

June 6, 2016

Mayor Pfeifer called the thirteenth 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

#8360 – Motion by James, second by Cupps, to approve the minutes of the May 16, 2016 regular 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>
8366	Payroll	P.P.E. 5/15/16	General	\$ 35,059.14
			Major St.	291.60
			Local St.	223.35
			Historical	560.88
			Electric	11,348.27
			Water & Sewer	6,412.39
			Waterfront	4,449.88
			Equipment	1,651.48
8367	WIRE	MPPA 5/19/16	Electric	\$ 18,669.83
8368	WIRE	MPPA 5/25/16	Electric	\$ 19,618.74

<u>Voucher Number</u>	<u>To or For</u>	<u>Description</u>	<u>Fund</u>	<u>Amount</u>
8369	A/P	NO COUNCIL 6/1/16	General	\$ 4,410.28
			Historical	69.05
			Electric	7,774.19
			Water & Sewer	2,239.09
			Waterfront	3,055.25
			Equipment	6,119.70
8370	WIRE	MPPA 6/1/16	Electric	\$ 20,667.00
8371	PAYROLL	P.P.E 5/29/16	General	\$ 40,903.54
			Major St.	395.76
			Local St.	157.11
			Historical	560.88
			Electric	14,638.49
			Water & Sewer	6,347.45
			Waterfront	4,663.96
			Equipment	869.11
8372	A/P	COUNCIL 6/6/16	General	\$ 15,988.70
			Major St.	550.00
			Historical	1,025.66
			DDA	56.00
			Electric	10,063.36
			Water & Sewer	47,632.53
			W.T. Water	7,582.55
			Waterfront	6,159.78
			Equipment	1,819.10

THEREFORE, BE IT RESOLVED that claims on vouchers 8366, 8367, 8368, 8369, 8370, 8371 and 8372 as checked by the Finance Committee, in the amount of \$302,033.10 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	\$ 96,361.66
Major St.	1,237.36
Local St.	380.46
Historical	2,216.47
DDA	56.00
Electric	102,779.88
Water & Sewer	62,630.46
W.T. Water	7,582.55
Waterfront	18,328.87
Weatherbuoy	0.00
Equipment	10,459.39
Trust	0.00
Totals	\$ 302,033.10

#8361 - Motion by Cupps, second by James, to approve the bills in the amount of \$302,033.10.

Ayes – 5  
 Nays – 0

Motion carried.

### 3. Student Environmental Presentations

City Manager Richards introduced Molly Baker. Baker has been working with the fifth grade students from Shay Elementary School to recognize and bring environmental issues to the attention of the community. Baker engages the students in hands-on environmental education studies. This evening the students are going to make their presentations on the pollutants that reach the Little Traverse Bay through the City of Harbor Springs' storm drains.

The fifth grade students made their presentations. They pointed out that all but two of the city's storm drains are equipped with separators to capture sediment and floating debris. One is located at the marina near the Harbormaster Building and a second is located just to the east of the City Beach in Lower Zorn Park. The presentation illustrated how pollutants get into the storm water drains. After they completed their presentation to City Council, they requested that City Council correct the issue by having separators installed near the outfalls of the two storm drains in question.

A second group presented and recommended that Council pass an ordinance to require the use of screening fabric to prevent construction debris from entering sewer grates for all construction projects.

Mayor Pfeifer thanked the students for the presentations. No further action was taken.

### 4. Citizen Comments

Kathie Breighner, Vice-Chair of the Downtown Development Authority (DDA) / Principal Shopping District (PSD) Board, requested City Council approval to sell tickets at the Farmers' Market for the Waterfront Wine Festival. It was City Council's consensus to approve the sales, if the Farmers' Market director could accommodate the ticket sales.

### 5. City Manager's Section

#### A. Alanson Library Agreement – Consideration of Renewal

City Manager Richards reviewed the history of how the City became contracted for services from the Alanson Area Library. The City would not authorize payment of the fees, approximately \$90,000, to participate with the City of Petoskey. The Alanson Area Public Library offered to provide library services in exchange for the Harbor Springs' penal fines from the State of Michigan plus \$3 per capita. The per capita costs would be \$3,582.

City Manager Richards stated that the current two-year agreement expires on June 30, 2016. The Alanson Area Public Library has offered to continue services under the same terms under a three-year agreement. City Manager Richards recommended that City Council approve the proposed three-year Library Services Agreement with the Alanson Area Library.

City Council discussed this issue with the representatives from the Alanson Area Library and City Manager Richards. After the discussion, the following motion was offered:

#8362 – Motion by Cupps, second by James, to approve the proposed three-year agreement with the Alanson Area Public Library, as proposed.

