



Notice

City Commission Regular Meeting

7:00 pm

Monday, October 7, 2013

Commission Chambers, Governmental Center

400 Boardman Avenue

Traverse City, Michigan 49684

Posted and Published: 10-3-13

Meeting informational packet is available for public inspection at the Traverse Area District Library, City Police Station, City Manager's Office and City Clerk's Office.

The City of Traverse City does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Makayla Vitous, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan, 49684, 922-4440, TDD: 922-4412, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator.

If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

City Commission:
c/o Benjamin C. Marentette, CMC, City Clerk
(231) 922-4480
Email: tcclerk@traversecitymi.gov
Web: www.traversecitymi.gov
400 Boardman Avenue
Traverse City, MI 49684

The mission of the Traverse City City Commission is to guide the preservation and development of the City's infrastructure, services, and planning based on extensive participation by its citizens coupled with the expertise of the city's staff. The Commission will both lead and serve Traverse City in developing a vision for sustainability and the future that is rooted in the hopes and input of its citizens and organizations, as well as cooperation from surrounding units of government.

Welcome to the Traverse City Commission meeting!

Agenda

Any interested person or group may address the City Commission on any agenda item when recognized by the presiding officer or upon request of any Commissioner. Also, any interested person or group may address the City Commission on any matter of City concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.

Pledge of Allegiance

1. Roll Call

2. Consent Calendar

The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the consent calendar be removed therefrom and placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

- a. Consideration of approving minutes of the Regular Meeting of September 16, 2013, Special Meeting of September 23, 2013, and Study Session of September 23, 2013. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)

- b. Consideration of authorizing a confirming purchase order for unleaded gasoline for city operational use. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- c. Consideration of introducing an amendment to the Traverse City Code of Ordinances which would allow Traverse City Light and Power to reduce the threshold for placing a lien on property for a delinquent bill owed to Traverse City Light and Power and allow for the utilization of third party collection services for outstanding receivables and to prohibit meter tampering, as recommended by the Traverse City Light and Power Board. (Introduction and schedule for possible enactment on October 21, 2013, recommended) (Jered Ottenwess, Tim Arends)
- d. Consideration of enacting an amendment to the Traverse City Code of Ordinances which would allow C-2 (Neighborhood Center District) uses in the I (Industrial) District for new buildings and additions to existing buildings, except for C-2 uses in the Traverse City Airport Industrial Park and Traversefield Enterprise Place, and limit the hours of operation for those businesses that are open to the public to 6 a.m. to 10 p.m., as recommended by the City Planning Commission. (Enactment recommended) (Jered Ottenwess, Russell Soyring)
- e. Consideration of casting the ballot for the Board of Directors of the Michigan Municipal League Liability and Property Pool. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)
- f. Consideration of authorizing an agreement for professional grant writing services for a Michigan Department of Environmental Quality Grant which, if awarded, would provide funding for a Stormwater and Wastewater Asset Management, Planning and Design System. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- g. Consideration of declaring surplus various city equipment, which is no longer needed for city operational use, to be sold at the October 12, 2013, city auction. (Approval recommended) (Jered Ottenwess, Dave Green)

- h. Consideration of authorizing a change order to the contract for the 2013 Bay Street Reconstruction Project to include parking lot improvements for Parking Lots G and R, with the cost to be paid for by Auto Parking System Funds. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- i. Consideration of authorizing a contract for the 2013 Wastewater Treatment Plant Yard Piping Repair Project. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- j. Consideration of introducing an amendment to the Traverse City Code of Ordinances which would allow for the internal illumination of certain projecting and suspended signs. (Introduction and schedule for possible enactment on October 21, 2013, recommended) (Jered Ottenwess, Russell Soyring)
- k. Consideration of authorizing a service order for the Front Street/Cass Street Intersection Water Valve Repair Project. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)

Items removed from the Consent Calendar

- a.
- b.
- c.

3. Old Business

- a. Consideration of adopting a moratorium on the issuance of High Impact Park Usage Permits. (Jered Ottenwess, Benjamin Marentette)

- b. Consideration of a report from the City Clerk regarding the Mobile Food Vending ordinance and possible changes to the ordinance; and consideration of adopting an amended resolution establishing fees for the City Clerk Department. (Jered Ottenwess, Benjamin Marentette)

4. New Business

None.

5. Appointments

- a. Consideration of appointment to the Brown Bridge Advisory Committee. (Jered Ottenwess, Katie Lowran)
- b. Consideration of appointment to the Parks and Recreation Commission. (Commissioner James Carruthers, Chair; Mayor Michael Estes; Commissioner Jeanine Easterday)

6. Reports, Announcements and Correspondence

Please note: For this section of the agenda, when an actual report is included or expected, the item will be underlined.

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 - 1. Report from the Mayor serving on the Downtown Development Authority.

2. Report from Commissioners serving on the Light and Power Board.
 3. Report from the Mayor and Commissioner serving on the Planning Commission.
 4. Report from Commissioners serving on other boards.
 5. Minutes of the Historic Districts Commission Regular Meetings of July 25, 2013, and August 29, 2013.
 6. Minutes of the Traverse City Light and Power Board Strategic Session of August 13, 2013 and Regular Meeting of August 13, 2013.
 7. Minutes of the Planning Commission meetings of August 6 and August 21, 2013.
- e. Reports and correspondence from non-City officials.
1. Monthly Operations Report for the Wastewater Treatment Plant from CH2MHILL for August 2013.

7. Public Comment

- a. Reserved.
 1. Jim Cook, on behalf of the Grand Traverse County Road Commission, regarding "November 5, 2013, Road Millage Ballot Proposal."
- b. General.
- c. Mayor and City Commissioners.

8. Adjournment

The mission of the Traverse City City Commission is to guide the preservation and development of the City's infrastructure, services, and planning based on extensive participation by its citizens coupled with

City Commission
Regular Meeting Agenda

7

October 7, 2013

the expertise of the city's staff. The Commission will both lead and serve Traverse City in developing a vision for sustainability and the future that is rooted in the hopes and input of its citizens and organizations, as well as cooperation from surrounding units of government.

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The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: MINUTES

Attached are minutes from the following meetings of the City Commission:

- September 16, 2013, Regular Meeting
- September 23, 2013, Special Meeting
- September 23, 2013, Study Session

The City Clerk recommends that these minutes be approved. The following motion would be appropriate:

that the minutes of the September 16, 2013, Regular Meeting, September 23, 2013, Special Meeting, and September 23, 2013, Study Session, be approved.

jjo/bcm

k:\tcclerk\city commission\minutes



**Minutes of the
City Commission for the City of Traverse City
Regular Meeting
September 16, 2013**

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem MaryAnn Moore, Jody Bergman, Barbara D. Budros, James Carruthers, Jeanine Easterday, Michael J. Gillman.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

As requested by Commissioner Budros, Agenda Item 2(d) was removed from the Consent Calendar for full discussion.

There being no objection, Mayor Estes removed Agenda Item 2(j) from the Consent Calendar and combined it to be considered with Agenda Item New Business 4(b) later in the agenda.

2. Consent Calendar

Moved by Carruthers, seconded by Moore, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. The minutes of the September 3, 2013, Regular Meeting and September 9, 2013, Study Session, be approved.
- b. The City Manager be authorized to issue a purchase order/contract to Wayne

Bancroft Auction Service, for auctioneering services on October 12, 2013, for a set fee of 10% of the gross sales registered the day of the auction.

- c. An amendment to the Traverse City Code of Ordinances *Chapter 1354, Section 1354.01, Allowing C-2 (Neighborhood Center District) Uses in I (Industrial District)*, which would limit C-2 (Neighborhood Center District) type uses that are open to the public in the I (Industrial District) to the hours of 6:00AM to 10:00PM, as recommended by the City Planning Commission, be introduced and scheduled for possible enactment on October 7, 2013.
- d. Removed from the Consent Calendar.
- e. The Local Governing Body Resolution for Charitable Gaming Licenses (issued by the Michigan Lottery), to recognize Traverse Area Community Sailing as a local non-profit organization, be adopted.
- f. The City of Traverse City HIPAA Privacy Policy be amended as generally outlined in the City Clerk's September 10, 2013, communication.
- g. The City Manager be authorized to issue a blanket purchase order in the amount not to exceed \$25,000, at the unit prices indicated in their bid, to Great Lakes Striping and Sealing for the 2013 Fall Infrared work on East Front Street and Munson Avenue, with funds available in the Major-Trunkline Maintenance Fund, to be reimbursed by the Michigan Department of Transportation.
- h. The City Treasurer/Finance Director Bill Twietmeyer and Assistant City Manager Makayla Vitous be appointed Officer Delegate and Officer Alternate Delegate respectively, for the 2013 annual meeting of the Municipal Employees' Retirement System; and that the City Manager be authorized to execute the certification of delegates.
- i. The Mayor and City Clerk execute a purchase and sale agreement with Traverse City Light and Power (TCL&P), with TCL&P to pay the city \$8,407, for the exchange of parcels as outlined in the City Attorney's September 6, 2013, communication; and further that the Mayor and City Clerk be authorized to execute all necessary conveyance documents, with the agreement subject to approval as to its substance by the City Manager

and its form by the City Attorney.

- j. There being no objection, Mayor Estes combined this Agenda Item to be considered with New Business 4(b).
- k. The Mayor and City Clerk be authorized to execute a change order to the 2013 Bay Street Reconstruction Project contract with Elmer's Crane and Dozer, in the amount of \$13,487 more or less, at the unit prices indicated in its bid for the 2013 Bay Street Reconstruction Project, for the repaving of the alley south of Eighth Street between Garfield Avenue and Hastings Street, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Special Assessment Fund.
- l. The Resolution Approving the Application for Neighborhood Enterprise Zone New Facility Certificate No. 2013-01, Depot Neighborhood, LLC, located at 517 Franklin Street, be adopted, as requested by Depot Neighborhood, LLC.
- m. The Resolution Approving the Application for Neighborhood Enterprise Zone Homestead Facility Certificate No. 2013-01, 616 E. Eighth Street, Unit 10, be adopted, as requested by Tyson Acosta.

CARRIED unanimously

Items removed from the Consent Calendar

a.

Consideration of authorizing an Encroachment Agreement for Old Town Playhouse for a canopy, new stairway and modified stairway at 148 East Eighth Street.

The following addressed the Commission:

Jered Ottenwess, City Manager
Tim Lodge, City Engineer

Moved by Budros, seconded by Easterday, that the Mayor and City Clerk execute a Permission of Encroachment Agreement with Old Town Playhouse, Inc., owner of 148 East Eighth Street, for an encroachment into the city right-of-way as described in the memo from the City Engineer dated September 10, 2013, (known as 148 East Eighth Street and generally located on the south side of East Eighth Street and west side of Cass Street), with the agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, contingent upon the city's receipt of new legal descriptions of the actual encroachments, including a survey drawing prepared by a professional engineer, and receipt of the required insurance documentation.

CARRIED unanimously.

3. Old Business

3(a).

Consideration of approving a request from the Traverse City Film Festival for a sign permit to place a sign at the Bijou by the Bay.

The following addressed the Commission:

Jered Ottenwess, City Manager
Dave Weston, Zoning Administrator
Lauren Tribble-Laucht, City Attorney

Moved by Carruthers, seconded by Moore, that city staff be authorized to approve the sign permit application from the Traverse City Film Festival for the Bijou by the Bay as submitted with the packet materials for the City Commission's September 16, 2013, meeting.

Deb Lake, Traverse City Film Festival Executive Director – made general comments
Rick Buckhalter, 932 Kelley Street – expressed support
Grant Parsons, 6936 Mission Ridge, Garfield Township, city business owner – expressed opposition
David Poinsett, 9770 East Harbor Hills Drive, Elmwood Township –

expressed support

Penny Milliken, 1435 Peninsula Drive - expressed support

John Williams, 873 Peninsula Drive, Traverse City Film Festival Founding Member - made general comments

Lauren Tribble-Laucht, City Attorney

Benjamin Marentette, City Clerk

Commissioner Carruthers, with agreement by Mayor Pro Tem Moore, withdrew the motion on the floor.

It was the consensus of the Commission that the City Attorney provide a legal opinion as to if the erection of a sign at the site would require approval from the city electorate; and that the Commission consider the Film Festival's request for a sign permit once it has the legal opinion, with reconsideration to occur within two weeks.

4. New Business

4(a).

Consideration of authorizing an agreement with Hagerty Insurance Agency, for it to provide \$7,000 as a challenge grant in connection with the water bottle filling station fundraising campaign.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Easterday, seconded by Budros, that the Mayor and City Clerk execute the Gift Agreement with Hagerty Insurance Agency (Hagerty) for Hagerty to provide a \$7,000 donation to fund one water bottle filling station, once the city has raised \$14,000 to fund two water bottle filling stations.

Dave Whiteford (sp?), city business owner - made general comments

Carmen Stevens, Hagerty Insurance Agency – made general comments

CARRIED unanimously.

4(b).

Consideration of authorizing a purchase order for two riding lawn mowers and related attachments for use at Oakwood Cemetery and consideration of authorizing an agreement for the city to provide administrative, grounds maintenance and burial services for the Oakwood Catholic Cemetery.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Bergman, seconded by Budros, that the Mayor and City Clerk execute an agreement with the Catholic Diocese of Gaylord for the Diocese to pay the city at the rate of \$3,041.66 per month, plus any related overtime costs, to provide maintenance, administrative and burial services for the Oakwood Catholic Cemetery, and that the city share office space with the Diocese, with a sharing of utility costs, for a period ending December 31, 2016, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney; and further that the competitive bidding process be waived and that the City Manager be authorized to issue a purchase order in the amount of \$25,151, for purchasing two new Grasshopper Zero Clearance Lawn Mowers with attachments, with funds available in the Garage Fund.

CARRIED unanimously.

4(c).

Consideration of authorizing a property transfer agreement in connection with the development, *Uptown* and adopting a resolution concurring with the Brownfield Plan for *Uptown*.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Gillman, seconded by Moore, that the Resolution Concurring with Grand Traverse County Brownfield Plan 133 and 141 West State Street (Uptown Development), be adopted; and that the Mayor and City Clerk execute an

agreement with ONR Properties, LLC, for property transfers in connection with the Uptown Development (133 and 141 West State Street), as outlined in the City Attorney's September 10, 2013, communication; and further that the Mayor and City Clerk be authorized to execute all related conveyances in connection with the property transfers, with execution of the property transfer agreement and conveyance documents to occur after successful closing by ONR Properties, LLC, on the Phase II parcel, with the agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

Lauren Tribble-Laucht, City Attorney

Eric Helzer, AKT Peerless – made general comments

Mike Wills, ONR Properties – made general comments

Jean Derenzy, Grand Traverse County Deputy Director for Planning and Development

Rick Buckhalter, 932 Kelly Street – made general comments

CARRIED unanimously.

4(d).

Consideration of authorizing the release of a city easement at Lot 57 of the Traverse City Airport Industrial Park.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Moore, seconded by Easterday, that the Mayor and City Clerk execute the necessary documents with Traverse Development Group (The Group), to release the city's easement at Lot 57 of the Traverse City Airport Industrial Park, provided The Group remits \$2,060 to the city, with the contingency that Traverse City Light and Power retain a twelve foot easement for utilities.

CARRIED unanimously.

5. Appointments

5(a).

Consideration of appointing a committee to make a recommendation regarding appointments to the Brown Bridge Advisory Committee.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Easterday, seconded by Carruthers, that Nelson Asper, David Downer and James Tuller each be reappointed to a three-year term expiring October 3, 2016, on the Brown Bridge Advisory Committee.

CARRIED unanimously.

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 1. Report from the Mayor serving on the Downtown Development Authority.
 2. Report from Commissioners serving on the Light and Power Board.
 3. Report from the Mayor and Commissioner serving on the Planning Commission.
 4. Report from Commissioners serving on other boards.

e. Reports and correspondence from non-City officials.

None.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Ross Richardson, 873 Washington Street

Rick Buckhalter, 932 Kelly Street

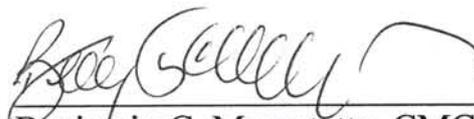
Jered Ottenwess, City Manager

3. Mayor and City Commissioners.

Commissioner James Carruthers

Commissioner Jeanine Easterday

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:16 pm.



Benjamin C. Marentette, CMC
City Clerk

Approved: _____,
(Date) (Initials)

City of Traverse City



Minutes

Special Meeting of City Commission

September 23, 2013

A special meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7:00 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem MaryAnn Moore, Jody Bergman, Barbara D. Budros, James Carruthers, Michael J. Gillman.

The following Commissioner was absent: Jeanine Easterday.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

Topics of Discussion:

1. Consideration of approving a request from the Traverse City Film Festival for a sign permit to place a sign at the Bijou by the Bay.

The following addressed the Commission:

Jered Ottenwess, City Manager
 Lauren Tribble-Laucht, City Attorney

Moved by Moore, seconded by Carruthers, that city staff be authorized to approve the sign permit application from the Traverse City Film Festival for the Bijou by the Bay as submitted with the packet material for the City Commission's September 23, 2013, Special Meeting and that the installation of a commemorative plaque resembling the representation submitted with the September 16, 2013, meeting packet, as a free standing plaque be approved.

Grant Parsons, 6936 Mission Ridge, Garfield Township, City Business Owner – made general comments
Rick Buckhalter, 932 Kelley Street – made general comments
Dan Kostrzewa, 716 Cherokee Street – expressed opposition
Ann Rogers, 1236 Peninsula Drive – made general comments
David Poinsett, 9770 East Harbor Hills Drive, Elmwood Township – made general comments
Cathy Cline, 1749 Indian Woods Drive – made general comments
Thomas Darga, 7534 East Sierra Drive, Bingham Township, city business owner – made general comments
Michael Albaugh, 400 West Front Street – made general comments
Penny Milliken, 1435 Peninsula Drive – expressed support
Paul Danielson, 446 North Elmwood Avenue, city business owner – made general comments
Ross Richardson, 873 Washington Street – made general comments
Deb Lake, Traverse City Film Festival Executive Director, 9122 Lake Ridge Drive – made general comments
Benjamin Marentette, City Clerk

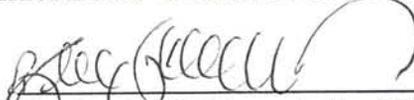
CARRIED unanimously. (Easterday absent)

2. Public Comment.

John Scudato, 422 East State Street
Warren Studley, 1301 Peninsula Court

3. Adjournment.

There being no objection, Mayor Michael Estes declared the meeting adjourned at 7:52 pm.



Benjamin C Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)

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CITY OF TRAVERSE CITY



Minutes

Study Session of City Commission

September 23, 2013

A study session of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7:54 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem MaryAnn Moore, Jody Bergman, Barbara D. Budros, James Carruthers, Michael J. Gillman.

The following Commissioner was absent: Jeanine Easterday.

Mayor Michael Estes presided at the meeting.

1. Discussion regarding the Noise Ordinance and the Park and Public Land Use Policy, specifically regarding events in city parks.

The following addressed the Commission:

- Jered Ottenwess, City Manager
- Officer Scott Maxson, Noise Control Officer
- Lauren Tribble-Laucht, City Attorney
- Benjamin Marentette, City Clerk
- Ross Richardson, 873 Washington Street
- Mary Meredith, 617 State Street
- Dale Ostema, 1713 Indian Woods, Central United Methodist Church Pastor
- Mike Jackson, 217 Sixth Street
- Dan Kostrzewa, 716 Cherokee Street
- Karen Anderson, 507 West Ninth Street
- Jo Bartlett, 715 East State Street
- Dan Farley, 13008 Queen Ann South, Peninsula Township
- Mike Moran, 2880 Victoria Drive, Garfield Township

City Commission Minutes

Study Session

2

September 23, 2013

Seamus Shinnars, 410 Seventh Street, Central Neighborhood Association
President

Fred Bimber, 1223 Randolph Street

Paul Danielson, 446 North Elmwood, city business owner

Adrienne Rossi, 312 West Seventh Street

Julia Wagner, 402 West Eleventh Street

Mark Walter, 13842 South Windcrest Court, Elmwood Township

Karen Nielsen, 1223 Randolph Street

Rick Buckhalter, 932 Kelley Street

Sam Porter, 426 West Eighth Street

Dan Dohm, 1663 Maple Ridge Way, Garfield Township

Dixie Stephen, 616 South Oak Street

Trevor Tkach, National Cherry Festival Executive Director

Dave Amon, 410 West Thirteenth Street

John Scrudato, 422 East State Street

Lori King, 3484 East Colonial Drive, Garfield Township

2. Public Comment.

John Scrudato, 422 East State Street

Chris Maxbauer, 503 West Eighth Street

Commissioner James Carruthers

3. Adjournment.

There being no objection, Mayor Michael Estes declared the meeting
adjourned at 9:46 p.m.



