the Harbor Springs Team Captain, is planning a one hour hand-hold event on one of the City's beaches on July 3, 2017.

#### 4. City Manager's Section

##### A. Traffic Control Order – Consideration of Approval

City Manager Richards presented a proposed Traffic Control Order, recommended by Police Chief Dan Branson, for parking along Main Street directly in front of the Pontius Flower Shop. The recommendation is to limit two of the parking spaces to fifteen minutes only from May 1<sup>st</sup> to October 15<sup>th</sup> each year. By consensus, Council approved the Traffic Control Order as presented.

##### B. Trails Council Marathon – Consideration of Approval

City Manager Richards stated that the Top of Michigan Trails Council has requested approval for a marathon taking place in May which will begin in Charlevoix and end in downtown Harbor Springs. City Manager Richards stated that the Police and DPW departments are both on board with supporting the event and presented Council with a briefing of the event and a letter from the Trails Council detailing their needs.

#8457 - Motion by Cupps, second by James, to approve the Top of Michigan Trails Council Marathon event on May 27, 2017.

Ayes – 5  
Nays – 0

Motion carried.

##### C. Knights of Columbus Fundraising Request – Consideration of Approval

City Manager Richards stated that the Knights of Columbus has submitted a written request for approval of their planned Tootsie Roll Fundraiser at several downtown business locations. City Manager Richards further stated that because City Ordinance 390 prohibits this type of solicitation the organization is asking for special permission from Council. No objections from Council were made.

#8458 - Motion by Cupps, second by Brown, to grant permission to the Knights of Columbus to conduct their fundraiser October 6, 7, and 8, 2017 at the requested locations.

Ayes – 5  
Nays – 0

Motion carried.

D. Masonic Lodge 378 Request for Use of Tourist Park – Consideration of Approval

City Manager Richards stated that the Masonic Lodge 378 has submitted a written request for approval of their annual use of Tourist Park for three fundraising breakfasts planned this summer. Discussion followed about the breakfast, and it was fully supported by Council.

#8459 - Motion by Cupps, second by Bugera, to grant the use of Tourist Park to the Masonic Lodge 378 on June 25, July 23, and August 27 of 2017.

Ayes – 5  
Nays – 0

Motion carried.

E. Portable Food Vending (Food Truck) Committee Recommendation

City Manager Richards discussed the past concerns and discussions about the previous location of the Portable Food Vendors on Bay Street. City Manager Richards further stated that after suggestions from Council, and meetings of the Portable Food Vendor Committee, the final suggestion was to move the vendors to the south end of Shay Park where there will be enough space for three vendors in the off-street parking area. Discussion followed about the proposed area, number of vendors allowed, availability of trash receptacles and picnic tables, and the rules associated with the vendor agreement. City Manager Richards stated that with approval from Council the vendor application and agreement will be changed to reflect the new location.

#8460 - Motion by James, second by Cupps, to change of location of the Portable Food Vendors to Shay Park.

Ayes – 5  
Nays – 0

Motion carried.

F. Consideration of Year-Round Holiday Lighting

City Manager Richards stated that in response to suggestions from community members the idea of leaving the downtown holiday lighting up year-round was explored and discussed at previous Council and DDA meetings. City Manager Richards further stated that after those discussions the consensus was that the holiday lighting should be removed for the season and no further exploration of year-round lighting be considered at this time, and that if it were to be considered in the future it would be dependent on new lighting and infrastructure. Member James and Member Pfeifer agreed that keeping the holiday lighting up year-round would diminish the importance of the lighting during the holiday season and that it simply wouldn't look the same in the summer once the trees are in bloom. Mayor Brown asked about the idea of conducting a trial period that had been discussed previously. City Manager Richards stated that after discussions all six members of the DDA were opposed to leaving the lighting up year-round and that a trial period wasn't necessary at this time.

By consensus, council agreed that the Holiday Lighting be removed for the season.

G. Environmental Organization – Request for Support

City Manager Richards reviewed the request received from the All Hands on Deck organization asking for the City's support of their planned event on July 3<sup>rd</sup> at 10:00 a.m. along the shoreline. Kimberly Simon, representing All Hands on Deck Organization, stated that the event will be held simultaneously in many other Cities to support the protection of Michigan's Great Lakes, and

that Michael Sullivan will be the coordinator for the Harbor Springs area event. City Manager Richards stated that any organized use of the City's parks needs to be approved by City Council and asked Simon to share the specifics of the event with the Police and DPW to ensure the event goes smoothly. No objections were made to supporting the event and Simon stated that she would ensure the local coordinator of the event would be contacting the City with further details.

#### H. Michigan Municipal Electric Association – Designation of Alternate Representative

City Manager Richards stated that he would like to appoint City Clerk Whitaker to serve as the designated alternate for the Michigan Municipal Electric Association (MMEA), which is the regulatory and legislative organization for municipal electric utilities. City Manager Richards stated that he serves as the primary representative, and has been involved with the MMEA for approximately sixteen years. The designated alternate would serve as the representative in the event of his absence.

#8461 - Motion by Brown, second by James, to approve the appointment of Clerk Whitaker as the Michigan Municipal Electric Association designated alternate representative.

Mayor Brown stated that he would also like to make the following appointments at this time:

- To the Zoning Board of Appeals, re-appoint Bob Thoma to a three-year term, ending April 2020
- To HARBOR, Inc., new appointment of Jeff James as the Mayor's designee

No objections from Council were made for the appointments.