Ayes – 5

Nays -- 0

B. Lyric Theater Request for Short Term Parking

City Manager Richards stated that the Lyric Theater would like a drop off area in front of the Theater. Scott Langton, Executive Director of the Lyric Theater, contacted City Manager Richards with a proposal to convert existing on-street parking spaces, nearest to the Theater, for use as a drop-off / pick-up zone.

City Manager Richards stated that Staff contacted the regional Traffic and Safety Engineer from the Michigan Department of Transportation (MDOT). The State would require that a MDOT permit would need to be applied for to request the change, provide proper signage and pavement markings, and to ensure compliance with the American Disabilities Act requirements. City Manager Richards stated that both City Attorney Ramer and Police Chief Branson reviewed and researched this issue.

Councilperson Cupps suggested alternatives of either using cones to make a temporary drop-off area when the theater was in operation or creating the drop-off area on Gardner Street. City Attorney Ramer stated that the State Law (Uniform Traffic Code) requires that there be no parking in front of a theater. Several options were discussed to remove parking spaces.

The option that seemed to be the most acceptable was to allow the first three parking spaces on East Main Street west of Gardner Street to be converted to a drop-off / pick-up zone. It was also discussed that one of the lost parking spaces could be recovered by shortening the loading zone on Main Street just west of Spring Street

Police Chief Branson stated he would have the areas measured, review them with the City Manager and the City Attorney, then write a traffic control order for City Council's consideration.

No further action was taken.

C. Concession Permit Requests – Beach and Marina Locations

City Manager Richards stated that Wally Wertman had submitted applications for food vending licenses on City property. The first would be in lower Zorn Park just south of the electric transformer. The second would be in the park area just west of the Harbormaster Building. The Harbor Grill in Zorn Park would be operational three months. The Harbor Grill by the marina would be operational approximately a month and a half.

Discussion followed regarding the 2015 conditions that the hot dog cart be more consistent in its hours of operation and that it be securely covered when it was closed. Mr. Wertman assured Council that those requests would be complied with.

After Council discussed their concerns with City Manager Richards and Wertman, the following motion was offered:

#8363 – Motion by Cupps, second by James, to authorize the City Manager to approve the two concession licenses requested by Wertman, as proposed.

Ayes – 5  
Nays – 0

Motion carried.

D.

E. Fourth of July – Restriction of Street-Side Seating and Consideration of Fundraisers

City Manager Richards reviewed the traffic control order issued in 2015 to limit the time period for the public to place seating along the 4<sup>th</sup> of July parade route. Discussion followed about the effectiveness of the new policy and no changes were proposed.

Richards stated that he had received requests from groups wishing to sell food along the parade route as fund raising efforts for non-profit organizations. They are:

- Boy Scout Troop 55 - water sales along the parade route;
- The United Methodist's Church - barbeque in the parking lot;
- The Harbor Springs Outdoor Club - hamburger and hotdog sale at the cannon in Lower Zorn Park;
- The Harbor Springs High School Band - pizza sale from the lawn of the Blackbird / Chamber Building; and,
- Students Hannah and Sydney Lewis - sale of popcorn at the southwest corner of the Marina Park Lawn, with the proceeds to be donated to the Manna Food Bank.

City Council, by consensus, authorized City Manager Richards to approve these not-for-profit fund raisers.

6. City Manager's Report

A. Ed Timm Proposal to Give a Presentation on Line 5

City Manager Richards stated that Ed Timm had expressed concern that members of Council had met with a representative from Enbridge Corporation, but had not heard his group's concerns about the risks of Enbridge's Line 5 pipeline under the straights of Mackinaw. Richards asked if any members had interest in meeting with Mr. Timm, or having him present to Council. He indicated that Mr. Timm's presentation would be about 45 minutes. Discussion followed about a possible meeting with a limited number of Council members, or a possible special public forum specifically to present both perspectives on Line 5.

City Manager Richards stated that he would contact Ed Timm to see if Timm would be interested in a special public forum. The other alternative was for Mr. Timm to review his 45-minute presentation to the Mayor and Mayor Pro-Tem as Enbridge did.

B. Private Property Party

City Manager Richards stated that he was asked to approve a private party on the proposed hotel site, which the City is currently leasing to provide public parking. Under the lease agreement, both the City and the owner provide liability coverage to the other party. After discussing the value of having the additional parking provided by the owner, Council, by consensus approved to have the manager make arrangements for the private party, if the property owner also approves.

C. Departmental Reports

City Manager Richards stated that the Police Department and Electrical Department monthly Reports were in the Council Packets for City Council review.

7. Appointments for Boards and Commissions

Mayor Pfeifer stated that she had no appointments this evening.

8. City Council New and Old Business

None

9. Adjournment

With no further business, Mayor Pfeifer adjourned the meeting at 8:10 p.m.



Ronald B. McRae, City Clerk

Approved: June 20, 2016



Pringle Pfeifer, Mayor