Benjamin C Marentettes, CMC
City Clerk

Approved: _____,
(Date) (Initials)



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: UNLEADED GASOLINE PURCHASE

Telephone / fax bids were received for **unleaded gasoline** for use by various city departments.

The following is a summary of these bids.

<u>Vendor</u>	<u>City</u>	<u>Price/gallon</u>
Lemmen Oil	Coopersville	\$2.83125
Crystal Flash	Traverse City	\$2.839
Fick & Sons	Grayling	\$2.8540
Brenner Oil	Mount Pleasant	Did not bid
Schmuckal Oil	Traverse City	Did not bid
Blarney Castle	Traverse City	Did not bid
Gilberts	Traverse City	Did not bid

I recommend the following motion (5 affirmative votes required):

“that the City Manager be authorized to issue a confirming purchase/service order in the amount of \$28318.17 to Lemmen Oil Company for 10002 gallons of unleaded gasoline priced at \$2.83125 per gallon with funds available in the garage fund.”

JO/wb

The previous purchase price on 7/16/13 was \$3.04575 per gallon.

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The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: ORDINANCE AMENDMENT – DELINQUENT ELECTRIC
UTILITY BILLS AND METER TAMPERING

Attached is a memo Tim Arends, Traverse City Light and Power Executive Director, outlining the proposed amendment to the Traverse City Code of Ordinances, which would allow for TCL&P to utilize third party collection efforts when collecting outstanding balances as well as address the tampering of meters owned by Traverse City Light and Power. Additionally it would lower the threshold for placing a lien on property for a delinquent bill owed to TCL& P from \$1000 to \$200.

I recommend the following motion:

that an amendment to the Traverse City Code of Ordinances *Chapter 1046, Section 1046.01(b), Delinquent Bills, Placement on Tax Roll and Section 1046.03, Meter Tampering*, which would lower the threshold for placing a lien on a property for a delinquent bill owed to Traverse City Light and Power and authorize the use of third party collection efforts and prohibit meter tampering, as recommended by the Traverse City Light and Power Board, be introduced and scheduled for possible enactment on October 21, 2013.

JJO/kes

e-copy – Tim Arends, Executive Director: trends@tclp.org
Karla Myers-Beman, Controller: kmyersbe@tclp.org

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TRAVERSE CITY CODE OF ORDINANCES
ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: DELINQUENT ELECTRIC UTILITY BILLS AND METER TAMPERING

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 1046.01, *Delinquent Bills* and Section 1046.03, *Meter Tampering*, of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

1046.01 DELINQUENT BILLS.

- (a) Lien. Charges for services provided by the Light and Power Department pursuant to Section 21 of Act 94 of the Public Acts of 1933, as amended (M.C.L.A. 141.121) are a lien on all premises served thereby, unless written notice is given by the owner that a tenant is responsible pursuant to this chapter.
- (b) Placement on Tax Roll. Whenever any such charge against any piece of property exceeds ~~one thousand~~ two hundred dollars (\$~~1000~~ 200) and is delinquent for six months, the City Treasurer or other official in charge of the collection thereof may certify, on or before ~~February~~ May 1 of each year to the City Assessor, and on or before September 1 of each year to the proper tax assessing officer outside of the City, the fact of such delinquency. Upon such certification, such delinquent charge shall be entered upon the next tax roll as a charge against such premises, and a lien thereof shall be enforced in the same manner as general taxes against such premises are collected.
- (c) Tenancy. Where written notice is given by the owner that a tenant is responsible for such charges as provided by Section 21 of Act 94 of the Public Acts of 1933, as amended, no further service shall be rendered to such premises until a cash deposit of an amount, not exceeding two months service, has been made as security for payment of such charges. (Ord. 225. Passed 5-18-87.)
- (d) Collection. The Utility may utilize third party collection efforts in collecting any outstanding receivable before it is certified to the City Assessor.

1046.02 TELECOMMUNICATION SERVICES.

The Light and Power Department of the City is hereby authorized to engage in telecommunications services. All powers and duties possessed by the Light and Power Department and the Light and Power Board pursuant to Chapter XVIII of the City Charter are hereby made applicable to telecommunication services. As used in this section, "telecommunication services" means approved cable television systems, approved cable communication systems or telephone systems, including plants, works, instrumentalities and properties used or useful in connection with such systems and further means wired and wireless broadband services, and services whether wired or wireless for the transmission of 2-way interactive communication and associated usage.

(Ord. 261. Passed 10-3-88. Ord. 865. Passed 04-19-10.)

1046.03 METER TAMPERING

- (a) TCL&P Meters. All electric meters receiving service from the Traverse City Light and Power Department are property of that electric utility.
- (b) Tampering. Unless authorized by the electric utility owning the meter, a person shall not work on, interfere with, damage or remove an electric meter or allow or assist another person to do so.
- (c) Bypassing Meter. A person shall not place in use any device which allows electricity to be used and not measured by an electric utility's meter.
- (d) Responsibility. An adult person occupying or having control over the property at which the meter is located or receiving a benefit from the electricity consumed is presumed responsible for any discovered tampering or bypassing of that meter.
- (e) Sanctions. A person who violates this section is responsible for a municipal civil infraction, the sanctions for such violation, and the retail price of electricity that has not been metered. The electric utility's estimate of the unmetered electricity consumed shall be presumed correct unless proven otherwise.

The effective date of this Ordinance is the _____ day of _____, 2013.

I hereby certify the above ordinance amendment was introduced on October 7, 2013, at a regular meeting of the City Commission and was enacted on _____, at a regular meeting of the City Commission by a vote of Yes: _____ No: _____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, CMC, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on _____.

Benjamin C. Marentette, CMC, City Clerk



TRAVERSE CITY
LIGHT & POWER

To: Jered Ottenwess, City Manager
Copy: Benjamin Marentette, City Clerk
From: Tim Arends, Executive Director
Date: September 16, 2013
Subject: Request to Amend Ordinance

At its September 10, 2013 meeting the Light & Power Board adopted a resolution that requests the City Commission amend the Electric Ordinance Section 1046. Attached is the Resolution, along with the board meeting memo that explains the request and the red-lined ordinance with proposed changes.

Please place this item on a future City Commission agenda for their consideration. Notify me when this may be considered by the City Commission and Karla and I will plan to attend to address any questions they may have. Should you have any questions please contact me.

Thank you.

FOR THE LIGHT & POWER BOARD MEETING OF SEPTEMBER 10, 2013



TRAVERSE CITY
LIGHT & POWER

To: Light and Power Board
From: Tim Arends, Executive Director
Karla Myers-Beman, Controller
Date: August 22, 2013
Subject: Utility Lien Ordinance

Staff is recommending the support of the Board for three modifications to be recommended for adoption by the City Commission for Section 1046 Code of Ordinances, Electricity.

The first is to add a section on Meter Tampering. In the past year, the Department had incidences where a customer tampered with an electrical meter more than once and the Treasurer's office had to call upon the Police Department to handle the situation. With the adoption of this section, the City Code Enforcement Officer would be able to handle these types of situations and issue citations, if needed, and allow City Police efforts to be focused elsewhere.

The second is to modify section 1046.01 Delinquent Bills. As recommended by the Hometown Connections Efficiency Study, staff evaluated options for recovering additional bad debt. One option staff is recommending is to reduce the lien threshold from \$1,000 to \$200. Based on the current bad debt held by the Utility this would leave an average of \$16,000 of uncollectable receivables per year and reduce the monthly write-off from \$3,070 to approximately \$1,333 which is \$.00057 per revenue dollar, well below APPA's average of \$.0023. Another benefit of this change is it will be an attribute in keeping low rates, because the delinquent receivables will no longer have to be subsidized by all utility customers.

By reducing the lien threshold to \$200 and not to \$0, the utility would increase its cash flow of bad debts, while eliminating the burden of placing every bad debt on the tax roll. A majority of these balances are insignificant and the entity loses the cost/benefit of collection.

The third is to modify section 1046.01 Delinquent Bills, which will allow the utility to utilize a third party collection agency to collect on its behalf. Based on the City Attorney's opinion we are not able to utilize these efforts with the current language in the ordinance, because once it becomes a lien the Utility has to collect the balance in full. Most of the accounts that will be transferred to a lien are tenant/landlord relationships, and landlords have an expectation that the department will use aggressive collection efforts to avoid bad debts from appearing on their tax bills.

Attached for your review are the changes to City Code of Ordinance Section 1046.

If after Board discussion you agree with staff's recommendation the following board motion would be appropriate.

FOR THE LIGHT & POWER BOARD MEETING OF SEPTEMBER 10, 2013

MOVED BY CARRUTHERS, AND SECONDED BY PALISIN, THAT THE LIGHT AND
POWER BOARD ADOPTS THE RESOLUTION TO REQUEST THE CITY COMMISSION
AMEND SECTION 1046 OF THE TRAVERSE CITY CODE OF ORDINANCES.

APPROVED 7-0.



TRAVERSE CITY
LIGHT & POWER

**TRAVERSE CITY LIGHT AND POWER DEPARTMENT
RESOLUTION
REQUESTING AMENDMENT OF ORDINANCE REGARDING DELINQUENT
ELECTRIC UTILITY BILLS AND METER TAMPERING**

WHEREAS, The City Commission of the City of Traverse City on May 18, 1987, enacted Traverse City Code of Ordinance Section 1046.01 providing that delinquent Light and Power Department bills become a lien on the premises served, and if over \$1,000 and delinquent for six months, may become a charge that is collected and enforced in the same manner as the collection of taxes; and

WHEREAS, Traverse City Light and Power Department is a municipal utility created for the benefit of local control and governance; and

WHEREAS, such ordinances are authorized by Section 21 of the Revenue Bond Act of 1933, MCL 141.121; and

WHEREAS, it is the Traverse City Light and Power Department responsibility to utilize all collection efforts including third party collection efforts in collecting delinquent receivables in the effort to keep rates low; and

WHEREAS, the \$1,000 limit was requested by the Light and Power Board in the enactment of the ordinance; and

WHEREAS, the Light and Power Board now wishes to reduce the \$1,000 limit to \$200 and allow all charges by Traverse City Light and Power Department that exceed that amount and is delinquent for six months to be collected and enforced in the same manner as property taxes; and

WHEREAS, the Light and Power Board would like to add additional language to City Code of Ordinance Section 1046 in regards to meter tampering to allow the City Code Enforcement Officer to provide enforcement; and

WHEREAS, this would alleviate the Police Department from having to enforce these offenses under Public Act 328 of 1931, The Michigan Penal Code, and allow their efforts to be focused elsewhere;

NOW, THEREFORE, BE IT RESOLVED that the Traverse City Light and Power Board requests the City Commission to amend Section 1046.01 (b) of the Traverse City Code of Ordinances to reduce the \$1,000 limit to \$200 limit and to add Section 1046.01 (d) to include the ability to utilize third party collection efforts, and to add Section 1046.03 to include additional language for meter tampering to allow for enforcement by the City Code Enforcement Officer.

I hereby certify that the above Resolution was adopted on September 10, 2013, at the regular TCL&P board meeting held in the Commission Chamber, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

A handwritten signature in black ink, appearing to read "Tim Arends". The signature is written in a cursive style with a horizontal line underneath it.

Timothy J. Arends, Secretary
Traverse City Light & Power Board

CHAPTER 1046

Electricity

- 1046.01 Delinquent bills.
~~1046.99 Penalty.~~
- 1046.032 Telecommunication services.
1046.03 Meter Tampering
1046.99 Penalty.

CROSS REFERENCES

- Electricity generally - see Mich. Const. Art. 7, Secs. 24, 25
Electrical Code in home rule cities - see M.C.L.A. Secs. 117.3, 117.4b et seq., 117.4f
Aerial wires - see S.U. & P.S. 1020.06; F.P. 1610.13
Electrical Inspector - see B. & H. 1444.03
Electrical equipment in floodways - see B. & H. 1458.08
Electric signs - see B. & H. 1476.19(d)
Electricity for mobile homes - see B. & H. 1480.01
Electricity in rental dwellings - see B. & H. 1482.13

1046.01 DELINQUENT BILLS.

- (a) Lien. Charges for services provided by the Light and Power Department pursuant to Section 21 of Act 94 of the Public Acts of 1933, as amended (M.C.L.A. 141.121) are a lien on all premises served thereby, unless written notice is given by the owner that a tenant is responsible pursuant to this chapter.
- (b) Placement on Tax Roll. Whenever any such charge against any piece of property exceeds one thousand dollars (~~\$1,000~~200) and is delinquent for six months, the City Treasurer or other official in charge of the collection thereof may certify, on or before ~~February~~May 1 of each year to the City Assessor, and on or before September 1 of each year to the proper tax assessing officer outside of the City, the fact of such delinquency. Upon such certification, such delinquent charge shall be entered upon the next tax roll as a charge against such premises, and a lien thereof shall be enforced in the same manner as general taxes against such premises are collected.
- (c) Tenancy. Where written notice is given by the owner that a tenant is responsible for such charges as provided by Section 21 of Act 94 of the Public Acts of 1933, as amended, no further service shall be rendered to such premises until a cash deposit of an amount, not exceeding two months service, has been made as security for payment of such charges. (Ord. 225. Passed 5-18-87.)
- (d) Collection. The Utility may utilize third party collection efforts in collecting any outstanding receivable before it is certified to the City Assessor.

(e)

1046.022 TELECOMMUNICATION SERVICES.

The Light and Power Department of the City is hereby authorized to engage in telecommunications services. All powers and duties possessed by the Light and Power Department and the Light and Power Board pursuant to Chapter XVIII of the City Charter are hereby made applicable to

ELECTRICITY

telecommunication services. As used in this section, "telecommunication services" means approved cable television systems, approved cable communication systems or telephone systems, including plants, works, instrumentalities and properties used or useful in connection with such systems and further means wired and wireless broadband services, and services whether wired or wireless for the transmission of 2-way interactive communication and associated usage.

(Ord. 261. Passed 10-3-88. Ord. 865. Passed 04-19-10.)

1046.03 METER TAMPERING

- (a) TCL&P Meters. All electric meters receiving service from the Traverse City Light and Power Department are the property of that electric utility.
- (b) Tampering. Unless authorized by the electric utility owning the meter, a person shall not work on, interfere with, damage or remove an electric meter or allow or assist another person to do so.
- (c) Bypassing Meter. A person shall not place in use any device which allows electricity to be used and not measured by an electric utility's meter.
- (d) Responsibility. An adult person occupying or having control over the property at which the meter is located or receiving a benefit from the electricity consumed is presumed responsible for any discovered tampering or bypassing of that meter.
- (e) Sanctions. A person who violates this section is responsible for a municipal civil infraction, the sanctions for such violation, and the retail price of electricity that has not been metered. The electric utility's estimate of the unmetered electricity consumed shall be presumed correct unless proven otherwise.

1046.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: ZONING ORDINANCE AMENDMENT – ALLOWING C-2
(NEIGHBORHOOD CENTER DISTRICT) USES IN I
(INDUSTRIAL DISTRICT)

Attached is a previously submitted memo from City Planning Director Russ Soyering, outlining the proposed amendment to the Traverse City Code of Ordinances, which would allow C-2 (Neighborhood Center District) uses in the I (Industrial District) for new buildings and additions to existing buildings. As noted by the City Planning Director, for those uses that are open to the public, their hours of operation would be limited to 6 a.m. to 10 p.m. Additionally, buildings in the Airport Industrial Park and Traversefield Enterprise Place would be excluded.

I recommend the following motion:

that an amendment to the Traverse City Code of Ordinances *Chapter 1354, Section 1354.01, Allowing C-2 (Neighborhood Center District) Uses in I (Industrial District)* for new buildings and additions to existing buildings, with certain restrictions and exceptions, as recommended by the City Planning Commission, which was introduced on September 16, 2013, be enacted with an effective date of October 17, 2013.

JJO/bcm

e-copy – Russ Soyering, Planning Director
rsoyering@traversecitymi.gov

k:\tcclerk\city commission\ordinance amendments\ordamend_zoning_industrial_enact

Memorandum

The City of Traverse City
Planning Department



TO: Jered Ottenwess, City Manager

FROM: Russell A. Soyring, Planning Director *Russ Soyring*

DATE: September 9, 2013

SUBJECT: ZONING AMENDMENT TO ALLOW C-2 USES IN THE INDUSTRIAL DISTRICT WITH CONDITIONS

On August 6 the Planning Commission held a public hearing to consider an amendment to the Industrial District to allow C-2 allowable uses with restrictions. There were no public comments made during the hearing. After discussion, staff was directed to modify the amendment so there are consistent requirements for all of the allowable C-2 uses in the Industrial District.

A revised draft amendment was considered by the Planning Commission on September 4, 2013. Currently, C-2 uses are allowed in the Industrial district for *existing* buildings. The proposed change would allow C-2 uses for *new* buildings and *additions to existing* buildings in the Industrial District. The restrictions are the same restrictions in terms of building height, setbacks, and special requirements that are imposed on uses in the C-2 (Neighborhood Center) District except for the hours of operation. The proposed amendment would limit C-2 type uses that are open to the public in the I District to the hours of 6 AM to 10 PM. Staff checked with the City Attorney and existing C-2 uses operating in the Industrial District with hours outside of 6 AM to 10 PM would be grandfathered and would be able to continue their hours of operation.

This amendment would not apply for C-2 uses in the Airport Industrial Park and Traversefield Enterprise Place.

On September 4, 2013 the Planning Commission, on a 8 to 0 vote, recommended that the Zoning Ordinance be amended to allow for C-2 (Neighborhood Center District) uses in the I (Industrial District) with restrictions.

Please pass on the Planning Commission's recommendation regarding this proposed Zoning Ordinance text amendment.

Attachment: Zoning Code Amendment

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: ALLOWING C-2 (NEIGHBORHOOD CENTER DISTRICT) USES IN I
(INDUSTRIAL DISTRICT)

THE CITY OF TRAVERSE CITY ORDAINS:

That Chapter 1354 I (Industrial District), Section 1354.01, *Uses Allowed*, be enacted to read in its entirety as follows:

1354.01 USES ALLOWED.

The following uses of land and buildings together with accessory uses are allowed in the Industrial district:

- GP District uses;
- C-2 District uses meeting the setbacks (§1342.02), building height (§1342.06) and special requirements (§1342.09) of the C-2 District and shall not open to the public between the hours of 10:00 p.m. and 6:00 a.m.
- C-2 District uses ~~for~~ in the Airport Industrial Park and Traversefield Enterprise Place is limited to existing buildings more than five years old, based upon the date of the initial certificate of occupancy issued. Minor additions are allowed provided the addition is for barrier free access, fire safety or to improve the energy efficiency of the building;
- Auto Repair;
- Communications establishments;
- Construction, special trades;
- Contractors;
- Contractors, heavy construction;
- Cutting plastics, leather, etc;
- Equipment rental and leasing, miscellaneous;
- Fuel dealers;
- Gas systems;
- Kennels for boarding provided that no building, open kennel or exercise runway shall be located closer than 200 feet from any R District;
- Lumber yards - retail;
- Manufacturing or processing of:
 - (1) Apparel and other finished products made from fabrics and similar materials;
 - (2) Bakery products;
 - (3) Beverages;
 - (4) Canned, frozen and preserved fruits, vegetable and food specialties;
 - (5) Dairy products;
 - (6) Electronic and other electrical equipment and components;
 - (7) Fabricated metal products, except machinery and transportation equipment and except ordnance and accessories;
 - (8) Food preparations and kindred products - miscellaneous;
 - (9) Furniture and fixtures;
 - (10) Grain mill products;
 - (11) Industrial and commercial machinery and computer equipment;
 - (12) Leather and leather products (finished), except leather tanning and finishing;
 - (13) Lumber and wood products, except furniture, wood preserving and reconstituted

- wood products;
- (14) Manufacturing industries - miscellaneous;
- (15) Measuring, analyzing and controlling instruments, photographic, medical and optical goods, matches and clocks;
- (16) Printing, publishing and allied industries;
- (17) Stone, clay, glass and concrete products, except asbestos products;
- (18) Sugar and confectionery products;
- Medical Marihuana Cultivation Facility meeting the following requirements:
 - (1) Medical Marihuana Cultivation shall comply at all times with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - (2) All medical marihuana plants cultivated by each Primary Caregiver or Qualifying Patient shall be contained within a fully enclosed locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the Primary Caregiver or the Qualifying Patient.
 - (3) Cultivation shall be conducted so as not to create dust, glare, noise, odors, or light spillage beyond the parcel and shall not be visible from an adjoining public way.
 - (4) A Medical Marihuana Cultivation Facility shall not be located within a 1,000 foot radius from any existing School.
 - (5) A Medical Marihuana Cultivation Facility shall register for a business license with the City Clerk and if the Applicant is not the Owner of the Parcel, such license application shall include the property owners' consent to the use of the parcel as a Medical Marihuana Cultivation Facility.
 - (6) No transfer of Medical Marihuana shall occur except marihuana plants pursuant to the Michigan Medical Marihuana Act.
- Metal slitting and shearing;
- Motor freight transportation and warehousing;
- Nurseries, retail;
- Offices, general, up to 5,000 square feet gross floor area on any site and/or building;
- Offices primarily serving industry in the district which clearly establish support services for permitted industries in the district;
- Parcel packing services;
- Pet boarding or pet grooming services, provided that no building, open kennel or exercise runway is closer than 200 feet from an R-District;
- Places of Worship;
- Postal and delivery services;
- Pressure container filling;
- Primary metal industries, including smelting, forging and similar operations, subject to the following conditions:
 - (1) The maximum lot size is 14 acres.
 - (2) No odors, smoke or noise from the use are likely to create a disturbance on neighboring public or private property.
- Retail outlets, if accessory to manufacturing use;
- Salvaging damaged merchandise not engaged in sales;
- Scrap steel cutting;
- Sign painting and lettering shops;
- Solvents recovery services;
- Tape slitting for trade;
- Testing and laboratory services;
- Veterinary services for animal specialties provided that no building, open kennel or

- exercise runway shall be no closer than 200 feet from any R district;
- Vocational schools;
 - Warehousing;
 - Weighing foods and other commodities;
 - Wholesale trade - durable goods;
 - Wholesale trade - non-durable goods except livestock and wholesale live animals.