#### I. Retired Patrol Car – Consideration of Sale

City Manager Richards stated that due to the planned replacement of the Police Department's 2007 Impala with a new vehicle currently on order, the sale of the Impala will need to be considered. City Manager Richards further stated that normally the City would advertise and accept sealed bids, however Council may want to consider this sale differently, with a direct sale to a local organization. Police Chief Dan Branson stated that the vehicle's computer, radio, logo, and anything else that the department can still utilize will be removed prior to the sale. Chief Branson further stated that Birchwood Security is interested in purchasing the Impala and a fair market value has been established.

#8462 - Motion by Cupps, second by Brown, to authorize the sale of the 2007 Impala Police Vehicle to Birchwood Security.

Ayes – 5

Nays – 0

Motion carried.

### 5. Manager's Report

City Manager Richards reviewed his Manager's Report and briefed Council in the following areas:

- Harrison Street: The necessary repairs resulting from a failed drainage basin have been completed with some minor asphalt work yet to be finished.
- Parking Report: The DDA Board discussed the parking issue at their last meeting and voted six to zero to recommend to the Planning Commission that they remove parking requirements for downtown businesses from the zoning code. The Planning Commission will be taking this into consideration at their next meeting.

- Pier Lift Station Pump: Due to a recent pump failure, removal, and repair at the sewage lift station, DPW Director VanderZee has recommend the City purchase a backup pump to avoid a larger problem in the event of another pump failure. Director VanderZee stated that if a pump should fail during peak season and the secondary pump can't keep up with the demand the sewage would need to be pumped out and trucked away. Having a backup pump on hand would ensure the repair be completed in a matter of hours versus weeks, avoiding costly removal of sewage. Discussion followed about who is responsible for the sewage lift stations, the Sewage Authority or the City. Director VanderZee stated that sewage in the City's collection area is the responsibility of the City. Further discussed was the type of pumps at each sewage station and their longevity.

#8463 - Motion by Cupps, second by Pfeifer, to approve the purchase of the backup pump for the pier sewage lift station.

Ayes – 5  
Nays – 0

Motion carried.

- MPPA Stakeholders Meeting: Council Members have been invited to attend the first annual Michigan Public Power Agencies stakeholders meeting on May 10, 2017. City Manager Richards stated that he will be attending and asked if any members of Council would like to attend.
- DPW In-house repairs: Because of the special skill set of the DPW staff the DPW has been able to perform numerous significant repairs and upgrades to a variety of equipment and vehicles which saves the City money.
- Downtown tree openings: Myrtle will be planted in the tree openings around the downtown trees which will look nice year-round and will not require as much maintenance as before with the raised flower beds.
- Upcoming Boards and Commissions Meetings: City Manager Richards stated that the following upcoming meetings will be held in Council Chambers;
  - Harbor Springs Area Fire Authority Board – Tuesday, April 25, 2017 at 8:30 a.m.
  - DDA/PSD Board – Wednesday, May 3, 2017 at 8:00 a.m.
  - Zoning Board of Appeals – Wednesday, May 10, 2017 at 5:30 p.m.
  - Planning Commission – Thursday, April 20, 2017 at 6:00 p.m.

Mayor Brown asked if there was any additional public comment, there was none.

#### 6. Old and New Business

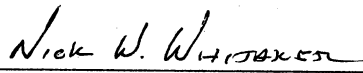
Member Cupps asked about the status of the installation of the Little Free Libraries which are complete and ready to be installed at the Historical Museum and at Zorn Park. City Manager Richards stated he would make contact with the Library to arrange for the project to be completed.

#### 7. Next Meeting

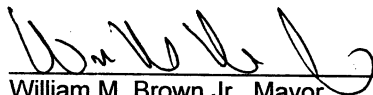
City Manager Richards stated the next regular City Council Meeting is scheduled for 7:00 p.m., Monday, May 1 2017.

#### 8. Adjournment

With no further business, Mayor Brown adjourned the meeting at 7:49 p.m.

  
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Nick Whitaker, City Clerk

Approved: May 1, 2017

  
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William M. Brown Jr., Mayor

Harbor Springs Police Department  
170 Zoll Street  
Harbor Springs, Michigan 49740  
Phone: (231) 526-6211 Fax: (231) 526-2699

**Chief of Police**  
Daniel Branson

**Executive Secretary-Dispatcher**  
Yvonne Olshove

**Police Officers**  
Dave Heater  
Josh Johnston  
Matt Pater  
Steve Timmons


### TRAFFIC CONTROL ORDER

**Traffic Control Order Number:** 2017-002

**Effective Date:** May 1, 2017

**Duration:** Seasonal

**Purpose:** A 15 minute time restriction is authorized for two parking places in front of the Pontius Flower Shop, 529 E. Main Street, from May 1<sup>st</sup> to October 15<sup>th</sup> of each year.

  
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Daniel Branson, Chief of Police  
Serving as Traffic Engineer

  
\_\_\_\_\_  
Nick Whitaker, City Clerk

Dated: April 20, 2017

Dated: April 20, 2017

4-20-17  
\_\_\_\_\_  
Received for filing (date)

Approved by: City of Harbor Springs 84<sup>th</sup> City Council on April 17, 2017