

Mayor Pfeifer called the twenty-second meeting of the eighty-third Harbor Springs City Council to order at 7:00 p.m., in the City Council Chambers at the City Hall, 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 (by telephone), Deputy City Clerk Michelle R. Main and City Clerk Ronald B. McRae

2. City Clerk / Comptroller / Treasurer

A. Approval of Minutes

#8402 – Motion by Cupps, second by Bugera, to approve the minutes of the October 3, 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>
8414	Sales Taxes 9/14/16 And Withholding	Wire	General Electric	\$ 5,531.92 21,007.01
8415	MPPA 10/4/16	Wire	Electric	22,156.35
8416	Trust Payouts 9/30/16		Electric	52,347.69

<u>Voucher Number</u>	<u>To or For</u>	<u>Description</u>	<u>Fund</u>	<u>Amount</u>
8417	PAYROLL	P.P.E 10/2/16	General Major St. Local St. Historical Electric Water & Sewer Waterfront Equipment	\$59,124.86 644.68 506.35 560.88 11,606.83 5,144.62 4,212.37 3,366.91

8418	Sales Taxes 9/30/16 And Withholding	Wire	General Electric	\$4,769.77 16,493.32
8419	MPPA 10/12/16	Wire	Electric	54,203.74
8420	A/P	Council 10/17/16	General Major St. Local St. Historical DDA/PSD Electric Water & Sewer WTTp Water Waterfront Equipment	\$33,594.32 475.33 2,018.33 166.26 1,346.60 98,146.43 7,254.76 9,726.61 20,751.07 10,307.08

BE IT RESOLVED that claims on vouchers 8414, 8415, 8416, 8417, 8418, 8419 and 8420, as checked by the Finance Committee, in the amount of \$445,464.09 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	\$ 103,020.87
Major St.	1,120.01
Local St.	2,524.68
Historical	727.14
DDA/PSD	1,346.60
Electric	223,613.68
Water & Sewer	12,399.38
West Traverse Water	9,726.61
Waterfront	24,963.44
Weather Buoy	0.00
Equipment	13,673.99
Trust	52,347.69
Totals	<u>\$ 445,464.09</u> =====

#8403 - Motion by James, second by Cupps, to approve the bills in the amount of \$445,464.09.

Ayes – 5  
 Nays – 0

Motion carried.

3. Citizen Comments

None

4. City Manager's Section

A. Park Bench Request from the St. Vincent de Paul Society

City Manager Richards stated that he received a letter from Bernie Van Antwerp of the St. Vincent de Paul Society requesting permission to use park benches to place two mannequins, dressed as homeless people on it. The use of mannequins portrayed as homeless would be for the purpose of promoting homeless awareness in conjunction with a United Way Campaign taking place November 12-20, 2016. City Manager Richards introduced Mr. Van Antwerp.

Van Antwerp stated that the purpose of the proposed exhibit was to remind the community of the unfortunate circumstance homeless people find themselves in and how many of them have gotten to the point of homelessness due to circumstances beyond their control. Many become homeless due to issues related to mental illness, alcohol, and drug abuse. The week prior to Thanksgiving is "Hunger and Homeless Awareness Week".

City Council discussed the request. Councilperson Cupps suggested the use of Jean Jardine Park for the display. The consensus of City Council was to agree with Councilperson Cupps. By consensus, City Council authorized City Manager Richards to authorize the use of a park bench in Jean Jardine Park for the proposed exhibit.

B. Consideration of the Postmaster's Request for a Handicap Parking Space

City Manager Richards stated that Police Chief Dan Branson received a request from Postmaster Dennis Lechowicz to provide a parking space reserved for handicapped individuals. Police Chief Branson stated that there are four parking spaces along State Street, in front of the Post Office all of which have parking time limit of (15) minutes. However, consistent enforcement is not something that the Police Department can do. Therefore, Police Chief Branson proposes to make the northern most parking spot a handicap space.

City Manager Richards stated that Police Chief Branson has prepared a Traffic Control Order directing to make the northern most parking spot a handicapped space.

#8403 – Motion by James, second by Bugera, to approve Traffic Control Order 2016-003, which makes the northern most parking spot a handicapped space for parking.

Ayes - 5

Nays - 0

Motion carried.

C. Restricting the Operation of Boats that Artificially Create Wake Problems

City Manager Richards stated that the Harbor Commission has been working to address the problem of boats used for "wake boarding" and other activities that create significant wakes and threatens and enjoyment of using the waters within the mooring area. The current wake regulations do not adequately restrict the operation of these boats that have recently become popular.

City Manager Richards stated that the Harbor Commission approved the attached amendment to the Harbor, Waterfront and Marina Rules and Regulations which will provide additional regulations making it a violation to:

- Operate a boat specifically equipped to produce a large wake; or,
- Operate a boat in a manner that results in a large wake.

City Manager Richards stated that the Harbor Commission voted in favor of supporting the amendment and recommends City Council's approval.

Councilperson Cupps asked Michael Esposito for his opinion on the amendment proposed for City Council approval. Esposito stated that he did not believe that the City has the right to approve the proposed amendment. Esposito further stated that the State of Michigan and the U. S. Coast Guard have the right to make those changes.