The effective date of this Ordinance is the _____ day of _____, 2013.

I hereby certify the above ordinance amendment was introduced on _____, 2013, at a regular meeting of the City Commission and was enacted on _____, 2013, at a regular meeting of the City Commission by a vote of Yes: ___ No: ___ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on _____.

Benjamin C. Marentette, City Clerk

CHAPTER 1342

C-2 Neighborhood Center District

The Neighborhood Center district is for the purpose of accommodating small businesses primarily serving adjacent neighborhoods with day-to-day retail goods and services. These small centers are comprised of residentially-scaled buildings with limited parking areas and a strong pedestrian orientation. Existing buildings and quality vegetation should be retained. New buildings are to be designed to reflect a residential flavor and minimize impacts (e.g., noise, light, traffic) on neighborhood residences. Overall density of up to 29 dwellings per acre is allowed.

CROSS REFERENCES

- Zoning and planning in home rules cities - MCLA 117.4i
- Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581
- Regulation of buildings; authority to zone - MCLA 125.582
- Regulation of congested areas - MCLA 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a
- Signs s - B & H Chapter 1476

<ul style="list-style-type: none"> 1342.01 Uses allowed. 1342.02 Uses allowed by special land use permit. 1342.03 Lot, density and impervious surface provisions. 1342.04 Setbacks. 1342.05 Encroachments into the setbacks. 	<ul style="list-style-type: none"> 1342.06 Building height. 1342.07 Accessory buildings. 1342.08 Parking, loading and driveways. 1342.09 Special requirements.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1342.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in the Neighborhood Center district.

- C-1 District uses except drive-throughs;
- Boat liveries;
- Brew pubs;
- Convenience stores;
- Day care facilities;
- Drinking places without entertainment;
- Drinking places with entertainment if the use is not likely to create a noise disturbance under City ordinances and if the building is provided with a central air conditioning system. Florists;
- Fruit and vegetable markets, but not public or municipal markets;
- Grocery stores;
- Hardware stores;
- Laundromats;
- Marinas;

- Movie rental stores;
- News dealers and news stands;
- Parcel packing services;
- Pet grooming services without outdoor runs or kennels;
- Preschools;
- Radio, television and consumer electronics stores;
- Restaurants, family, fine and fast (except drive-through and drive-ins);
- Service stations and repair stations with no more than two bays; with or without fuel dispensing;
- Stores, retail, miscellaneous;
- Theatrical producers, entertainers, bands and orchestras;
- Parking areas, public, subject to the following standards:
 - (1) Access shall be limited to one driveway per public street or two driveways per site, whichever is less.
 - (2) All parking areas which abut a public street shall be set back a minimum distance of eight feet from the property line along said street and shall provide in this setback area appropriate screening with plant materials or a combination of plant materials, berming and decorative screenwalls to a minimum height of three feet.
 - (3) Pedestrian travel routes within the parking area shall be provided, clearly defined and approved by the Planning Director.
 - (4) Unless herein varied, the Landscaping and Site Development Chapter shall apply. (Ord. 747. Passed 5-21-07. Ord. 867. Passed 6-7-10.)

1342.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in the Neighborhood Center District if a special land use permit is issued according to the standards of this Code:

- Residential care & treatment facilities;
- Schools.
- Wind Energy Building-mount.

(Ord. 938. Passed 4-2-12)

1342.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	3,750 sq. ft. min.	NA	70% maximum

(Ord. 887. Passed 11-1-10.)

1342.04 SETBACKS.

(a) Front setbacks:

- (1) **Building:** The minimum setback is the lesser of 8 feet or the average setback of principal buildings on the same face block on the same side of the street. The maximum setback is 25 feet.
- (2) **Parking area:** Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: MML LIABILITY AND PROPERTY POOL BOARD

The city is a member of the Michigan Municipal League Liability and Property Pool, which is the city's liability and property insurance carrier. The board that governs this organization is elected by the member municipalities. There are three candidates running for three seats on the board, therefore this is not a "contested" race. Attached is biographical information regarding the three candidates who are all incumbents.

I recommend the following motion:

That the city cast its 2013 ballot for the Michigan Municipal League Liability and Property Pool as follows: Penny Hill as Chair; Michelle Van Wert as Vice-Chair; and Jean Stegeman s Board Member; and further that the City Clerk be authorized to certify the ballot.

JJO/bcm

K:\tcclerk\city commission\appointments\MML Board 2013



michigan municipal league

Liability & Property Pool

1675 Green Road
Ann Arbor, MI 48105

TEL 734.662.3246 800.653.2483
FAX 734.662.8083
WEB www.mml.org

to	Members of the MML Liability and Property Pool	from	Michael J. Forster, Pool Administrator
cc		date	September 9, 2013
		subject	2013 Pool Director Election

Dear Pool Member:

Enclosed is your ballot for this year's Board of Directors election. Three (3) incumbent Directors have agreed to seek re-election. You also may write in one or more candidates if you wish.

A brief biographical sketch of each candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than November 8. You may also submit your ballot online by going to www.mml.org. Click on *Insurance*, then *Liability and Property Pool*; the official ballot is located in the left navigation bar under *Online Forms*.

The MML Liability & Property Pool is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Pool, and for participating in the election of your governing board.

Sincerely,

Michael J. Forster
Pool Administrator

mforster@mml.org

CITY MANAGER'S OFFICE

SEP 13 2013

RECEIVED

THE CANDIDATES

Three-year terms beginning January 1, 2014

Chair: Penny Hill, Manager, Village of Kalkaska



Penny has been a municipal government official since 1984, serving at various times as Clerk, Treasurer, and Manager. She has been a manager at three different municipalities since 1999, and currently serves as Kalkaska's Village Manager. Penny is a member of the Michigan Municipal League Board of Directors, serves as Vice Chairperson for MML Region 6, and is an active member of the MML Legislative Governance Committee and Finance Committee. Penny is also a member of the Michigan Local Government Manager's Association. She is a member of the Board of Directors for the Grand Traverse Regional Foundation, the Kalkaska Planning Commission, and the Kalkaska Downtown Development Authority. Penny is chair of the Pool and is seeking re-election to her third term as director.

Vice-Chair: Michelle Van Wert, Councilmember, City of Williamston



Michelle has nine years municipal government experience, having first been elected to council in 2005. Michelle has served as mayor, is a member of the MML Economic Development and Land Use Committee, the Michigan Association of Mayors, the Michigan Association of Planning and a number of local civic organizations. Michelle is seeking re-election to her second term as director.

Jean Stegeman, Mayor, City of Menominee



Jean has more than six years of experience as a municipal official, currently serving as Mayor in the City of Menominee. She was a member of and served as chair of the Menominee planning commission for several years prior to becoming mayor. She is also active in several local civic organizations. Jean is seeking election to her first term as director.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: GRANT APPLICATION CONSULTANT – FOR STORMWATER
AND WASTEWATER ASSET MANAGEMENT, PLANNING AND
DESIGN SYSTEMS

Attached is a memo from City Engineer Timothy Lodge recommending a consultant agreement for professional grant writing services in connection with a Michigan Department of Environmental Quality grant program.

As explained by the City Engineer, if awarded, this grant would enhance the city's current asset management efforts by providing up to \$2 million in funding to prepare asset management, planning and design of the city's stormwater and wastewater systems. As we engage in the grant writing process and specifics of this grant program, we will determine the level of desired funding the city will seek.

I recommend the following motion (5 affirmative votes required):

That the Mayor and City Clerk execute a consultant agreement with OHM Advisors in the not-to-exceed amount of \$10,000 for professional grant writing services in connection with a grant application to the Michigan Department of Environmental Quality for stormwater and wastewater asset management, planning and design systems, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Sewer Fund.

JJO/bcm

K:\tcclerk\city commission\agreements\grant writing services saw 2013.doc

e-copy: Tim Lodge, City Engineer

Dave Green, Director of Public Services

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager
FROM: Timothy J. Lodge, City Engineer *TJ Lodge*
DATE: September 27, 2013
SUBJECT: MDEQ SAW Grant Application Consultant Recommendation

The City of Traverse City has approximately 79 miles of sanitary sewer collection system and 60 miles of storm water collection system in its underground pipe network along with numerous manholes, vaults, catch basins and storm water treatment systems located throughout roughly 8 square miles of land along the northerly edge of Grand Traverse County. Both systems are in the early stages of a comprehensive Asset Management Plan that will eventually be linked with the water distribution and production asset management plan as well as our street network plan creating an overall City wide Asset Management Program.

The Michigan Department of Environmental Quality Stormwater, Asset Management, Wastewater (SAW) grant program provides applicants with up to \$2 million with a 10% local match for the first million and a 25% local match for the second million to prepare Asset Management, Planning and Design of Stormwater and Wastewater systems. The grant would enhance our current asset management efforts. To ensure the best possible application, we have issued a Request for Qualifications to assist the City with the SAW Program Grant application.

We received six responses to the Request for Qualifications (RFQ) to provide professional services for the preparation of the application. The firms submitting responses include:

- OHM Advisors, Livonia, MI
- HRC Consulting Engineers, Grand Rapids
- Gourdie-Fraser/Tetra Tech, Traverse City and Ann Arbor
- Fleis and Vandenbrink, Traverse City
- Prein and Newhof, Grand Rapids
- Abonmarche/Burton & Associates/McKim & Creed, Inc, Manistee, Jackson & Traverse City

Memorandum
SAW Grant Application
September 27, 2013
Page 2 of 2

A Review Committee consisting of the DPS Director, Assistant City Manager, Asset Management/GIS Analyst, Water/Sewer Maintenance Supervisor and the City Engineer reviewed the material submitted and selected OHM Advisors using the following criteria:

- Technical Expertise and Experience creating Asset Management Plans and knowledge of the SAW Grant process
- Past Similar Work including Sample Reports/Studies
- Key Staff and Availability
- Timeline
- General Work Plan
- Project-Specific Elements

Therefore it is recommended that the proper City Officials be authorized to prepare a Consultant Agreement with OHM Advisors, Livonia for the not to exceed fee of \$10,000.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: CITY AUCTION

Attached is a memo from Director of Public Services Dave Green requesting that various items be declared surplus and authorized for sale at the city auction to be held Saturday, October 12.

I recommend the following motion:

That various items outlined in the September 30, 2013, communication from the Director of Public Services be declared surplus and authorized for sale at the city auction to be held Saturday, October 12, 2013.

JJO/bcm

K:\tcclerk\city commission\surplus items\auction 2013

e-copy: Dave Green, Director of Public Services

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: September 30, 2013
SUBJECT: 2013 City Auction

The City Garage will be having an auction at 10am on Saturday, October 12, 2013.

Below is a list of items, identified by various departments, required to be declared surplus. You may notice a few "newer" vehicles (2006, 2007, 2008's) in the auction and might wonder why they are listed. These are Police cruisers that have a lot of hours on them (24 hour per day patrol) and mostly city miles versus highway miles and are quite simply worn out and in need of replacement.

Please request the City Commission to declare the following items surplus and offered for sale.

Fire Department

Items	Description
1)	Fiberglass dock box
2)	3 electric EXIT signs
3)	Emergency call box
4)	Stencil machine
5)	3 Com computer switch
6)	3 boxes of metal stencils
7)	Door chime
8)	Ice maker kit
9)	Extend a mirror kit
10)	35 MM Polaroid camera
11)	Random metal hinges and hardware
12)	Large metal box
13)	Broken Weed Wacker
14)	CRT monitor
15)	4 hand carry cots
16)	Partition walls and parts and accessories
17)	4 computer keyboards
18)	2 large boxes of plastic file holders
19)	Random misc. computer and cable wires
20)	2 green duffle bags of military winter clothes
21)	1 plastic bag of green military clothes
22)	1 pair Mickey Mouse boots
23)	Center console insert
24)	3 Bio Pak 60's in hard case

Memorandum

The City of Traverse City
Department of Public Services



Garage

<u>Vehicle Number</u>	<u>Year</u>	<u>Description</u>	<u>Last 6 of V.I.N. or Serial</u>
2	2006	Crown Victoria	14269
5	2004	Crown Victoria	136601
15	2003	Crown Victoria	199253
18	2007	Crown Victoria	137269
20	2008	Crown Victoria	157032
22	2004	Crown Victoria	136603
24	2006	Crown Victoria	142472
26	2006	Crown Victoria	142470
27	1996	Ford Ranger	B12810
31	2007	Dodge Magnum	737194
38	2005	Crown Victoria	139493
41	2007	Crown Victoria	137270
43	2004	Dodge Durango	A85066
50	1990	Champion Model 710 Road Grader	033590
52	1989	Ford F150 2WD	A69526
53	1995	Ford F350 W/ Dump Box and Plow	A69031
58	2001	Dodge Durango	584876
74	1989	Ford F350 W/Dump and Lift Gate	A20239
76	1998	GMC Sierra w/ Utility Box	529039
77	1995	Ford F450 W/Dump Box	A24426
83	1980	GMC Sierra w/Utility Box	614453
94	1980	Kenworth L700 W/Leach 2R Garbage Packer	00389K
97	1987	Schmidt U1200 Unimog Truck	134225
103	1994	Ford L9000 Dump Truck W/Underbody Blade and Sander	A03243
104	1992	Ford L9000 Dump Truck W/Underbody Blade and Sander	A07944
108	1984	International 1654 Stake Truck	A21084
109	1984	Chevy C70 w/ Jet Rodder	109493
112	2001	Dodge Dakota 4x4 W/Cap	231646
119	1991	GMC 4x4 W/Cap	530564
134	1992	Case 621 Loader	27759

Memorandum

The City of Traverse City
Department of Public Services



136	2003	Ford F250 4x4 W/Plow	B14575
151	2003	Ford F550 W/37' Altec Bucket	C31522
153C	2005	Toro Z587L Zero Turn Mower	000375
160	2001	Jeep Cherokee	587325
161C	2003	Toro Z587L Zero Turn Mower	000295
164	2002	Ford Taurus	190006
173	2003	Chevy Suburban	178884
174	2003	Dodge Ram 4x4 1500	211867
175	2003	Dodge Ram 1500 Pick Up	212884
200	1989	Blanchet Model 8500 Snow Blower Fitzsimmon Model # BSBDXG14678A Hydraulic Power	102-G
216	1992	Mole With Ditch Box	1192
224	1983	Stone 8HP cement Mixer	711033
234	1981	Econoline Target Cement Saw	E8119V
246	1993	Garage Built C23 Tar Tank	
280	1986	Schmidt Model MF5.4 Plow	26588
281	1986	Gledhill Large Front End Plow	56165
283	1986	Gledhill Large Front End Plow	56160
289	1998	Garage Built Snow Pusher Bucket- Fits Case 621 Quick Coupler	
298	1997	MB Model WB-36 Walk Behind Power Broom	10-1057
301	1997	Applied 414RS Green Machine Ride-On Side Walk Sweeper	704025

**Miscellaneous
Items without
a Number**

Description

1)	1986	Schmidt Model S5.1 Snow Blower	1.0413
2)		Large Front End Plow	
3)		Stop light head assemblies .	
4)	1986	A 110 volt gas generator Fire Truck	
5)		A trash pump.	
6)		Approximately 18 split (truck) rims	
7)		Several short pieces of wire rope.	

Memorandum

The City of Traverse City
Department of Public Services



-
- 8) Several odd sized loader, backhoe, truck tires.
 - 9) Minuteman Floor Scrubber
MC32036 S#(RMC320361013)
 - 10) Billy Goat Walk Behind Model#
VQ802SPH Vacuum
 - 11) 50 Ton Dake Hydraulic Press
 - 12) Several Bucket Machines (sewer
Cleaning)
 - 13) Small Quantity of new obsolete
misc. parts
 - 14) York Walk Behind Power Broom
 - 15) Walk Behind Floor Scrubber
Misc. used air and power hand
tools
 - 16) Lincoln 225 Arc Welder
 - 17) 10' Fiberglass Step Ladder
 - 18) 6' Fiberglass Step Ladder
 - 19) (5) used Pick up Tool Boxes
 - 20) Small Quantity used Computer
Printers
 - 21) Pontoon Boat/Motor/Gas Tank

Managers Department General Office Furniture

Items	Description
1)	Small Desk
2)	2-Chairs
3)	Large Desk

Parks, Recreation and Cemetery

Items	Description
1)	Two Used Wooden Playstructures from F & M Park
2)	Misc. Skis and Poles from Hickory Hills
3)	Misc. Lost & Found Clothes from Hickory Hills
4)	Misc. Helmets & Goggles from Hickory Hills
5)	2 Spools of used tow rope from Hickory Hills
6)	2 - 19" Televisions in working condition

Memorandum

The City of Traverse City
Department of Public Services



-
- 7) VCR in working condition
 - 8) Boom box radio / cassette player
 - 9) Overhead Projector
 - 10) 2 - Tennis ball baskets
 - 11) 3 Table top score boards
 - 12) 6 Softball / Baseball Batting Helmets
 - 13) Catcher's mask
 - 14) 2 Megaphones, not working
 - 15) 1 Lateral file cabinet
 - 16) 2 - Old wooden river walk benches

**Con Foster
and Zoo
Buildings
Items**

Description

- 1) Ceiling mount electric heater unit
- 2) 19 - Chairs - 17 stack fabric cushioned seats, 2 arm chairs
- 3) 4 Two drawer file cabinets
- 4) 2 Five drawer file cabinet
- 5) 3 Four drawer file cabinets
- 6) 4 - Book Cases 2 are 30"x72", 2 are 12"x72"
- 7) 8 Bicycles
- 8) Simplicity 16 HP Riding Lawn Tractor with 38" mower deck and snow blower (repairable)
- 9) Small and large wooden prep tables from old concession building
- 10) 2 Used curved wooden and metal benches from south side of zoo tunnel
- 11) 3 Wooden and metal handrails from zoo tunnel stairs
- 12) 6 plastic stack patio chairs
- 13) Large Drafting Table
- 14) 2 Large 5x3 foot tables
- 15) Square table 32" that opens to 32 x 64 inch table
- 16) Wall mount 2 level shelf unit - 5 feet long
- 17) 2 sided chalkboard on stand
- 18) Computer desk / work table
- 19) 2 Standard sized office desks - one wood, one metal & Formica

Memorandum

The City of Traverse City
Department of Public Services



-
- 20) 1 Small wooden desk

Abandoned Boats and Related Equipment

Description

- 1) Water Wheeler MKV Paddleboat - 4 person Blue and White
- 2) 14 Foot Fiberglass Row Boat
- 3) Small Shore Station for Jet Ski?
- 4) Portuak III 7 1/2 foot fiberglass dingy
- 5) Boat Hoist
- 6) 4x6 foot open trailer

Small Power Equipment and Misc. Shop Equipment

Description

- 1) 3 Husqvarna weed whips for parts - not working
- 2) 2 Husqvarna push mowers with bent crank shafts
- 3) 1 Husqvarna self-propelled push mower run but needs repair
- 4) Workshop storage floor cabinet
- 5) Wooden base cabinet unit with Formica top

Police Department

Items

Description

CD's

- 1) Multiple CD's with Cases

Cameras

- 1) Pentax digital camera
- 2) Cannon film came
- 3) Samsung digital camera

Christmas Decorations

- 1) Decorative Sleigh (14" H)
- 2) Red Bucket

Circular Saw

- 1) Cordless - 18 Volts

Clothing and Shoes

- 1) North face Women's Jacket – Black XL
- 2) Nike Shoes – 3 pair
- 3) Hoodie Jacket

Memorandum

The City of Traverse City
Department of Public Services



Coins

- 1) Set of 1979 US Proof Coins

Computers and Calculators

- 1) Dell Laptop computer
- 2) Apple Laptop computer
- 3) Calculators – 2 each
- 4) Power Converter for a car

Helmet

- 1) Motorcycle/Snowmobile – Full Face

Hunting and Fishing Gear

- 1) Fishing rods & reels – 3 each
- 2) Tackle boxes - 3 each
- 3) Compound Bows – 3 each - PSE; Hoyt; & Browning
- 4) Camouflage Coveralls – 1 pair
- 5) Compass
- 6) Turkey Call - Quaker Boy, Inc.
- 7) Folding camp chair
- 8) Binoculars - Simmons

Jewelry

- 1) Ladies Watch
- 2) Gold colored women's bracelet
- 3) Necklace

MP3 Players

- 1) iPod
- 2) Sony Media Player

Miscellaneous

- 1) Clock - Gold
- 2) Swiss Gear Backpack - Blue
- 3) Hubcaps – Set of 4
- 4) Duffle Bags – 2 each
- 5) Flashlights – 2 each
- 6) 2-Skateboards

Playstation II

- 1) Play Station II with 8 games

Snow Equipment

- 1) Snowboard boots & many sets bindings
- 2) Downhill skis with bindings

Stereo and Stereo Equipment

- 1) Pair Stereo Speakers
- 2) Sirius Radio
- 3) Vox Amplifier
- 4) Stereo
- 5) RCA Stereo with 4 speakers
- 6) 12" Fusion Speaker
- 7) Sony Amplifier

Traverse City Light and Power

Bayside Plant Items

- | Items | Description |
|-------|-----------------------|
| 1) | Torch cart |
| 2) | Fire proof waste cans |

Memorandum

The City of Traverse City
Department of Public Services



-
- 3) Dake press
 - 4) Portable air compressor
 - 5) Combination disc/sander belt
 - 6) Two barrel carts
 - 7) Portable gas welder/trailer combo
 - 8) Pipe bender
 - 9) 1960s Johnson Sea Horse 5.5 hp boat motor
 - 10) Green and silver hoist
 - 11) Four barrel oil spill crate
 - 12) Portable electric welder
 - 13) Pipe threading tools
 - 14) Zyglo black light kit
 - 15) SKF bearing fitting kit
 - 16) Roto lap machine
 - 17) Tube expander
 - 18) Bearing heater
 - 19) Chain ladder
 - 20) Spanner wrenches
 - 21) Dowell pin reamers
 - 22) Miscellaneous gaskets
 - 23) Life belt harnesses
 - 24) Beam trolley
 - 25) New - 1/2 horsepower motors - 3 phase (Qty 2)
 - 26) Drop seed spreader
 - 27) Miscellaneous air filters
 - 28) Miscellaneous slugging wrenches
 - 29) 90's John Deere Mower LT 133 (13 hp)

South Airport service center

- 1) 1990's Gravely rider mower/blower 16hp
- 2) Floor sweeper
- 3) 1980s Ditch witch trencher w/ trailer

Fiber house

- 1) Three stools
- 2) House air-conditioning unit
- 3) Metal rolling work bench
- 4) Washer and dryer
- 5) Wall mounted metal cabinet
- 6) Metal floor cabinet

Office Equipment/Furniture

- 1) Muratec fax machine F300
- 2) Two wood desks
- 3) Wood TV cabinet

Miscellaneous

- 1) Shelving materials
- 2) Three lockers
- 3) Wire tensioner and associated hardware
- 4) Two Polaroid cameras
- 5) Ricoh camera AF-70
- 6) Sony digital still camera MVC - FD83
- 7) Toshiba TV

Memorandum

The City of Traverse City
Department of Public Services



-
- 8) RCA VHS player
 - 9) Framed deer picture
 - 10) Box of miscellaneous ink cartridges
 - 11) Iomega 250 zip drive
 - 12) CEBT 600XR toner cartridge
 - 13) Muratec TS 2030US toner cartridge (Qty 2)
 - 14) Plastic toboggan

Computer Towers

- 1) Pony tower
- 2) Compaq EVO S/N: MXD3220784
- 3) Compaq EVO S/N: MXD322073F
- 4) Dell Optiplex GX 260 00045-428-751-146
- 5) Dell Optiplex GX 270 00045-465-690-428
- 6) HP Compaq #DJ661A#ABA
- 7) Dell Optiplex GX 150 00019-049-199-217
- 8) Dell Optiplex GX 270 00045-475-772-100
- 9) HP Compaq 00045-434-319-134

Printers

- 1) HP PSC 1610 All In One
- 2) Canon PIXMA ip6220D Photo Printer
- 3) HP Officejet Pro L7680 All In One
- 4) HP Deskjet 3915
- 5) Kodak ESP 9250
- 6) HP Officejet 7000 Wide Format (Qty 3)
- 7) HP Color Laserjet 3600dn
- 8) HP Photosmart 8750
- 9) HP Laserjet 2200dn
- 10) HP Officejet 7210 All In One
- 11) Lexmark X7675
- 12) Panasonic KX-P3626
- 13) Muratec F300 All In One

Keyboards

- 1) Dell Cordless Itouch
- 2) Dell model SK-8110 (Qty 2)
- 3) Compaq model SK-1688
- 4) Dell model Y-UK-DEL1
- 5) Dell model Y-RAQ-DEL2
- 6) Dell Quiet Key model RT7D5JTW

Equipment

- 1) Walk behind trencher with trailer
- 2) John Deere riding mower

Wastewater Treatment Plant (OMI)

- | Items | Description |
|--------------|--------------------|
| 1) | 3-Office Desks |

Memorandum

The City of Traverse City
Department of Public Services



Water Plant **Items**

Description

- 1) Honda Riding Lawn Mower & Snow Blower Attachment
- 2) 2 Each - Digital Chemical Scales (1 in working condition; 1 not working)
- 3) Atomic Adsorption Machine & Accessories



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: CHANGE ORDER TO BAY STREET RECONSTRUCTION
PROJECT CONTRACT – FOR PARKING LOT IMPROVEMENTS

Attached is a memo from City Engineer Timothy Lodge recommending a change order to the Bay Street Reconstruction Project contract to incorporate parking lot improvements to Lots G and R.

I recommend the following motion (5 affirmative votes required):

That the Mayor and City Clerk execute a unit prices change order to the 2013 Bay Street Reconstruction Project Contract with Elmers Crane and Dozer for parking lot improvements to Parking Lot G and Parking Lot R in the amount of \$47,951, more or less, with funds available in the Traverse City Parking Fund, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney.

JJO/bcm

K:\ccclerk\city commission\agreements\2013 bay street reconstruction change order 2.doc

e-copy: Timothy Lodge, City Engineer

Memorandum

The City of Traverse City
Engineering Department

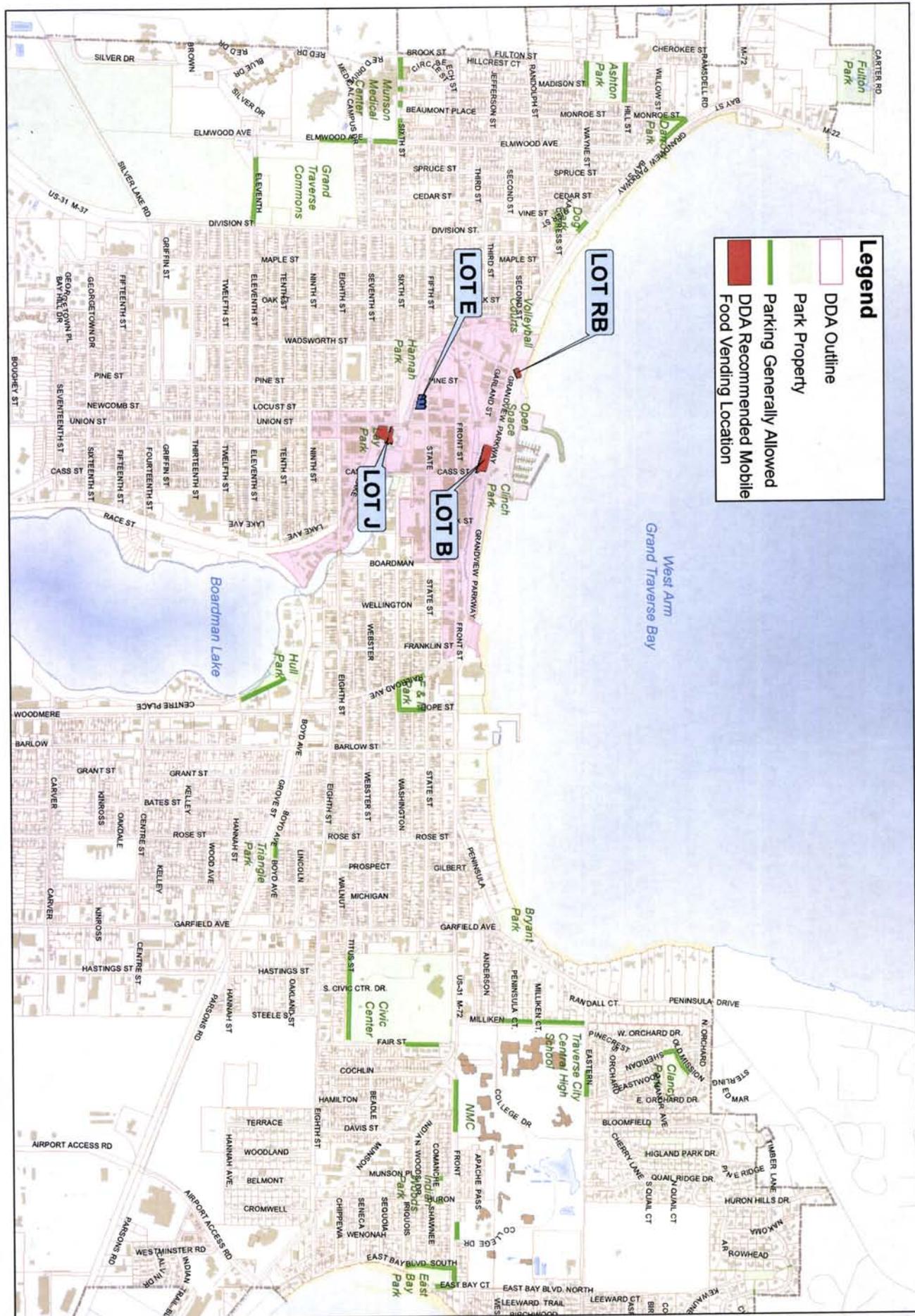


TO: Jered Ottenwess, City Manager
FROM: Timothy Lodge, City Engineer *[Signature]*
DATE: Friday, September 27, 2013
SUBJECT: 2013 Bay Street Reconstruction Project
Change Order for Parking Lot Improvements

We have obtained pricing from the low bid contractor, Elmers' to add the improvements to Parking Lots G and R located on the attached map to the project. The work for Parking Lot G will include repairing the existing pavement, concrete approach and concrete curb and gutter and then placing an asphalt overlay on the entire lot. The work for parking lot R will include removing the existing pavement, fine grading and adding gravel, and then placing two layers of asphalt on the entire lot. Both lots will be striped after the paving is completed.

Our current contract with Elmer's includes unit pay items and costs for similar work. The cost for the work is \$29,440.00 for Lot G and \$18,511.00 for Lot R, more or less, based on comparable pay items and unit prices.

Therefore, it is recommended, to add this work to the existing contract with Elmer's and that the proper City officials be authorized to execute a Change Order, in the amount of \$47,951.00, more or less, with funds therefore available in the Traverse City Parking Fund. The budgeted amount for this work is \$80,000. The work will be scheduled to coincide with the work for Bay Street and will be completed in the next 30 days.



Legend

- DDA Outline
- Park Property
- Parking Generally Allowed
- DDA Recommended Mobile Food Vending Location

NOT TO SCALE
4-24-13
JPT



This map is based on digital data provided by the City of Traverse City. The City of Traverse City is not responsible for any errors or omissions in this map. The City of Traverse City is not responsible for any damages or liabilities arising from the use of this map.

CITY PROPERTY WHERE MOBILE FOOD VENDING IS GENERALLY ALLOWED



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: 2013 WASTEWATER TREATMENT PLANT YARD PIPING
REPAIR PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a contract for the above project.

I recommend that the City Commission authorize this contract, subject to funding participation by the Grand Traverse County Board of Public Works; and the following motion would be appropriate to do so (5 affirmative votes required):

that the Mayor and City Clerk execute a unit price contract with ABI Mechanical Contractors in the amount of \$188,716, more or less, at the unit prices indicated in its bid, for the 2013 Wastewater Treatment Plant Yard Piping Repair Project, with funds available in the Wastewater Fund, subject to funding participation by the Grand Traverse County Board of Public Works, with such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.

JJO/bcm

K:\tcclerk\city commission\agreements\2013 wastewater treatment plant yard piping repair project.doc

e-copy: Timothy Lodge, City Engineer

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager

FROM: Timothy J. Lodge, City Engineer *Hodge*

DATE: September 30, 2013

SUBJECT: 2013 Wastewater Treatment Plant Yard Piping Repair Project

Sealed proposals were advertised for and were received on September 9, 2013 for the above referenced project. Plans and specifications were available to contractors thru The Builders Exchange of Northwest Michigan. Three contractors inquired and viewed the plans and specifications online with two bids being received for this work as follows:

Contractor		Bid Amount
ABI Mechanical Contractors	Traverse City	\$ 188,716.00
D & W Mechanical	Traverse City	\$ 200,640.00

The project includes replacing the natural gas, digester return gas and boiler feed and return lines between digester building 1 and building 2 at the Wastewater Treatment Plant. The piping has failed several times in the past 9 months and must be replaced. We worked with our plant operators OMI and their affiliate CH2M Hill to prepare the plans and specifications. The hope is to have the pipe replaced and the site backfilled prior to the onset of cold weather yet this year.

Therefore, it is recommended that this work be awarded to the low bidder, ABI Mechanical Contractors and that the proper City officials be authorized to execute a unit price contract with the above-mentioned low bidder, in the amount of \$188,716.00, more or less, with funds for this repair and maintenance project available in in the wastewater fund.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ^{SD}JERED OTTENWESS, CITY MANAGER

SUBJECT: ORDINANCE AMENDMENT – INTERNAL ILLUMINATION
FOR PROJECTING AND SUSPENDED SIGNS

Attached is a memo from City Planner Russell Soyring regarding an ordinance amendment for internal illumination for projecting and suspended signs with routing and logos. Also attached are two samples of signs from local downtown businesses that are currently using similar mediums, but are not in compliance with the sign ordinance. This text amendment would bring the two existing signs into compliance.

I recommend the following motion:

That an amendment to the Traverse City Code of Ordinances, *Internal Illumination of Projecting and Suspended Signs*, Section 1476.08(b)(2)(E) which would allow for the internal illumination of projecting and suspended signs made of metal with individual routed letters or logos, be introduced and scheduled for possible enactment on October 21, 2013.

JJO/kjl

k:\tcclerk\city commission\ordinance amendments\ordamend_suspended sign illumination_intro.doc

e copy: Russell Soyring, City Planning Director

Marsha Stratton, Idea Stream Owner marsha@idea-stream.com

Memorandum

The City of Traverse City
Planning Department



TO: JERED OTTENWESS, CITY MANAGER
FROM: RUSS SOYRING, PLANNING DIRECTOR *R. Soyring*
SUBJECT: PROJECTING AND SUSPENDED SIGNS TEXT AMENDMENT
DATE: SEPTEMBER 24, 2013

A request has been made by Marsha Stratton, Idea Stream, for a text amendment to the Sign Ordinance which would allow for the internal illumination of projecting and suspended signs. The current Sign Ordinance prohibits internal illumination of these types of signs.

The Zoning Administrator has been made aware of two types of these signs that are internally illuminated downtown, both are made of metal with routed letters and logos, and both of these are illegal. Bistro Fou Fou did not obtain a sign permit and M Bank stated on their sign permit application that the suspended sign was not going to be illuminated.

Ms. Stratton would like to do a similar sign at Cass and Front Streets for the new business called the Corner Loft. When staff drafted the Sign Ordinance in 2006 or intention was to prohibit plastic "glow boxes" for these types of signs. Staff feels the signs in the attachment are high quality signs that meet the intention of the Sign Ordinance and have prepared a draft text amendment to allow for their internal illumination. The D.D.A., at their September 20, 2013 meeting discussed the proposed amendment and no action was taken and no opposition was voiced.

Please forward Ms. Stratton's request and draft text amendment to the Sign Ordinance onto the City Commission for their consideration and possible introduction.

Attachments: Marsha Stratton letter dated September 6, 2013; Draft text amendment to Section 1476.08(b)(2)(E)



IdeaStream

Date: September 6, 2013

To: Dave Weston/City Commission

From: Marsha Stratton, Idea Stream



Jeff & Marie Schwartz, Property Owners

RE: Sign Ordinance Variance Request for 201 E. Front Street

We are requesting a variance to suggest a text amendment to the Sign Ordinance, Section 1476.08(b)(E) to allow for internal illumination for projecting and suspended signs with metal opaque backgrounds with individual routed letters and logos.

Attached you will find our proposed sign design for the Corner Loft that will comply with the height minimum and maximum requirements. The sign material will be metal with individual routed letters for the text.

Also attached please find samples of signs from local downtown businesses that currently are using similar mediums and internal lighting that also have individually routed letters.

We request this variance be approved in a timely manner, as the establishment will be open for business mid October.

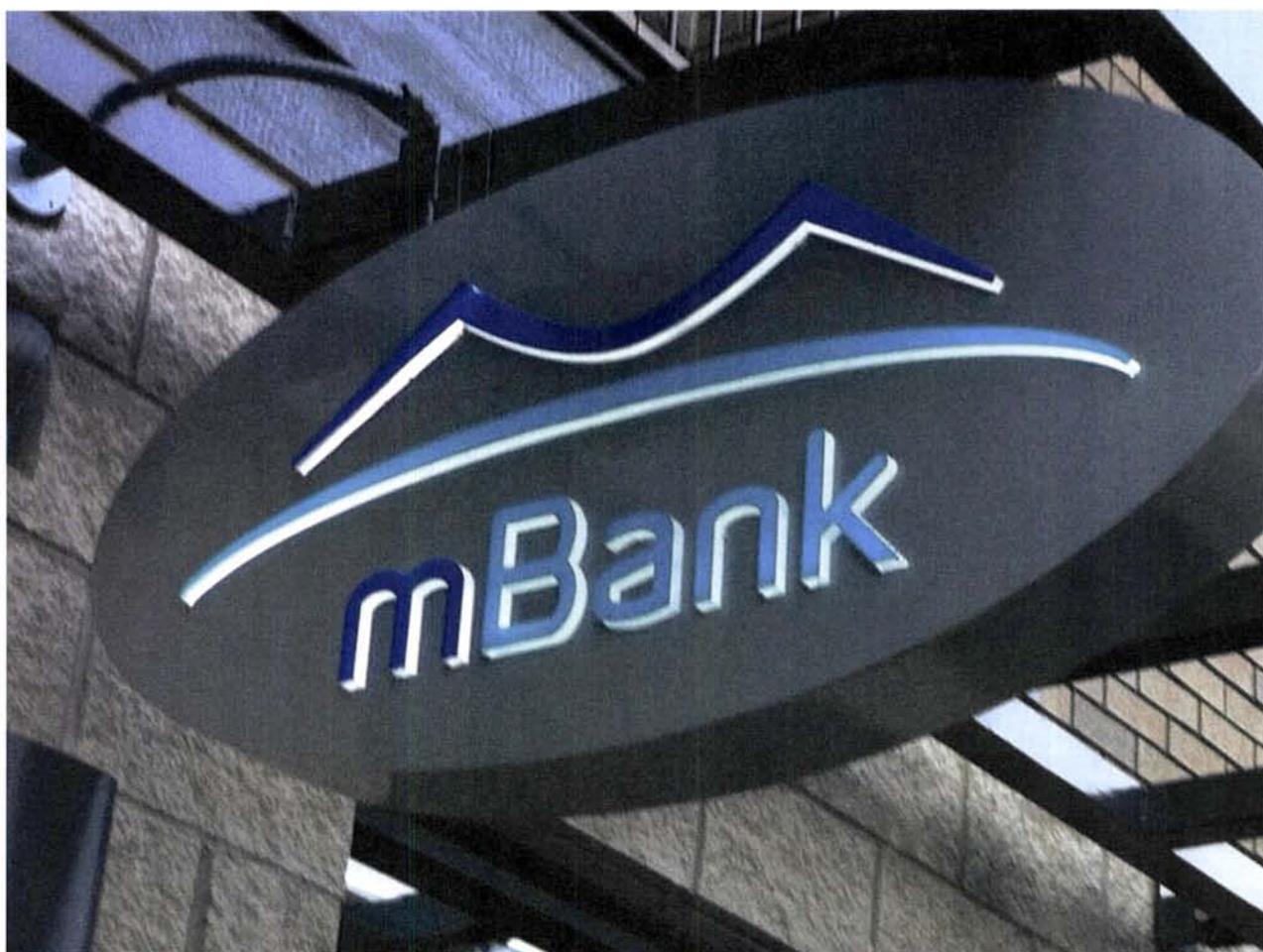
Thank you.