City Attorney Ramer stated that he concurred with Esposito, except that the State of Michigan, as part of the bottom land lease, gave the City the authority to establish the rules for the area that the mooring fields are located. Therefore, the City does have the right to make the rules for addressing the wake issues.

Councilperson Dika stated that the City needs to stop the wave or wake action from the tow boats. Further, water skiing and tubing are activities which need to be protected. Part of the protection is to stop the tow boats from creating the wakes, which can cause a safety issue with people on their boats in the mooring area.

Bill Brown, 629 East Main Street, asked who was going to enforce the wake action. City Manager Richards stated that the Marine Patrol would.

#8404 – Motion by Dika, second by Pfeifer, to approve the amendment to the Harbor, Waterfront and Marina Rules and Regulations which would require that the tow boats and other vessels be operated to eliminate or significantly reduce the wake or wave action.

Ayes: 2  
Nays: 2 (Cupps and Bugera dissenting)  
Abstained: 1 (James)

City Clerk McRae stated that the motion failed.

D. Little Traverse Triathlon

City Manager Richards stated that he received an e-mail from Okee Westbrook, Bay Tennis and Fitness, to request a date for the Little Traverse Triathlon to be held in 2017. Westbrook suggested July 16, 2017.

#8405 – Motion by Cupps, second by James, to authorize City Manager Richards to approve the Little Traverse Triathlon scheduled on Sunday, July 16, 2017.

Ayes – 5  
Nays – 0

Motion carried.

E. Approval of Poll Workers for the November 8, 2016 General Election

City Manager Richards stated that the City Clerk is requesting City Council approval for the appointment of the following poll workers to work the November 8, 2017 General Election. The poll workers are:

All Day: Robert Thoma, Democrat, and Robert and Laura Kieliszewski, Republican

All Day: Eleanor Cupps

PM: Madeline Heinz, Democrat  
Marge Owen, Republican  
Terry Thoma, Democrat

Staff: Ronald B. McRae, City Clerk  
Michelle R. Main, Deputy City Clerk  
Patricia Vorce-Sutton, Deputy City Clerk  
Tina J. Honeysette, former Deputy City Clerk

The poll workers shall receive \$75 for half day, \$150 for the full day, their meals, mileage and \$10 per hour for training.

City Clerk McRae stated that due to illnesses, there may be substitutions.

#8406 – Motion by James, second by Bugera, to approve the poll workers presented by the City Clerk; further, authorize the City Clerk to either change hours or substitute others if any of the poll workers cannot work due to illness.

Ayes – 5

Nays – 0

Motion carried.

## 5. City Manager's Report

### A. Kiwanis Award for the Police Department

City Manager Richards stated that the Kiwanis Club of Harbor Springs has granted an award to the Harbor Springs Police Department in recognition of how the Police Department supports the youth of our community. City Manager Richards stated that the award presentation recognized the Police Department involvement in the schools, helping with the street crossings, their presence at athletic events, and their friendly and approachable manner.

### B. Little Harbor Club

City Manager Richards stated that the City has received notice from the Liquor Control Commission that the Little Harbor Club has requested approval of a SDM liquor license. City Manager Richards stated that the Little Harbor Club already has a liquor license for serving alcoholic beverages in the Club. The SDM license would allow members to carry out alcohol that was purchased at the Club.

Council members discussed this issue. There was little concern because the SDM license is for wine only. There were no concerns and, by consensus, City Manager Richards was authorized to approve recommendation for the SDM license.

No other action was taken by City Council on this issue.

### C. Third Street Electric Construction

City Manager Richards stated that the contractor was delayed in starting the project. The project will be started next week.

### D. Schedule of Up-Coming Board and Commission Meetings

City Manager Richards reviewed the upcoming Board and Commission meetings. The schedule is as follows:

- The Planning Commission will be meeting at 6:00 p.m., Thursday, October 20, 2016 in the City Council Chambers at City Hall, 160 Zoll Street, Harbor Springs, MI 49740.
- The Zoning Board of Appeals will be meeting at 5:30 p.m., Wednesday, November 9, 2016 in the City Council Chambers at City Hall, 160 Zoll Street, Harbor Springs, MI 49740.
- The DDA/PSD Board will be meeting at 8:00 a.m., Thursday, November 3, 2016 in the City Council Chambers at City Hall, 160 Zoll Street, Harbor Springs, MI 49740.

## 6. Appointments

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

7. New and Old Business

None

8. Next Meeting

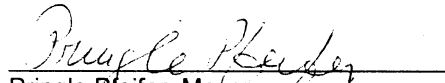
City Manager Richards stated the next City Council Meeting is scheduled for 7:00 p.m., Monday, November 7, 2016.

9. Adjournment

With no further business, Mayor Pfeifer adjourned the meeting at 7:38 p.m.

  
\_\_\_\_\_  
Ronald B. McRae, City Clerk

Approved: November 7, 2016

  
\_\_\_\_\_  
Pringle Pfeifer, Mayor