From: Marsha Stratton <marsha@idea-stream.com> 
Subject: D
Date: September 6, 2013 8:47:29 AM EDT
To: Marsha Stratton <marsha@idea-stream.com>



1 Attachment, 396 KB



Sent from my iPhone

From: Marsha Stratton <marsha@idea-stream.com> 
Subject: A
Date: September 6, 2013 8:46:15 AM EDT
To: Marsha Stratton <marsha@idea-stream.com>



1 Attachment, 384 KB



TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: Internal illumination of projecting and suspended signs

THE CITY OF TRAVERSE CITY ORDAINS:

That Sections 1476.08(b)(2)(E), Signs, of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

1476.08 SPECIFIC SIGN REGULATIONS.

- (a) **Applicability.** The regulations contained in this section apply specifically to signs authorized with a permit.
- (b) **Schedule of regulations.** Freestanding, wall, canopy, awning, projecting, suspended, window signs, and portable signs must comply with the place, area, height, number and location requirements in the Schedule of Regulations contained in this section. In addition to any other regulations contained in this Code, the following specific regulations apply:
- (1) **Freestanding and wall signs.**
- A. Freestanding signs area computations are computed as shown in Appendix A.
 - B. Freestanding signs shall be set back in conformity with clear vision triangle standards if located near intersections and driveways. See Appendix B.
 - C. Freestanding signs are not allowed in the downtown area, described on Appendix C.
 - D. A multiple family residential use in a predominately one or two family residential area shall be limited to one wall or projecting sign per parcel, shall not be illuminated, shall not exceed two square feet in area and shall not exceed a height of 8 feet above ground level.
 - E. A commercial, industrial, or institutional use utilizing a freestanding or wall sign located in a predominately one or two family residential area shall be limited to the following:
 - 1. No freestanding sign shall exceed 6 feet in height
 - 2. No sign shall exceed 24 square feet in area.
 - 3. No sign shall be internally illuminated.
 - F. In no case shall the area of a wall sign or signs exceed 15% of the area of the wall upon which the sign or signs are displayed.

- (2) **Projecting and suspended signs:**
- A. Shall not project over a building's roofline.
 - B. May project over public property only with the public property owner's permission.
 - C. May be excepted from the maximum sign area requirements by the Zoning Administrator for theater marquees in cases where necessary copy and standard changeable letter sizes clearly necessitate such an exception.
 - D. The owner of a sign projecting over City property shall provide comprehensive general liability insurance in an amount determined by the City Clerk. Proof of such insurance shall be submitted upon application for a sign permit, shall name the City as an additional insured, and shall provide no less than 30 day advance notification of cancellation to the City.
 - E. Shall not be internally illuminated **except for signs made of metal with individual routed letters or logos.**

(3) **Portable signs:** Portable signs during hours of operation only.

(c) **Sign bonuses.** Bonuses in height and area for freestanding and wall signs may be granted by the Zoning Administrator for the following:

- (1) **Freestanding signs.** The base area for freestanding signs may be increased up to a maximum total sign area of 40 square feet for the following:
- A. **Height.** A sign 8 feet or less in height: an additional 10 square feet in sign area is allowed.
 - B. **Background.** A sign having a dark or opaque sign face of at least 60%: an additional 10 square feet is allowed. (See Appendix D)
- (2) **Wall signs.** The base area or height for wall signs may be increased up to a maximum total sign area of 65 square feet for the following:
- A. **Background.** A sign having a dark or opaque sign face of at 60%: an additional 15 square feet is allowed.
 - B. **No freestanding sign.** If there is no freestanding sign on the premises, an additional 15 square feet is allowed.
 - C. **Single individual letters or logos** that appear integral to the architecture and made of metal or masonry may exceed the maximum height requirement provided the letters meet the area requirements as outlined in the Schedule of Regulations. The letters and logos shall not be internally lit.
- (3) **Canopy signs.** For a commercial, industrial, institutional or recreational use, an additional sign is allowed on a canopy if there is no freestanding sign on the

parcel or if the freestanding sign on the parcel is less than 24 square feet in area and no taller than 8 feet in height. The sign on the canopy shall be no larger than 12 square feet and on a canopy no taller than 18 feet. Two such signs per parcel are allowed on the canopy.

- (d) **Time-Temperature-Date Devices.** Clocks and thermometers may be incorporated into any sign provided such device does not exceed nine square feet.

DRAFT



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: WATER MAIN VALVE REPAIR AT FRONT
STREET/CASS STREET INTERSECTION

Attached are memos from Dave Green, DPS Director, and Justin Roy, Water/Wastewater Maintenance Superintendent, outlining the bids received for the Water Main Valve Repair at Front Street/Cass Street intersection.

The following motion would be appropriate (5 affirmative votes required):

that the City Manager be authorized to issue a purchase order to City Services, Inc., in the amount of \$7,600.00 for the Water Main Valve Repair at the intersection of Front & Cass Streets, with funds available in the Water Distribution budget.

JO/jd

cc: Dave Green, DPS Director

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director *DG*
DATE: September 27, 2013
SUBJECT: Water Main Valve Repair at Front Street/Cass Street Intersection

As you know, there is a new development going in at the southwest corner of the intersection of Cass Street and Front Street. As part of preparing for these types of developments, City Personnel perform water flow tests on our water system to gauge existing water pressures and volumes in the area of the new growth for the design team to use during the permitting stages of the project. While going through the procedure it was discovered that an existing valve is broke and is causing a major restriction of flow at the intersection and needs to be replaced. Typically we would shut down the mains in the area, cut in a new valve, restore the area and get out but this valve poses a different scenario. In order to shut off the water flow to **this valve**, our 16" diameter main running down Front Street feeding all the businesses in the 100 block of East Front Street will need to be shut down. In addition, another traffic disruption above and beyond the planned construction will be needed. For those reasons, it is believed that a better solution would be to work with the developer, and when the road is opened up to do the building utility tie in's, use a method known as valve insertion to install 2, 6" diameter valves, one on each side of the broken valve thereby eliminating the need to shut the 16" down and reducing the disruption caused by the second road excavation. We know off two companies that can do this type of work and received quotes from each as follows:

City Services, Inc.	Grand Rapids	\$7,600.00
Culy Construction	Winchester, Indiana	\$9,800.00

Please request City Commission approval for a service order in the amount of \$7,600.00 to City Services, Inc. for the water valve repair project, with funds available in the Water Distribution Budget.



CITY OF TRAVERSE CITY
WATER/WASTEWATER MAINTENANCE

TO: DAVE GREEN, DPS DIRECTOR
FROM: JUSTIN ROY, WATER/WASTEWATER MAINTENANCE SUPERINTENDENT JR
SUBJECT: BROKEN WATERMAIN VALVE @ CASS & FRONT
DATE: 9/24/2013
CC:

On September 13th, we performed a flow test on our fire hydrants at three locations on Cass St. The test consisted of flowing and gauging the hydrants located at Cass and Front # 162, alley south of Front # 471 and the alley north of Front # 163. Hydrant # 163 flows 1220 gpm, # 471 flows 960 gpm and # 162 flows 580 gpm. During the test that included flowing # 471 and gauging # 162 the residual pressure dropped to 4 psi indicating that little to no water was available at # 162 while # 471 was flowing.

What this process proved to us is that the main water valve located approximately 5' north of hydrant # 162 is broken in the off position or one of gates has dropped, creating a restriction in the valve. Replacing this valve is essential as it will remove a "dead end" in the system and restore/improve fire flows in the downtown area.

To remedy the situation we would like to use a method known as valve insertion. We have used a similar method in the past called line-stop to repair valves. The difference between the two is that this process will allow us to install a permanent valve that will remain in place as part of the system without cutting the water main in half to install the valve. The line-stopping is a means of installing temporary valves in the existing main while the permanent valve is replaced.

I don't recommend a standard shut down of this location due to the number of businesses that would be affected. The 100 block of E. Front and the 100 block of S. Cass would need to be shut-off in order to do a standard change out of this valve. Replacing this valve is essential as it will remove a "dead end" in the system and restore/improve fire flows in the downtown area.

We are working closely with the developers of the building planned for the SW corner of Cass and Front. They are going to be in need of a water tap for fire service which will be tapped at the same location as the valve that needs to be repaired. We are planning on doing the repairs to the valve while we are doing the water tap therefore eliminating the need for us to go in and excavate the site at a later date.

We received quotes two quotes from the vendors who perform this type of work.

City Services Inc.	6" valve insertion	\$3800 each (2 needed)
Culy Construction	6" valve insertion (2 types)	\$4900 each (2 needed) \$5900 each (2 needed)

Due to the nature of the repair and the impending construction in the area, I recommend issuing a service order for \$7600.00 to City Services, Inc for this valve repair, with funds available in the water distribution budget.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: MORATORIUM – PARK USAGE HIGH IMPACT PERMITS

At the September 23 Study Session, the Commission asked staff to make a recommendation regarding the following three key areas related to special events: 1) Noise; 2) Fees for park usage; and 3) Frequency of events in city parks.

The Commission directed that these recommendations be presented to the new Commission that will be seated in November, with circulation of the recommendations to be made public in advance of the meeting where they are to be first discussed.

Attached is a memo from City Clerk Benjamin Marentette recommending that the Commission adopt a moratorium on the issuance of High Impact Park Usage Permits; and that the moratorium be reconsidered at the December 16, 2013, Commission meeting, or sooner, depending on the status of the City Commission's review of the Park and Public Land Use Policy. The City Clerk identifies three requests for park usage received by his office. A question for the Commission is: Does the Commission want to allow staff to move forward with the three requests already received by the City Clerk's Office?

There are two motions for your consideration – the first that would not allow an exception to the moratorium for those applications that have been submitted and the other motion that would allow such exception.

-Please see following page for motions –

The following motion would adopt the moratorium with no exception for those applications already submitted for 2014:

That the City Commission adopts a moratorium on the issuance of High Impact Event Permits with consideration of lifting the moratorium to be placed on the City Commission's December 16, 2013, agenda, or sooner, depending on the status of the City Commission's review of the Park and Public Land Use Policy.

The following motion would adopt the moratorium and grant an exception for those applications already submitted for 2014:

That the City Commission adopts a moratorium on the issuance of High Impact Event Permits with consideration of lifting the moratorium to be placed on the City Commission's December 16, 2013, agenda, or sooner, depending on the status of the City Commission's review of the Park and Public Land Use Policy; and further that the City Commission grants an exception to this moratorium for High Impact Event applications submitted to the City Clerk on or before October 3, 2013.

e-copy: Dave Green, Director of Public Services
k:\tcclerk\city commission\park and public land usage\moratorium 2013

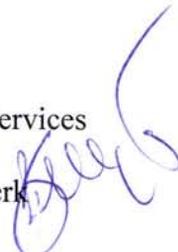
Memorandum

The City of Traverse City



TO: Jered Ottenwess, City Manager

COPY: Dave Green, Director of Public Services

FROM: Benjamin C. Marentette, City Clerk 

DATE: Wednesday, October 2, 2013

SUBJECT: HIGH IMPACT PARK USAGE PERMITS – MORATORIUM

At the September 23 Study Session, the Commission indicated it would like to consider adopting a moratorium on High Impact Park Usage Permits until the review of the Park and Public Land Use Policy is complete. The Commission indicated it would like staff to bring back recommended changes (in addition to changes to the noise ordinance dealing with special events) after the new Commission is seated. Based on that timing, it is quite likely that the review of the policy will not be complete until sometime around the end of the year.

So that we can address applications consistent with any new shape the policy may take, I recommend that the City Commission adopt a moratorium on this office's issuance of High Impact Park Use Permits, with that moratorium to be reconsidered at the December 16, 2013, City Commission meeting, or sooner, depending on the status of the policy review. With that, we need direction from the Commission on how it would like us to address those applications that have already been received by our office for 2014 – those are:

1. Use of Open Space June 6-8, 2014, by Lakeshore Event Group for their *Taste of Traverse* event. Actual event date would be June 7, 2014. (Received September 30, 2013)
2. Use of Open Space August 13-17, 2014, by Porterhouse Productions for their *Paella in the Park and Great Lakes Celebration* event. Actual event dates would be August 15 and 16, 2014. (Received September 11, 2013)
3. Use of Open Space and marina west wall September 18-22, 2014, by Traverse City Schooner Festival for the *Tall Ship Festival*. Actual event dates would be September 19-21, 2014. (Received September 16, 2013)

For your and the Commission's information, when I spoke with Carol Lewis of Lakeshore Event Group, regarding the possible changes to the policy and possible moratorium, she submitted a request for her event to be in June (rather than in September as it was this year). Ms. Lewis indicated she would not be able to hold her event if she had to wait until after the first of the year to see if she would be allowed to use the Open Space. I spoke with the organizer for the Tall Ship Festival; and they indicated that the moratorium would not have a negative effect on their event planning. I hope to have information from Porterhouse regarding their event for the

Commission's consideration.

If the Commission wishes to grant an exception to the moratorium by allowing our office to move forward with the Taste of Traverse request, I recommend that we also be authorized to move forward with the other two requests so that all that have submitted an application prior to the moratorium are treated equally.

I should point out that if the Commission ultimately adopts the changes recommended by staff at the September 23 Study Session, which would further limit events at the Open Space, that in addition to the Cherry & Film Festivals, events #1 and #2 in my memo would be the only events allowable in the Open Space for June through August 2014. There would be no other events that could be held during those months in the Open Space.

As always, please contact me if I may be of further assistance.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ^{SD}JERED OTTENWESS, CITY MANAGER

SUBJECT: MOBILE FOOD VENDING ORDINANCE

Based upon the work of a City Commission Ad Hoc Committee consisting of Commissioner Jim Carruthers (who chaired the committee), Mayor Pro Tem MaryAnn Moore and Commissioner Michael Gillman, the City Commission enacted a new ordinance regarding mobile food vending in May. The Commission's action at that time indicated the ordinance was to be "... reviewed by the City Commission at a meeting in October 2013, with staff to provide a report regarding any recommended modifications to the ordinance."

Attached is a report from City Clerk Benjamin Marentette regarding this matter. In short, the City Clerk does not recommend any changes to the regulatory framework, but rather recommends elimination of one fee category for a somewhat similar permit, which is the Transient Merchant Permit.

I recommend the following motion:

That the Report Regarding Mobile Food Vending from the City Clerk dated September 30, 2013, be accepted; and that the Resolution Establishing Fees for the City Clerk Department be amended to delete the fee structure for Transient Merchants selling food in commercial districts outside of the DDA District.

JO/bcm

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report.doc

e-copy: Robert Bacigalupi, Downtown Development Authority Interim
Executive Director



Memorandum

The City of Traverse City

TO: Jered Ottenwess, City Manager

COPY: Lauren Tribble-Laucht, City Attorney
Rob Bacigalupi, Downtown Development Authority Interim Executive Director
Katie Lowran, Deputy City Clerk

FROM: Benjamin C. Marentette, City Clerk *[Signature]*

DATE: Monday, September 30, 2013

SUBJECT: MOBILE FOOD VENDING – REPORT

The purpose of this memo is to provide a report on the Mobile Food Vending ordinance, along with a recommendation for any changes to the ordinance.

Background:

On May 6, 2013, the City Commission passed the attached mobile food vending ordinance. When the ordinance was passed, the Commission's action directed that a report be prepared by staff and the ordinance be reviewed in October 2013.

Prior to the Commission passing the ordinance, an ad hoc committee, consisting of Commissioner Carruthers (who served as chair), Mayor Pro Tem Moore and Commissioner Gillman held several meetings, with various stakeholders, to draft an ordinance. This office and the City Attorney's Office provided concentrated staff resources to the committee.

The committee asked the Downtown Development Authority Board for a recommendation regarding which city-controlled property within the DDA District should be considered for mobile food vending. The Commission followed their recommendation, and expanded upon it by also allowing vending in the on-street parking areas on State Street between Union and Pine Streets.

Summary of key components of ordinance:

- A Mobile Food Vendor is generally described as someone operating a unit (such as a motorized or non-motorized vehicle, trailer or other device designed to be portable) where food and/or beverages are sold. Ancillary sales of branded items consistent with the food, such as a tee shirt or hat that bears the name of the vending company are also allowed.

- Vending is allowed between 9 a.m. and 9 p.m. in residential areas; and 7 a.m. to 11 p.m. in commercial areas.
- Vending may occur on non-city property with the owner's permission.
- Vending may occur on city-controlled property only where authorized by resolution of the City Commission (summary of those locations are below).
- No vending on public property within one block of a city-authorized street fair, public festival, farmers market or event unless authorized by the event sponsor (consistent with our other vending ordinances)
- Each vending unit must contain a separate permit
- Aesthetic standards (no blinking or flashing lights; all exterior lights over 60 watts shall contain opaque, hood shields, to direct the illumination downward, no loud music, etc.)

City-controlled property where vending is allowed:

Attached is a map showing city controlled property where mobile food vending is allowed with a permit. The following outlines those locations.

<u>Property:</u>	<u>Property description:</u>	<u>Hours allowed:</u>	<u>Maximum that can locate at any one time:</u>
Parking Lot RB	At the West End Beach Volleyball Court	9a-9p	Two
Parking Lot B	The "Farmer's Market Lot" – along Grandview Parkway, west of Cass Street; no vending during Farmers' Market authorized hours	9a-9p	Two
Parking Lot J	Along Union Street; across from Sixth Street	9a-9p	Two
Parking Lot E	Behind the Post Office	9a-9p	Two
On-Street parking along State Street between Pine and Union Streets	Where parking is currently allowed	7a-11p	No limit
On-street parking areas that abut the following facilities: 1) Northwestern Michigan College; 2)	Where parking is currently allowed	9a-9p for residential areas; 7a-11p for commercial areas	No limit

Traverse City Central High School Campus; 3) Grand Traverse County Civic Center; 4) Munson Medical Center; 5) City parks located outside the DDA District			
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Fees:

The following outlines the fees for Mobile Food Vendors:

<u>Vending Type:</u>	<u>Fee:</u>
City-controlled property	\$1,225/year
Non-city property	\$ 725/year
Year-round city food service establishments on city-controlled property	\$ 500/year
Year-round city food service establishments <i>not</i> on city-controlled property	\$ 0/year
Public electricity hookup	\$ 15/day

Permits Issued:

This office has issued a total of twelve Mobile Food Vending Permits, as follows; and each permit is valid for one year from the date of issuance:

<u>Quantity issued:</u>	<u>Permit type:</u>	<u>Total permit fees collected:</u>
8 @ \$1,225 each	City and Non-City Property	\$9,800
2 @ \$ 725 each	Private Property Only	\$1,450
2 @ \$ 0 each	Private property only, issued to year-round city food service establishments	\$ 0
Total: 12		\$11,250

Evaluation of ordinance:

I have consulted with all city departments (including the Code Enforcement Officer), the Downtown Development Authority (DDA), and Grand Traverse County Health Department staff; they do not recommend any changes. Attached is a memo from DDA Interim Executive Director Rob Bacigalupi, summarizing feedback he obtained from the DDA Board. In short, they believe the framework is good, and they do not recommend any changes.

Additionally, Mr. Bacigalupi indicated he spoke with some restaurants that attended the committee meetings, and their comments varied from the vendors having a negative competitive impact to “glowing reviews” about how Little Fleet (former Jack’s Party Store at Front Street and Wellington), has added life to the East Front Street area. Restaurants that were further away from food trucks indicated they had no impact.

Based on the feedback we have received, as well as our office's experience during this "initial period," including staff time associated with these permits, I do not recommend any changes to the ordinance or fees.

I do, however, recommend that a fee category for our transient merchants be eliminated. Transient merchants are vendors who set up on a rather temporary basis, generally. Transient merchants are not necessarily selling food.

Last year, a separate fee category was established for transient merchants selling food in commercial areas outside of the DDA District. This fee category is no longer relevant because the fees are greater than the mobile food vendor fees and the permits are more restrictive, resulting in longer-term food vendors would simply obtaining a mobile food vendor permit. Additionally, having this fee category causes confusion among food vendors. Attached is a resolution showing which fees I recommend be eliminated.

I hope this information is helpful; as always, please feel free to contact me with any questions.



To: Benjamin Marentette, City Clerk

From: Rob Bacigalupi, Acting Executive Director

RMB

Re: Food Truck Feedback

Date: Wednesday, September 25, 2013

Over the summer I have received a bit of feedback on the impact of the new mobile food vendor regulations designed to encourage food trucks. Attached are two emails received from DDA Board members on the issue. The general theme of comments I have heard is that the current regulations have worked well, with some folks going a step further and saying the private property model, specifically Little Fleet, is preferable as opposed to allowing them on public property.

I also had the chance to speak with some of the downtown restauranteurs who attended the ad hoc committee meetings. Their comments varied from food trucks having a negative competitive impact to glowing reviews of how Little Fleet has added life to far East Front area. Those restaurants who are further away from food truck activity not surprising reported they had no impact.

If you have questions regarding this matter, do not hesitate to call.

Rick Korndorfer <rkorndorfer@chartermi.net>

August 1, 2013 9:47 AM

To: Rob Bacigalupi <rob@downtowntc.com>

Cc: Jan Chapman <janc@wccw.fm>, Leah Bagdon-McCallum <lmbagdon4@hotmail.com>, John Di Giacomo <john@revisionlegal.com>, Mike Estes <mestes@chartermi.net>, Ross Biederman <rossb@wtcmradio.com>, Joe Winowiecki <joew@versustech.com>, Harry Burkholder <burkholder@liaa.org>, Steve Constantin <steve.constantin@gmail.com>, "Charles B. Judson" <cjudson@shrr.com>, Mike Kelly <mikelly711@gmail.com>, Bill Golden <goldens@goldenshoestc.com>, Colleen Pavaglio <colleen@downtowntc.com>

Re: This week is Street Sale, Food Trucks

Rob,

I think the most significant outcome is the mobile food vendors look like they will be successful on private property and less so on public property. Obviously, it's too early to determine but it may be trending that way just from my own observations. The Little Fleet endeavor seems to offer more activity than the stand alone vendors. There seems to be some synergy when these units are group together. I think the City's decision to limit the number of trucks on State St. has kept that same synergy from evolving and impacting the year round bricks and motor businesses in a negative way. I don't know what the impact has been on the open space but would be interested to hear other feedback. Personally, I'm happy Little Fleet is going to be successful. The issue has always been the private vs public land use. Government must continue to work hard to not muddy those waters.

Rick Korndorfer

On Wed, Jul 31, 2013 at 5:10 PM, Rob Bacigalupi <rob@downtowntc.com> wrote:

Dear DDA Board:

It's an exciting week this week! The Traverse City Film Festival is in full swing, but also the 2013 Friday Night Live series begins this Friday with Street Sale. Look for great deals on Front Street and elsewhere starting at 8 a.m. (or even before!)

Also, the City Clerk's office is asking for feedback on the new transient vendor ordinance in advance of a discussion this September. If you have any feedback, please let me know and I'll be sure to pass it along.

Thanks and have a great week!

Rob

Rob Bacigalupi, AICP
Acting Executive Director
Traverse City DDA
303 East State Street, Suite C
PO Box 42
Traverse City, MI 49685
p. (231) 922-2050
f. (231) 922-4863
rob@downtowntc.com
www.downtowntc.com

Make plans Downtown!

Check out a calendar of events at:

<http://www.downtowntc.com/events/>

Twitter: downtowntc

Jan Chapman <janc@wccw.fm>

To: Rob Bacigalupi

RE: This week is Street Sale, Food Trucks

August 1, 2013 9:29 AM

Rob,

Regarding the street vendors I've been paying close attention and all seem to be very good regarding appearance, cleanliness etc. We haven't been bombarded with trucks and the locations are great in traffic areas yet don't look invasive/carnival like in our city, if we adopted the same policies going into 2014 I would support.

Hope that helps, JC

Jan Chapman

Z93-Classic Hits-1310 The Score

GM-Sales 231-946-6211 ext 1302

300 E. Front Ste 450 T.C. MI 49684

All Life is an experiment. The more experiments the better.

Ralph Waldo Emerson

-----Original Message-----

From: Rob Bacigalupi [mailto:rob@downtowntc.com]

Sent: Wednesday, July 31, 2013 5:10 PM

To: Jan Chapman; Leah Bagdon-McCallum; John Di Giacomo; Mike Estes; Ross Biederman; Joe Winowiecki; Harry Burkholder; Steve Constantin; Charles B.

Judson; Mike Kelly; Rick Korndorfer; Bill Golden

Cc: Colleen Paveglio

Subject: This week is Street Sale, Food Trucks

Dear DDA Board:

It's an exciting week this week! The Traverse City Film Festival is in full swing, but also the 2013 Friday Night Live series begins this Friday with Street Sale. Look for great deals on Front Street and elsewhere starting at 8 a.m. (or even before!)

Also, the City Clerk's office is asking for feedback on the new transient vendor ordinance in advance of a discussion this September. If you have any feedback, please let me know and I'll be sure to pass it along.

Thanks and have a great week!

Rob

Rob Bacigalupi, AICP

Acting Executive Director

Traverse City DDA

303 East State Street, Suite C

PO Box 42

Traverse City, MI 49685

p. (231) 922-2050

f. (231) 922-4863

rob@downtowntc.com

www.downtowntc.com

Memorandum

The City of Traverse City
Planning Department –
Code Enforcement



TO: Ben Marentette, City Clerk
FROM: Loyd Morris, Code Enforcement *LM*
DATE: September 30, 2013
SUBJECT: Mobile Food Vending

I have not observed any major problems with the Mobile Food Vending program. I issued one citation for violation of this ordinance to a vendor that was operating before his permit was approved and after he was told not to. This vendor was from downstate and chose not to participate in the program.

There were some minor setup problems when the program was first implemented, but through education and site visits to all of the locations I was able to correct these without citations. I found all of the vendors were very responsive to all questions and suggestions that I had. I have not received any complaints against any of the Mobile Food Vendors.

TRAVERSE CITY CODE OF ORDINANCES
ORDINANCE AMENDMENT NO. 963

Effective date: May 16, 2013

TITLE: MOBILE FOOD VENDING

THE CITY OF TRAVERSE CITY ORDAINS:

That Chapter 865, *Mobile Food Vending*, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

865.01 INTENT.

In the interest of encouraging mobile food vendors who add to the vibrancy and desirability of Traverse City, while providing a framework under which such businesses operate, this ordinance is established.

865.02 DEFINITIONS.

- (a) *Mobile Food Vending* shall mean vending, serving, or offering for sale food and/or beverages from a mobile food vending unit which meets the definition of a Food Service Establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as a tee shirt that bears the name of the organization engaged in Mobile Food Vending.
- (b) *Mobile Food Vending unit* shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.
- (c) *Vendor* shall mean any individual engaged in the business of Mobile Food Vending; if more than one individual is operating a single stand, cart or other means of conveyance, then Vendor shall mean all individuals operating such single stand, cart or other means of conveyance.
- (d) *Operate* shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food vending unit is open for business.

865.03 PERMIT REQUIRED.

No vendor shall engage in Mobile Food Vending without a permit from the City Clerk authorizing such vending. The City Clerk shall prescribe the form of such permits and application for such permit. All permits shall be prominently displayed on the mobile food vending unit. No vending through a Mobile Food Vending Unit of food and/or other human consumables shall be permitted unless it meets the definition of Mobile Food Vending as defined by this ordinance.

865.04 DURATION; NON-TRANSFERABILITY.

Permits may be issued by the City Clerk for a calendar year from the date of issuance. Any permit issued under this Chapter is non-transferable.

865.05 APPLICATION.

Every vendor desiring to engage in Mobile Food Vending shall make a written application to the City Clerk for a permit under this Chapter. The applicant shall truthfully state, in full, all information requested by the City Clerk and be accompanied by a fee established by resolution of the City Commission. Additionally, the applicant shall provide all documentation, such as insurance, as required by the city.

865.06 FEES.

An application for a permit under this Chapter shall be accompanied by a fee in the amount established by resolution of the City Commission. There shall be no proration of fees. Fees are non-refundable once a permit has been issued by the City Clerk. No fee shall be charged to any honorably discharged veteran of the United States Military who is a resident of the State of Michigan and submits official documentation evidencing such to the City Clerk. If operating on non-city property, no fee shall be charged to a business which is on the city's tax rolls whose normal business includes the sale of food and/or beverages. No one shall hire or subcontract such vendors in an attempt to evade the provisions of this Chapter.

865.07 INVESTIGATION BY THE CHIEF OF POLICE.

For Mobile Food Vending within residential areas, approval must be given by the Chief of Police prior to issuance of a permit by the City Clerk.

865.08 REQUIREMENTS.

Any vendor engaging in Mobile Food Vending shall comply with the following requirements:

1. Provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributable to the vendor on a daily basis.
2. If operating on city-owned or controlled property, may only locate on such property as established in a resolution adopted by the City Commission. If parked on public streets, vendors shall conform to all applicable parking regulations.
3. Not operate on public property within one block of a city-authorized street fair, public festival, farmers market or event being conducted without authorization from the event sponsor.
4. Not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
5. Not use loud music, amplification devices or "crying out" or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
6. Comply with the city's Noise Ordinance, Sign Ordinance and all other City ordinances.

7. Comply with all applicable federal, state and county regulations.
8. May have one portable sign that is six square feet, with no dimension greater than 3 feet and no height (with legs) greater than 4 feet, located within five feet of the unit; and under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle safety.
9. Within residential areas, a mobile food vendor may only operate between the hours of 9 a.m. and 9 p.m.; and in commercial areas, a mobile food vendor may only operate between the hours of 7 a.m. and 11 p.m. Other restrictions regarding hours of operation may be established by resolution of the City Commission.
10. No Mobile Food Vending Unit may be left unattended for more than 2 hours; and any Mobile Food Vending Unit not in operation shall be removed between the hours of 11 p.m. and 7 a.m. in commercial areas and 9 p.m. to 9 a.m. in residential areas.
11. Not represent the granting of a permit under this Chapter as an endorsement by the city.
12. Shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended at or across any city street, alley, or sidewalk except in a safe manner.

865.09 PARKING BEYOND LIMITS ALLOWED BY CITY ORDINANCE AND ORDER.

Any Mobile Food Vending Unit with a valid Mobile Food Vending License may park in a city-controlled parking space for durations as authorized by the permit; and such Mobile Food Vending Unit shall not be restricted to the hours where parking would otherwise be allowed in the particular parking space. Provided, however, that no Mobile Food Vending Unit shall park in a city-controlled parking space if parking is prohibited altogether. Any Mobile Food Vending Unit parked in a metered parking space with a valid Mobile Food Vending License shall activate the meter at all times while parked by depositing the appropriate sum of money into the parking meter.

865.10 IMPOUNDMENT.

Any equipment associated with food vending that are not in compliance with this Chapter and left on public property may be impounded at the owners expense.

865.11 OTHER PERMITS.

A permit obtained under this Chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute or administrative rule.

865.12 REVOCATION

The City Clerk shall revoke the permit of any vendor engaged in Mobile Food Vending who ceases to meet any requirement of this Chapter or violates any other federal, state or local regulation, makes a false statement on their application, or conducts activity in a manner that is adverse to the protection of the public health, safety and welfare.

Immediately upon such revocation, the City Clerk shall provide written notice to the permit holder by

certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the permit shall become null and void.

865.13 COMPLAINTS; APPEALS.

If a written complaint is filed with the City Clerk alleging a Food Vendor has violated the provisions of this Chapter, the City Clerk shall promptly send a copy of the written complaint to the vendor together with a notice that an investigation will be made as to the truth of the complaint. The vendor shall be invited to respond to the complaint and present evidence and respond to evidence produced by the investigation. If the City Clerk, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified. If a permit is denied or revoked by the City Clerk, or if a written complaint is certified pursuant to this Chapter, the applicant or holder of a permit may appeal to and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant and investigation by the City Clerk, as to whether or not the grounds for denial, revocation or complaint are true. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of City Clerk or filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to a court of competent jurisdiction.

865.14 APPEARANCE TICKETS.

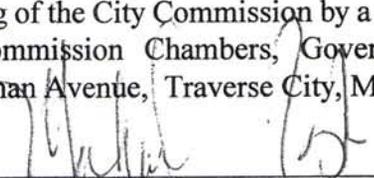
The Police Chief and sworn officers of the Police Department, or such other officials as designated by the City Manager are authorized to issue and serve appearance tickets with respect to a violation of this Chapter pursuant to Michigan law. Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

865.15 CIVIL INFRACTION.

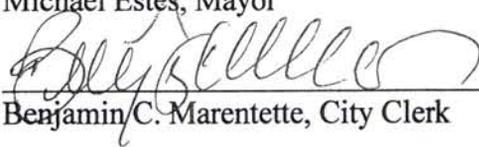
A vendor who violates this Chapter is responsible for a civil infraction and subject to a fine of \$500 per day.

The effective date of this Ordinance is the 16th day of May, 2013.

I hereby certify the above ordinance amendment was introduced on April 15, 2013, at a regular meeting of the City Commission and was enacted on May 6, 2013, at a regular meeting of the City Commission by a vote of Yes: 7 No: 0 at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.



Michael Estes, Mayor



Benjamin C. Marentette, City Clerk



**RESOLUTION ESTABLISHING FEES
FOR
CITY CLERK DEPARTMENT**

Because, various requests are made to the City Clerk Department requiring hours of staff time to prepare reports, assemble information, meet and discuss requests, publish notices and to prepare follow-up reports and communications; and

Because, the City Commission believes it is important that the actual costs associated with these services are not subsidized by the general taxpayer; now, therefore be it

Resolved, that the fees for the City Clerk Department be established October 7, 2013, as follows:

<u>Auctioneer Permit</u>	\$75.00
<u>Building Moving</u>	\$180.00
<u>Film Production Permit Application</u>	\$50.00 (plus upon issuance of the permit, reimbursement for City services provided, if any, relating to filming activities)
<u>Going out of Business Permit (new or renewal)</u>	\$50.00/30-day
<u>Honeybee License (new)</u>	\$25.00/calendar year
<u>Honeybee License (renewal)</u>	\$15.00/calendar year
<u>Hunting Permit (Brown Bridge Quiet Area)</u>	\$10.00/week
<u>Industrial Facilities Tax Exemption Certificate Application</u>	\$1,160.00
<u>Land Division/ Boundary Adjustment</u>	\$310.00
<u>Liquor License Registration</u>	\$540.00
<u>Liquor License Registration (existing-licensed location, no new owners)</u>	\$300.00
<u>Liquor License Off-Premise Registration</u>	\$170.00
<u>Liquor License Intermediary Transfer Registration</u>	\$130.00
<u>Liquor License (Other)</u>	Based on Staff Involvement, per Fee Study
<u>Marriage Ceremony</u>	\$40.00
<u>Medical Marihuana Cultivation Facility-Industrial District - License Fee (Initial)</u>	\$225.00

- Annual Police Inspection Fee	\$95.00
<u>Mobile Food Vending</u>	
-Vending on city owned and private property	\$1,225/calendar year
- Vending on private property only (non-city property)	\$725/calendar year
- Year-round city food service establishments (city property)	\$500/calendar year
-Year-round city food service establishments (non-city property)	No fee
-Public electricity hookup	\$15/day
 <u>Newsrack Permit</u>	 \$75.00
<u>Pedicab</u>	
New	\$25.00
Renewal	\$15.00
<u>Transient Merchant Commercial District Food Vendors</u>	
<u>Which Are Outside of DDA District</u>	
— May 16 through Sept. 14	\$50/day
— Sept. 15 through May 15	\$50/calendar week
	\$750/ calendar month
	\$1,125/ calendar quarter
	\$2,250/calendar year
 <u>Transient Merchant Non-DDA Residential Areas</u>	 \$50/month
<u>All Other Transient Merchants May 16 through Sept. 14</u>	\$100/day
<u>All Other Transient Merchants Sept. 15 through May 15</u>	\$100/calendar week
<u>Secondhand Store (new and renewal)</u>	\$50.00/calendar year
<u>Sewer Contractor Registration (new and renewal)</u>	\$20.00 /calendar year
<u>Sidewalk Café (new and renewal)</u>	\$110.00/license year
<u>Sidewalk Café with Alcohol</u>	\$165.00/license year
<u>Sidewalk Display of Merchandise</u>	\$35.00
<u>Solicitor's Permit</u>	\$10.00
<u>Street Use Permit – Major Event/Community Event</u>	\$350, plus incremental costs for for-profits; \$50, plus costs for non- profit
 <u>Street Use Permit – Non-Major Event</u>	 \$25.00
<u>Street Performer Permit</u>	\$40.00/calendar year
<u>Tourist Home Permit (new)</u>	\$100.00/calendar year
<u>Tourist Home Permit (renewal)</u>	\$70.00/calendar year

I hereby certify that the above resolution was adopted
by the City Commission at its regular meeting held

October 7, 2013, in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan 49684, to be effective immediately.

Benjamin C. Marentette, CMC, City Clerk



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ^{SD} JERED OTTENWESS, CITY MANAGER

SUBJECT: APPOINTMENT – BROWN BRIDGE ADVISORY COMMITTEE

Attached is a memo from Deputy City Clerk Katie Lowran, one vacancy on the Brown Bridge Advisory Committee and consideration of filling the vacancy.

As indicated by Ms. Lowran, this is a City Commission appointment.

The following are sample motions:

1 – To appoint a representative

That _____ be appointed to a three-year term (seat previously held by Stephen Lagerquist) expiring October 3, 2016, on the Brown Bridge Advisory Committee.

2 – to establish an ad hoc interview committee

That an ad hoc interview committee be established to make a recommendation regarding one three-year term (seat previously held by Stephen Lagerquist) expiring October 3, 2016, on the Brown Bridge Advisory Committee; and that Commissioners _____, _____ and _____ be appointed to such Committee, with Commissioner _____ to serve as Chair.

JJO/kjl

k:\tcclerk\city commission\appointments\apptbbac2013.doc

e-copy Steve Largent, Grand Traverse Conservation District
slargent@gtcd.org

Memorandum

The City of Traverse City



TO: Jered Ottenwess, City Manager

COPY:

FROM: Katie Lowran, Deputy City Clerk

DATE: Wednesday, October 2, 2013

SUBJECT: BROWN BRIDGE ADVISORY COMMITTEE-APPOINTMENT

There is currently one vacancy on the Brown Bridge Advisory Committee (seat previously held by Stephen Lagerquist) with the term expiring on October 3, 2016.

The Parks and Recreation ad hoc interview committee (Mayor Estes, Commissioner Easterday, and Commissioner Carruthers) completed interviews for the Parks and Recreation Commission. Following the interview process, the ad hoc committee requested that Mr. Gerschbacher be contacted to see if he had interest in serving on the Brown Bridge Advisory Committee. Mr. Gerschbacher responded affirmatively.

The City Commission may choose to act on the Parks and Recreation ad hoc committee's recommendation or to establish a Brown Bridge Advisory ad hoc committee to interview the applicants below.

This is a City Commission appointment.

The following have volunteered:

Larry Gerschbacher
Ken Gregory

The purpose of this committee is to make recommendations to restore, preserve and protect the integrity of the Brown Bridge property under the direction of the City Manager.

As always, please let me know if you have any questions.

Traverse City Mayor Michael Estes and City Commissioners
400 Boardman Avenue
Traverse City, MI. 49686

Dear Mr. Mayor and City Commissioners:

Please accept this letter along with the application and my professional resume for consideration of a position on the Traverse City Parks and Recreation Commission.

Having been a continuous resident of Traverse City for the past 41 years, I have seen an evolution of the City's parks and recreational facilities, some changes were done extremely well and a few could have had more foresight.

My purpose of serving on the Parks and Recreation Commission would be to lend my professional background, experience and vision to help make all parks and recreation projects a success. That success must always begin with listening to the will of the citizens of Traverse City. Too many endeavors undertaken by City government fail to recognize that aspect of the actions taken.

I believe my professional experience as a land surveyor gives me a unique background – having worked with engineers, land planners and various levels of government agencies and their regulations at the State and local levels. In the past, as reflected by my resume, I have served on many organizational committees, boards and a State Commission, serving in executive positions within those entities. My communication skills are an asset when working with colleagues to achieve results on assigned tasks.

Five years ago, I re-established the North Traverse Heights Neighborhood Association and served as its President for two years. During that tenure, I was instrumental, along with other neighborhood presidents, in getting a resolution passed by the City Commission recognizing City neighborhood associations as a voice for Traverse City neighborhoods. That action by the City Commission took place at the regular scheduled meeting on May 16, 2011.

Being retired, I have time to be available for special efforts to make the Parks and Recreation Commission a stronger body. Your consideration of my request for a seat on the Parks and Recreation Commission is greatly appreciated. If any questions remain or clarification is needed on any aspect of this application, please don't hesitate to contact me.

Respectfully submitted,



Larry M. Gerschbacher, P.S., Retired
925 Kelley Street
Traverse City, MI. 49686
231-946-1592
gershtc@charter.net

RECEIVED
AUG 05 2013
CITY OF TRAVERSE CITY
CITY CLERKS OFFICE



**City of Traverse City
Application to Become Involved**

Board(s)/Committee(s) on which you are interested in serving: PARKS AND RECREATION COMMISSION.
(Please limit to three boards/committees)

Name: LARRY M. GERSCHBACHER E-Mail Address: gerschtc@charter.net

Address: 925 KELLEY ST. TRAVERSE CITY, MI. 49686
(Street) (City) (State) (Zip)

Occupation: RETIRED LAND SURVEYOR (if retired, please provide your career)

Home telephone number: 231-946-1592 Work telephone number: () NA

We would appreciate your answering the following questions, which simply assist the City Clerk's Office in meeting the requirements of certain City boards and committees.

Are you a registered City voter? YES Do you reside within the city limits? YES
Do you own taxable property within the City? YES Are you a downtown district (DDA) resident? NO Do you have Aownership interest @ in downtown district (DDA) property? NO Are you in default to the City? NO Are you an officer, member, principal, or employee of a legal entity owning property interest located in the downtown district (DDA)? NO
Are you a resident of a complex operated by the City? NO Do you live within the Traverse City Light and Power service area? YES Are you or are any of your immediate family members employees of any level of the legislative, judicial or executive branch of government? NO
Are you or are any of your immediate family members a member of any other City board or Committee? NO If yes, which? _____

Please attach a brief letter sharing with us the following information:

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Any other helpful information relevant to your application.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Larry M Gerschbacher
Signature

8-5-2013
Date

Thank you for your application.... volunteers secure our community's beauty and promote its enhancement!
- Benjamin C. Marentette, City Clerk

Please return this application, with your letter, to: City Clerk, 400 Boardman Avenue, Traverse City, MI 49684. Please feel free to contact our office at (231) 922-4480 with any questions.

K:\TCCLERK\Forms\boardapplication.doc

LARRY M. GERSCHBACHER

925 Kelley Street • Traverse City, MI 49686 • (231) 946-1592

SUMMARY Extensively experienced in professional land surveying and management with expert knowledge of field surveying procedures, worksite safety, and coordinating staff and projects. Possess extensive survey industry training. Proficient in project management from procurement through final invoice.

AREAS of EXPERTISE

Management

- Project Management
- Field Crew Supervision and Scheduling
- Client Relationship Building
- Comprehensive Staff Training
- Use of GPS Systems
- Project Cost Estimating
- Quality Assurance/Quality Control
- Detailed Reporting Process
- Field/Site Safety Procedures

Survey Expertise:

- Mortgage Identification Report
- Route Survey
- Communication Tower Sites
- Boundary Survey
- Land Division Survey
- ALTA Survey
- Site Development Survey
- Condominium Survey
- Oil and Gas Wellsite Survey

EDUCATION Received Bachelor of Science- Safety Engineering, Kennedy-Western University, Cheyenne, WY
Completed B.S. degree June, 2004, through an accredited distance-learning program.
Final Project Subject: "Roadway Work Zone Hazards and the Apathy of the Land Surveyor."

Associate's Degree, Technical Drafting Certified, Eastern Michigan University, Ypsilanti, MI

Additional Coursework:

Macomb Community College, Warren, MI

Delta Community College, Bay City, MI

Michigan Technological University, Sault Ste. Marie Branch, MI

LICENSES Licensed as Land Surveyor in Michigan, 1971.
Formally Licensed as Land Surveyor in Ohio, 1981.

CERTIFICATION & RECENT ANCILLARY TRAINING

Previous American Red Cross Instructor Certification for First Aid, CPR, and AED
2003 Lockout/Tagout: The Control of Hazardous Energy Sources, Michigan Dept. of Consumer & Industry Services
2003 Nonviolent Crisis Intervention, Crisis Prevention Institute, Inc.
2003 Hand Portable & Wheeled Fire Extinguisher Maintenance Training, Ansul Fire Protection Training Services
2002 Avoiding OSHA Citations and Liabilities in Michigan, Lorman Education Services
2001 OSHA Recordkeeping, Padgett Thompson
2000 Supervisor Safety Training, Beckman/SEPCO/Key Energy

PROFESSIONAL HISTORY

2003- SAFETY CHECK, Traverse City, MI

present **Owner**

- Formed a full-service safety consulting firm and developed a comprehensive safety manual. Market and sell both the manual and services for clients to ensure compliance with federal/state safety mandates. Available for safety assessments and on-/off-site safety training on a contractual basis.

1998- GOURDIE-FRASER & ASSOCIATES, formerly Pearson & Case Associates, Kingsley, MI

2002 **Survey Supervisor / Safety Coordinator**

- Oversaw all aspects of project management including client contact, research, estimating, set up and direction of field crews, and checking/signing completed drawings for this professional surveying company. Majority of projects were in the oil and gas industry.
- Worked on a variety of projects: commercial, residential, industrial, and telecommunications. Served as

GOURDIE-FRASER & ASSOCIATES, continued:

the primary, on-site contact on numerous SWEPI/Shell contracts.

- Secured and scheduled projects from inception through completion and final invoicing.
- As Safety Coordinator, conducted employee training and regular safety meetings to ensure each employee was competent in field safety, MIOSHA compliance, and emergency response procedures.

1996-1998 **SUNDBERG, CARLSON & ASSOCIATES, INC.**, Traverse City, MI1993 **Project Manager**

- Held complete responsibility for all survey activities from the Traverse City office including hiring, training, and dismissal of employees, budget preparation, invoice approval, and coordination of safety.

1996 **ADVANTAGE ENGINEERING, P.C.**, Traverse City, MI**Survey Supervisor**

- Managed all aspects of survey projects including client contact, research, estimating, field work, computations, and checking/signing completed drawings. Emphasis in the oil and gas industry.

1993-1995 **LARRY M. GERSCHBACHER, P.S.**, Traverse City, MI**Surveyor / Owner**

- Owned and operated a full-service surveying company performing field work, calculations, drafting, project invoicing, and client communications.

1973-1993 **SHELL WESTERN E & P, INC. (SWEPI)**, Kalkaska, MI**Survey Supervisor (1983-93)**

- Developed and distributed to survey contractors a survey specification manual which reduced supervisory checking time 30%.
- Created and implemented an in-house construction department training program to ensure cost effective and safe projects.
- Formulated a questionnaire for purchasing to survey contractors for pre-qualification in an audit performance program. Project was designed to save 30% of SWEPI supervision time.
- Activated a system to manage completion and distribution of state waste hauling manifests, assuring timely compliance with DNR regulations and preventing fine assessments.
- Initiated participation of SWEPI into Michigan Underground Utilities Act to relieve liability and prevention of accidental interception of pipelines by excavation.
- Structured technical specifications for a 19-section retracement survey using G.P.S. system, saving field time and protecting environmentally sensitive woodlands.
- Designed grating ring and specifications for production of collars to install over wellhead cellars. Saved 80% of pumping, hauling, and disposing costs.

Senior Surveyor (1978-83)

- Surveyed, computed, and drafted several hundred well sites, dozens of central production facility boundaries, and several miles of pipeline route surveys, enhancing production of oil and gas in the niagarian trend of Michigan.
- Developed system to track well site staking progress and set up comprehensive filing system to eliminate duplication of efforts by survey and administrative personnel.
- Researched and implemented procedures to determine riparian ownership of submerged lands for payment of several million dollars in royalties.
- Initiated improved methods to determine true bearing of surveys to correlate to down-hole directional drill gyros.

Surveyor (1973-78)

- Crew chief responsible for accurate and complete field data of survey projects.

1971-1973 **GOURDIE-FRASER & ASSOCIATES**, Traverse City, MI**Field Survey Supervisor - Northwest part of Lower Michigan**

- Established client relations, estimated surveys and costs, conducted field research, set-up crews, performed calculations and supervised drafting operations. Engaged in all phases of the private survey practice with total responsibility to produce completed survey projects.

PAST SEMINARS & WORKSHOPS

MSPS

- Global Positioning Systems
- Land Survey Systems
- History of Land Surveying in Michigan / Use of State Plane Coordinate System
- Astronomic and Grid Azimuth
- Understanding Surveying Measurements

SWEPI

- Presentations
- Supervising for Safety
- Supervisor's Workshop
- Defensive Driving
- First Aid
- Air Pack Training
- Hearing Conservation
- Communications
- Time Management
- Concrete and Cement
- Hazardous Communications
- Right to Know
- Environmental Compliance
- Recovery of Oil Spills

NMC

- Basic Welding Technology

AFFILIATIONS

- Appointed by Governor of Michigan to a four-year term on State Survey and Remonumentation Commission, June 1991; elected Chairperson 1991, 1992.
- Michigan Society of Professional Surveyors; Member since 1972, Fellow Member since 1983, Life Member 2008.
- Surveyors Political Action Committee; Treasurer, 1988-92.
- Director to MSPS Board
Treasurer, Board Liaison for Finance and Budget Committee
Board Liaison for Legislative Committee
- MSPS Northern Chapter; Member since 1972
Held several positions including President, Secretary, Chapter Director, and Chapter Representative.
- Professional Land Surveyors of Ohio; Former Member.
- American Congress on Surveying and Mapping; Former Member.

RECEIVED



City of Traverse City
Application to Become Involved

SEP 26 2013

CITY OF TRAVERSE CITY
CITY CLERKS OFFICE

Board(s)/Committee(s) on which you are interested in serving: Brown Bridge Ad

Name: Ken Gregory (Please limit to three boards/committees) E-Mail Address: kgregory@chartermi.net
Address: 607 W Eth Traverse City MI 49684
Occupation: retired, city administrator (if retired, please provide your career)
Home telephone number: (231) 929-0571 Work telephone number: ()

We would appreciate your answering the following questions, which simply assist the City Clerk's Office in meeting the requirements of certain City boards and committees.

Are you a registered City voter? yes Do you reside within the city limits? yes
Do you own taxable property within the City? yes Are you a downtown district (DDA) resident? no
Do you have Aownership interest@ in downtown district (DDA) property? no Are you in default to the City? no
Are you an officer, member, principal, or employee of a legal entity owning property interest located in the downtown district (DDA)? no
Are you a resident of a complex operated by the City? no Do you live within the Traverse City Light and Power service area? yes
Are you or are any of your immediate family members employees of any level of the legislative, judicial or executive branch of government? no
Are you or are any of your immediate family members a member of any other City board or Committee? no
If yes, which?

Please attach a brief letter sharing with us the following information:

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Any other helpful information relevant to your application.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Signature: Ken Gregory

Date: 9-26-13

Thank you for your application.... volunteers secure our community's beauty and promote its enhancement!
- Benjamin C. Marentette, City Clerk

BROWN BRIDGE ADVISORY COMMITTEE

	Initial Appt. Date	Termination
Asper, Nelson 1590 River Drive, TC 49696 nasper@mainstreammkt.com	05/02/11	10/03/16
Carruthers, James (City Commission Rep, city res) 218 West 11 th Street, T.C. 49684 922-7768 (Res.) jccarruthers@gmail.com	11/9/09	10/06/14
Downer, David 1965 River Rd. W, TC 49686 941-7122 (Res.) 357-4592 (Cell) briverdown@charter.net	09/07/10 (Eff. 10/4/10)	10/03/16
Forgione, Margaret (city resident) 605 W. Seventh Street 946-8525 (Res.) backhome@earthlink.net	10/2/07	10/03/14
Maxbauer, Paul (city resident) 409 West 12 th Street 409-7807 (Cell) 941-7621 (Bus.) pmaxba@gmail.com	03/18/13	10/05/15
Horstman, Robert 1571 Lake Drive, TC 49684 946-8698 (Res.)	09/16/02 (Eff.10/02)	10/03/14
Kreft, Michael (city resident) 701 Cherokee St. 49684 357-1515 (Res.), 932-1512 (Bus.) kreftengr@charter.net	03/5/07	10/05/15
Lagerquist, Stephen 258 Highview Rd. T.C. 49686 503-320-1648 (Res.) lagerqui@gmail.com <i>-Term Expiring, Not Seeking Reappointment-</i>	09/15/08	10/07/13 10/03/16
Nemitz, Judith 4572 Albert Courtade Rd., 632-9009 (Res.), 995-1755 (Bus.) jjnemitz@yahoo.com	03/24/05	10/05/15
Scrudato, Deni (city resident) 422 E. State Street, TC 49686 922-5938 (Res.) deniscrudato@yahoo.com	09/07/10	10/05/15
Tuller, Jim (city resident) 220 W. 13 th , TC 49684 342-0650 (Res.) 922-49630 (Bus.) jtuller@tcfire.org	9/7/10 (Eff. 10/4/10)	10/03/16

BROWN BRIDGE ADVISORY COMMITTEE (continued)

Dave Green, Staff (Ex-Officio; no voting authority) Indefinitely (non-TC resident)

Resources:

Steve Largent
Boardman River Program Coordinator
Grand Traverse Conservation District
1450 Cass Road
Traverse City, MI 49685
Office: 941-0960
Fax: 941-0837
E-mail: slargent@gtcd.org

All appointments are three-year terms expiring the first Monday in October.

The Committee meets quarterly on the third Thursday of that month.

This Committee consists of twelve members (half of which must be city residents). They are selected as follows:

One member of the City Commission – selected by it

One member is the City Manager or its designee – selected by City Manager

All other members appointed by the City Commission (again, half of all members must be city residents)

Purpose: To make recommendations to restore, preserve and protect the integrity of the Brown Bridge property under the direction of the City Manager.

Committee established by the City Commission on October 4, 1993.

Resolution establishing the Brown Bridge Advisory Committee as a twelve-member committee, to allow for the establishment of a seat to be nominated by the Traverse City Light and Power Board was adopted by the City Commission on June 4, 2001 - - this Resolution supercedes the April 3, 1993, action of the City Commission relating to the establishment and composition of the Committee.

Ordinance Amendment 651 (enacted 8-16-04) revised manner in which appointments are made; the method for appointments in light of this change is reflected above.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: APPOINTMENT – PARKS AND RECREATION COMMISSION

Attached is a memo from Deputy City Clerk Katie Lowran, regarding Loraine Steinbarger's resignation from the Parks and Recreation Commission and the ad hoc committee's recommendation for an appointment to fill the vacancy.

As indicated by Ms. Lowran, this is a City Commission appointment.

The following motion would approve the committee's recommendation:

that the resignation of Loraine Steinbarger dated September 10, 2013, from the Parks and Recreation Commission be accepted; and that the appointment of Brooke DiGiacomo (seat previously held by Loraine Steinbarger) to one three-year term expiring September 1, 2014, on the Parks and Recreation Commission, be approved.

JJO/kjl

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e-copy Larry Lacross, Engineering Analyst / GIS Administrator

Memorandum

The City of Traverse City



TO: Jered Ottenwess, City Manager

COPY:

FROM: Katie Lowran, Deputy City Clerk *Katie Lowran*

DATE: Wednesday, October 2, 2013

SUBJECT: PARKS AND RECREATION COMMISSION-APPOINTMENT

Attached is Loraine Steinbarger's resignation from the Parks and Recreation Commission effective September 10, 2013.

The ad hoc interview committee (Mayor Estes, Commissioner Easterday, and Commissioner Carruthers) has met and by consensus recommends the appointment of Brooke DiGiacomo (seat previously held by Loraine Steinbarger) to the Parks and Recreation Commission, to one unexpired term with the term expiring on September 1, 2014.

This is a City Commission appointment.

The following have volunteered:

Brooke DiGiacomo

Larry Gerschbacher (recommended for appointment to the Brown Bridge Advisory Committee)

The purpose of this committee is to make recommendations in an advisory capacity to the City Commission on matters relating to operation, development, and planning of parks, recreation and cemetery services and activities.

As always, please let me know if you have any questions.



Katie Lowran <klowran@traversecitymi.gov>

Fwd: Parks & Recreation Commission

1 message(s)

Lauren Vaughn <lvaughn@traversecitymi.gov>

Tue, Sep 10, 2013 at 8:49 AM

To: Katie Lowran <KLowran@traversecitymi.gov>, Benjamin Marentette <bmarente@traversecitymi.gov>

FYI - Loraine Steinbarger has decided to resign. Her e-mail response to Brian Haas is below.

Lauren

----- Forwarded message -----

From: **Brian Haas** <ob1haas@gmail.com>

Date: Mon, Sep 9, 2013 at 9:29 AM

Subject: Fwd: Parks & Recreation Commission

To: Lauren Vaughn <lvaughn@traversecitymi.gov>

FYI

----- Forwarded message -----

From: **Loraine Steinb** <steinbl@yahoo.com>

Date: Sat, Sep 7, 2013 at 11:12 AM

Subject: Re: Parks & Recreation Commission

To: Brian Haas <ob1haas@gmail.com>

Cc: "mestes@chartermi.net" <mestes@chartermi.net>

Dear Brian,

I was actually planning on emailing you today about resigning. I had only one job when I started on the commission, and am now working two full time jobs which doesn't allow for much free time. I agree that finding someone who can dedicate more of their time and energy to Parks and Rec is the best thing to do. I really enjoyed serving on the committee when I was able to devote more time to it, but unfortunately I'm not in a position to do that at the moment. I wish you and all the committee members the best of luck in keeping Traverse City on a progressive path forward, and in maintaining and enhancing its natural beauty.

Sincerely,

Loraine Steinbarger

From: Brian Haas <ob1haas@gmail.com>

To: Loraine Steinb <steinbl@yahoo.com>

Cc: Lauren Vaughn <lvaughn@traversecitymi.gov>; klowran@traversecitymi.gov

Sent: Friday, September 6, 2013 11:14 AM

Subject: Parks & Recreation Commission

Dear Loraine,

The City of Traverse City

Office of the City Clerk

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4480
tcclerk@traversecitymi.gov



July 1, 2013

Ms. Brooke DiGiacomo
440 N. Spruce St.
Traverse City, MI 49684

Dear Ms. DiGiacomo:

Subject: Term Expiring – Parks and Recreation Commission

As you are aware, your appointment to the Parks and Recreation Commission expires on September 1, 2013. On behalf of the City Commission, I respectfully request that you sign below to indicate if you wish to be reappointed.

Please allow this to serve as my willingness and desire to be considered as a member on the Parks and Recreation Commission.

Brooke DiGiacomo
Signature

7/2/13
Date

It is with regret that I do not wish to be considered for another term on the Parks and Recreation Commission.

Signature

Date

We will forward your response to the appointing authority for its consideration. On behalf of the City of Traverse City, thank you for your dedicated service to this community; it is greatly appreciated! If I may ever be of assistance, please do not hesitate to contact me.

Sincerely,

Katie Lowran

Katie Lowran
Deputy City Clerk

ecopy: Lauren Vaughn, Parks and Recreation Director

RECEIVED

JUL 11 2013

CITY OF TRAVERSE CITY
CITY CLERKS OFFICE



**City of Traverse City
Application to Become Involved**

Board(s)/Committee(s) on which you are interested in serving: PARKS AND RECREATION COMMISSION.
(Please limit to three boards/committees)

Name: LARRY M. GERSCHBACHER E-Mail Address: gerscht@charter.net

Address: 925 KELLEY ST. TRAVERSE CITY, MI. 49686
(Street) (City) (State) (Zip)

Occupation: RETIRED LAND SURVEYOR (if retired, please provide your career)

Home telephone number: 231-946-1592 Work telephone number: () NA

We would appreciate your answering the following questions, which simply assist the City Clerk's Office in meeting the requirements of certain City boards and committees.

Are you a registered City voter? YES Do you reside within the city limits? YES
Do you own taxable property within the City? YES Are you a downtown district (DDA) resident? NO Do you have Aownership interest@ in downtown district (DDA) property? NO Are you in default to the City? NO Are you an officer, member, principal, or employee of a legal entity owning property interest located in the downtown district (DDA)? NO
Are you a resident of a complex operated by the City? NO Do you live within the Traverse City Light and Power service area? YES Are you or are any of your immediate family members employees of any level of the legislative, judicial or executive branch of government? NO
Are you or are any of your immediate family members a member of any other City board or Committee? NO If yes, which? _____

Please attach a brief letter sharing with us the following information:

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Any other helpful information relevant to your application.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Larry M Gerschbacher
Signature

8-5-2013
Date

Thank you for your application.... volunteers secure our community's beauty and promote its enhancement!
- Benjamin C. Marentette, City Clerk

Please return this application, with your letter, to: City Clerk, 400 Boardman Avenue, Traverse City, MI 49684. Please feel free to contact our office at (231) 922-4480 with any questions. K:\TCCLERK\Forms\boardapplication.doc

LARRY M. GERSCHBACHER

925 Kelley Street • Traverse City, MI 49686 • (231) 946-1592

SUMMARY Extensively experienced in professional land surveying and management with expert knowledge of field surveying procedures, worksite safety, and coordinating staff and projects. Possess extensive survey industry training. Proficient in project management from procurement through final invoice.

AREAS of EXPERTISE

Management

- Project Management
- Field Crew Supervision and Scheduling
- Client Relationship Building
- Comprehensive Staff Training
- Use of GPS Systems
- Project Cost Estimating
- Quality Assurance/Quality Control
- Detailed Reporting Process
- Field/Site Safety Procedures

Survey Expertise:

- Mortgage Identification Report
- Route Survey
- Communication Tower Sites
- Boundary Survey
- Land Division Survey
- ALTA Survey
- Site Development Survey
- Condominium Survey
- Oil and Gas Wellsite Survey

EDUCATION Received Bachelor of Science- Safety Engineering, Kennedy-Western University, Cheyenne, WY
Completed B.S. degree June, 2004, through an accredited distance-learning program.
Final Project Subject: "Roadway Work Zone Hazards and the Apathy of the Land Surveyor."

Associate's Degree, Technical Drafting Certified, Eastern Michigan University, Ypsilanti, MI

Additional Coursework:

Macomb Community College, Warren, MI

Delta Community College, Bay City, MI

Michigan Technological University, Sault Ste. Marie Branch, MI

LICENSES Licensed as Land Surveyor in Michigan, 1971.
Formally Licensed as Land Surveyor in Ohio, 1981.

CERTIFICATION & RECENT ANCILLARY TRAINING

Previous American Red Cross Instructor Certification for First Aid, CPR, and AED
2003 Lockout/Tagout: The Control of Hazardous Energy Sources, Michigan Dept. of Consumer & Industry Services
2003 Nonviolent Crisis Intervention, Crisis Prevention Institute, Inc.
2003 Hand Portable & Wheeled Fire Extinguisher Maintenance Training, Ansul Fire Protection Training Services
2002 Avoiding OSHA Citations and Liabilities in Michigan, Lorman Education Services
2001 OSHA Recordkeeping, Padgett Thompson
2000 Supervisor Safety Training, Beckman/SEPCO/Key Energy

PROFESSIONAL HISTORY

2003- SAFETY CHECK, Traverse City, MI

present **Owner**

- Formed a full-service safety consulting firm and developed a comprehensive safety manual. Market and sell both the manual and services for clients to ensure compliance with federal/state safety mandates. Available for safety assessments and on-/off-site safety training on a contractual basis.

1998- GOURDIE-FRASER & ASSOCIATES, formerly Pearson & Case Associates, Kingsley, MI

2002 **Survey Supervisor / Safety Coordinator**

- Oversaw all aspects of project management including client contact, research, estimating, set up and direction of field crews, and checking/signing completed drawings for this professional surveying company. Majority of projects were in the oil and gas industry.
- Worked on a variety of projects: commercial, residential, industrial, and telecommunications. Served as

GOURDIE-FRASER & ASSOCIATES, continued:

the primary, on-site contact on numerous SWEPI/Shell contracts.

- Secured and scheduled projects from inception through completion and final invoicing.
- As Safety Coordinator, conducted employee training and regular safety meetings to ensure each employee was competent in field safety, MIOSHA compliance, and emergency response procedures.

1996-1998 SUNDBERG, CARLSON & ASSOCIATES, INC., Traverse City, MI**1993 Project Manager**

- Held complete responsibility for all survey activities from the Traverse City office including hiring, training, and dismissal of employees, budget preparation, invoice approval, and coordination of safety.

1996 ADVANTAGE ENGINEERING, P.C., Traverse City, MI**Survey Supervisor**

- Managed all aspects of survey projects including client contact, research, estimating, field work, computations, and checking/signing completed drawings. Emphasis in the oil and gas industry.

1993-1995 LARRY M. GERSCHBACHER, P.S., Traverse City, MI**Surveyor / Owner**

- Owned and operated a full-service surveying company performing field work, calculations, drafting, project invoicing, and client communications.

1973-1993 SHELL WESTERN E & P, INC. (SWEPI), Kalkaska, MI**Survey Supervisor (1983-93)**

- Developed and distributed to survey contractors a survey specification manual which reduced supervisory checking time 30%.
- Created and implemented an in-house construction department training program to ensure cost effective and safe projects.
- Formulated a questionnaire for purchasing to survey contractors for pre-qualification in an audit performance program. Project was designed to save 30% of SWEPI supervision time.
- Activated a system to manage completion and distribution of state waste hauling manifests, assuring timely compliance with DNR regulations and preventing fine assessments.
- Initiated participation of SWEPI into Michigan Underground Utilities Act to relieve liability and prevention of accidental interception of pipelines by excavation.
- Structured technical specifications for a 19-section retracement survey using G.P.S. system, saving field time and protecting environmentally sensitive woodlands.
- Designed grating ring and specifications for production of collars to install over wellhead cellars. Saved 80% of pumping, hauling, and disposing costs.

Senior Surveyor (1978-83)

- Surveyed, computed, and drafted several hundred well sites, dozens of central production facility boundaries, and several miles of pipeline route surveys, enhancing production of oil and gas in the niagarian trend of Michigan.
- Developed system to track well site staking progress and set up comprehensive filing system to eliminate duplication of efforts by survey and administrative personnel.
- Researched and implemented procedures to determine riparian ownership of submerged lands for payment of several million dollars in royalties.
- Initiated improved methods to determine true bearing of surveys to correlate to down-hole directional drill gyros.

Surveyor (1973-78)

- Crew chief responsible for accurate and complete field data of survey projects.

1971-1973 GOURDIE-FRASER & ASSOCIATES, Traverse City, MI**Field Survey Supervisor - Northwest part of Lower Michigan**

- Established client relations, estimated surveys and costs, conducted field research, set-up crews, performed calculations and supervised drafting operations. Engaged in all phases of the private survey practice with total responsibility to produce completed survey projects.

PAST SEMINARS & WORKSHOPS

MSPS

- Global Positioning Systems
- Land Survey Systems
- History of Land Surveying in Michigan / Use of State Plane Coordinate System
- Astronomic and Grid Azimuth
- Understanding Surveying Measurements

SWEPI

- Presentations
- Supervising for Safety
- Supervisor's Workshop
- Defensive Driving
- First Aid
- Air Pack Training
- Hearing Conservation
- Communications
- Time Management
- Concrete and Cement
- Hazardous Communications
- Right to Know
- Environmental Compliance
- Recovery of Oil Spills

NMC

- Basic Welding Technology

AFFILIATIONS

- Appointed by Governor of Michigan to a four-year term on State Survey and Remonumentation Commission, June 1991; elected Chairperson 1991, 1992.
- Michigan Society of Professional Surveyors; Member since 1972, Fellow Member since 1983, Life Member 2008.
- Surveyors Political Action Committee; Treasurer, 1988-92.
- Director to MSPS Board
Treasurer, Board Liaison for Finance and Budget Committee
Board Liaison for Legislative Committee
- MSPS Northern Chapter; Member since 1972
Held several positions including President, Secretary, Chapter Director, and Chapter Representative.
- Professional Land Surveyors of Ohio; Former Member.
- American Congress on Surveying and Mapping; Former Member.

Traverse City Mayor Michael Estes and City Commissioners
400 Boardman Avenue
Traverse City, MI. 49686

Dear Mr. Mayor and City Commissioners:

Please accept this letter along with the application and my professional resume for consideration of a position on the Traverse City Parks and Recreation Commission.

Having been a continuous resident of Traverse City for the past 41 years, I have seen an evolution of the City's parks and recreational facilities, some changes were done extremely well and a few could have had more foresight.

My purpose of serving on the Parks and Recreation Commission would be to lend my professional background, experience and vision to help make all parks and recreation projects a success. That success must always begin with listening to the will of the citizens of Traverse City. Too many endeavors undertaken by City government fail to recognize that aspect of the actions taken.

I believe my professional experience as a land surveyor gives me a unique background – having worked with engineers, land planners and various levels of government agencies and their regulations at the State and local levels. In the past, as reflected by my resume, I have served on many organizational committees, boards and a State Commission, serving in executive positions within those entities. My communication skills are an asset when working with colleagues to achieve results on assigned tasks.

Five years ago, I re-established the North Traverse Heights Neighborhood Association and served as its President for two years. During that tenure, I was instrumental, along with other neighborhood presidents, in getting a resolution passed by the City Commission recognizing City neighborhood associations as a voice for Traverse City neighborhoods. That action by the City Commission took place at the regular scheduled meeting on May 16, 2011.

Being retired, I have time to be available for special efforts to make the Parks and Recreation Commission a stronger body. Your consideration of my request for a seat on the Parks and Recreation Commission is greatly appreciated. If any questions remain or clarification is needed on any aspect of this application, please don't hesitate to contact me.

Respectfully submitted,



Larry M. Gerschbacher, P.S., Retired
925 Kelley Street
Traverse City, MI. 49686
231-946-1592
gerschtc@charter.net

RECEIVED
AUG 05 2013
CITY OF TRAVERSE CITY
CITY CLERKS OFFICE

PARKS AND RECREATION COMMISSION

	<u>Initial Appt.Date</u>	<u>Termination</u>
Brian Haas (Chairperson) 227 E. 10 th St, T.C. 49684 928-273-3468; oblhaas@gmail.com	09/19/11	09/01/14
Rearick, Danielle 626 W. 8 th St., T.C. 49684 590-7476 (Res) 922-9600 (Bus) Danielle@byte-productions.com	09/04/12	09/01/15
Loraine Steinbarger 920 Webster St. T.C. 49686 352-812-4312 steinbl@yahoo.com <i>-Resigned Effective September 10, 2013-</i>	09/19/11	09/01/14 09/01/14
Shinners, Seamus 410 Seventh St. T.C. 49684 941-8667 (Res) musicmanseamus@hotmail.com	09/03/13	09/01/16
Arianne Whittaker 415 Fair St, T.C. 49686 499-5129(Res), 947-6868 x. 8141 (Bus) ariannepetersen@hotmail.com	09/19/11	09/01/15
Szajner, Margaret (Vice Chair) 647 West Orchard Drive, T.C. 49686 392-3933 (Res.) 941-1986 (Bus.) keedanlex@gmail.com	8/16/10	09/01/16

Larry Lacross - City Manager Designee

All appointments are 3-year terms expiring 09/01.

This Commission consists of 7 members who are registered electors of the City. One member is the City Manager or designee, the other 6 are appointed by the City Commission.

Purpose: to make recommendations (advisory capacity) to the City Commission on matters relating to the operation, development, and planning of parks, recreation and cemetery services and activities.

Meets the 1st Thursday each month at 6:30 pm in the Commission Chambers.

MINUTES
TRAVERSE CITY HISTORIC DISTRICTS COMMISSION
REGULAR MEETING
THURSDAY, JULY 25, 2013
7:00 P.M.
Committee Room, Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4464

PRESENT: Commissioners Crane, Zacks, Mansuy, Andres, Vice-Chairperson
Tobin (7:03) and Chairperson Callahan.
ABSENT: Commissioner Brockmiller
STAFF PRESENT: David Weston

1. CALL MEETING TO ORDER:

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF MINUTES:

Approval of the June 19, 2013 special meeting minutes.

Motion by Commissioner Zacks, seconded by Commissioner Crane to approve the June 19, 2013 special meeting minutes as presented. Upon vote the motion carried 5-0.

3. REQUEST 13-HDC-04, FROM JOHN DANCER, CORNERSTONE ARCHITECTS, 122 SOUTH UNION STREET, TRAVERSE CITY, MICHIGAN for:

Approval of plans for new 2-story building located at the property commonly known as **116 Cass Street**, Traverse City, Michigan and a 2-story rear addition to the building located at the property commonly known as **156 East Front Street**, Traverse City Michigan. (Downtown Historic District)

John Dancer presented drawings and answered questions from the Commission. Motion by Commissioner Tobin, seconded by Commissioner Zacks to approve the drawings as presented. Upon vote the motion carried 6-0. Commissioner Andres will serve as the project liaison.

4. REQUEST 13-HDC-05, FROM JOHN AND KAREN WILHELM, 434 SEVENTH STREET FOR TRAVERSE CITY, MICHIGAN for:

Option A: Approval of plans to add a 7' x 18' living room under the existing roof to the front of the home, add an 8' x 8' mudroom addition to the east side of the home and add an 8' x 11'-5" covered porch to the east side of the home located at the property mentioned.

Option B: Approval of plans to add a 7' x 18' second story master bedroom addition to the front of the home, add a 7' x 18' living room under the existing roof to the front of the home, add an 8' x 8' mudroom addition to the east side of the home and add an 8' x 11'-5" covered porch to the east side of the home located at the property mentioned.

John Kittle with Design Depot, Inc., 3163 Crest Hill Lane, Traverse City, Michigan. Presented drawings and answered questions from the Commission.

Karen Wilhelm presented and answered questions from the Commission.

Motion by Commissioner Tobin, seconded by Commissioner Andres to approve Option A and B as presented with a preference to option B with a possibility for a covered porch. Upon vote the motion carried 6-0. Commissioner Tobin will serve as the project liaison.

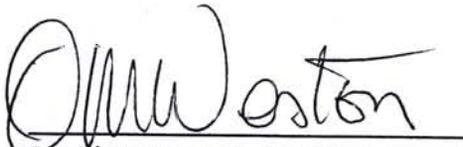
5. PUBLIC COMMENT

None.

6. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Respectfully submitted



David M. Weston, Secretary

Date 8-29-13

MINUTES
TRAVERSE CITY HISTORIC DISTRICTS COMMISSION
REGULAR MEETING
THURSDAY, AUGUST 29, 2013
7:00 P.M.
Committee Room, Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4464

PRESENT: Commissioners Crane, Zacks, Brockmiller, Mansuy and
Chairperson Callahan.
ABSENT: Commissioners Mansuy, Andres and Vice-Chairperson Tobin
STAFF PRESENT: David Weston

1. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m.

2. APPROVAL OF MINUTES:

Approval of the July 25, 2013 regular meeting minutes.

Motion by Commissioner Crane, seconded by Commissioner Zacks to approve the July 25, 2013 regular meeting minutes as presented. Upon vote the motion carried 4-0.

3. REQUEST 13-HDC-06, FROM TERRY HARDWICK, CONTRACTOR FOR DAVID FRIAR, 525 SIXTH STREET, TRAVERSE CITY, MICHIGAN for:

Approval of plans for the construction of a new 1008 square foot (28' x 36') detached garage located at the property mentioned. (Central Neighborhood Historic District)

Terry Hardwick presented drawings and answered questions from the Commission. Motion by Commissioner Zacks, seconded by Commissioner Crane to approve the drawings as presented. Upon vote the motion carried 4-0. Commissioner Zacks will serve as the project liaison.

4. REQUEST 13-HDC-07, FROM MARTY AND SUE JACKIER, 539 WEBSTER STREET TRAVERSE CITY, MICHIGAN for:

Approval of plans for the construction of a new covered porch located at the property mentioned. (Boardman Neighborhood Historic District)

Marty Jackier presented drawings and answered questions from the Commission. Motion by Commissioner Brockmiller, seconded by Commissioner Zacks to approve the drawings as presented. Upon vote the motion carried 4-0. Chairperson Callahan will serve as the project liaison.

5. REQUEST 13-HDC-08, FROM MATT MEYERS, 454 HAMILTON STREET, TRAVERSE CITY, MICHIGAN for:

Approval of plans for the demolition of an attached garage and the construction of a new attached garage, master bedroom addition, new covered porch and a new deck located at the property commonly know as **432 Fifth Street**, Traverse City, Michigan. (Central Neighborhood Historic District)

Matt Meyers presented drawings and answered questions from the Commission. Motion by Commissioner Zacks, seconded by Commissioner Crane to approve the drawings as presented contingent that the entrance door is moved east to the foyer facing west and windows are added and centered in the living room. Upon vote the motion carried 4-0. Commissioner Zacks will serve as the project liaison.

6. PUBLIC COMMENT

None.

7. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Respectfully submitted


David M. Weston, Secretary

Date 9-26-13

10/7

**TRAVERSE CITY
LIGHT AND POWER BOARD**

Minutes of Light and Power Board Strategic Planning Session
Held at 12:00 p.m., Commission Chambers, Governmental Center
Tuesday, August 13, 2013

LIGHT AND POWER BOARD MEMBERS -

Present: Barbara Budros, Jim Carruthers, Jan Geht, Jeff Palisin, Bob Spence, John Taylor, Pat McGuire

EX OFFICIO MEMBER -

Present: Jered Ottenwess, City Manager

OTHERS:

Tim Arends
Tim Blodgett, Steve VanderMeer (Hometown Connections)

The meeting was called to order at 12:17 p.m. by Chairman McGuire.

1. Strategic Planning

The Board discussed the strategic plan for TCL&P.

3. Public Comment

No one from the public commented.

There being no objection, Chairman McGuire declared the meeting adjourned at 4:25 p.m.



Tim Arends, Secretary
LIGHT AND POWER BOARD

/st

**TRAVERSE CITY
LIGHT AND POWER BOARD**

Minutes of Regular Meeting
Held at 5:15 p.m., Commission Chambers, Governmental Center
Tuesday, August 13, 2013

Board Members -

Present: Barbara Budros, Jim Carruthers, Jan Geht, Jeff Palisin, Bob Spence,
John Taylor, Patrick McGuire

Ex Officio Member -

Present: Jered Ottenwess, City Manager

Others: Tim Arends, W. Peter Doren, Scott Menhart, Karla Myers-Beman, Tom
Olney, Stephanie Tvardek, Jessica Wheaton

The meeting was called to order at 5:15 p.m. by Chairman McGuire.

Chairman McGuire asked that the TCL&P Board, staff and public observe a moment of silence out of respect for Zachary Adams, an employee of Trees, Inc., who passed away last week while working under contract for TCL&P.

Item 2 on the Agenda being Consent Calendar

Moved by Carruthers, seconded by Taylor, that the following actions, as recommended on the Consent Calendar portion of the Agenda, be approved:

- a. Minutes of the Regular Board Meeting of July 23, 2013.
- b. Joint Pole Attachment Agreement with Cherryland Electric Cooperative.
- c. Amendment to the Termination of Service Policy.

CARRIED unanimously.

Items removed from the Consent Calendar

None.

Item 3 on the Agenda being Old Business

None.

Item 4 on the Agenda being New Business

4(a). 2012 Renewable Energy Plan report and 2013 Biennial Plan filing.

The following individuals addressed the Board:

Jessica Wheaton, Marketing & Community Relations Coordinator

Public Comment regarding the 2013 Renewable Energy Biennial filing:

No one from the public commented.

Item 5 on the Agenda being Appointments

None.

Item 6 on the Agenda being Reports and Communications

A. From Legal Counsel.

None.

B. From Staff.

1. TJ Brown, Michigan Energy Options, provided an update on the Low Income Pilot Program.

The following individuals addressed the Board:

Jessica Wheaton, Marketing & Community Relations Coordinator

2. Tim Arends gave a report on the Utility Metrics summary.

C. From Board.

1. Jim Carruthers commented on the latest TCL&P bill insert.
2. Patrick McGuire corrected a statement made by Steve Smiley regarding the M-72 wind turbine during an interview with IPR on July 29, 2013.

Item 7 on the Agenda being Public Comment

No one from the public commented.

There being no objection, Chairman McGuire declared the meeting adjourned at 5:41 p.m.



Tim Arends, Secretary
LIGHT AND POWER BOARD

/st

MINUTES TRAVERSE CITY PLANNING COMMISSION

TUESDAY, August 6, 2013

7:00 P.M.

Commission Chambers
Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684

PRESENT: Commissioners Jody Bergman, Jeanine Easterday, Gary Howe, Jennifer Jaffe
Vice-Chairperson Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer,
Janice Warren and Tim Werner

ABSENT: None.

STAFF PRESENT: Russ Soyring, Planning Director; Missy Luick, Planning and Engineering
Assistant; Jered Ottenwess, City Manager; Lauren Tribble-Laucht, City
Attorney

1. **CALL MEETING TO ORDER-** The meeting was called to order by Chairperson Serratelli at
7:00 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** None.

4. **APPROVAL OF MINUTES**

A. July 2, 2013 Regular Meeting (Approval recommended.)

Motion by Commissioner Jaffe, second by Vice-Chairperson McNally, that the July 2,
2013 Regular Meeting minutes be approved.

Motion carried 9-0.

5. **OLD BUSINESS.**

A. Public Hearing to consider an amendment to Chapter 1354, *I (Industrial District)*,
Section 1354.01, *Uses Allowed*, to allow for C-2 (Neighborhood Center District) uses
in the I (Industrial District) with restrictions.

Mr. Soyring introduced his memo to the Commission and gave an overview of the
Industrial District ordinance amendments over the years.

Commission discussion included limiting the hours to match our Noise Ordinance
for all C-2 uses in the Industrial District not just retail establishments and drinking
places, including brew pubs and restaurants. Discussion also included asking the

City Attorney for an opinion on whether or not the limitations discussed in this amendment would affect other current businesses in the Industrial District in operation that are a C-2 use or if those businesses would be grandfathered.

Motion by Vice-Chairperson McNally, second by Commissioner Warren to table consideration of an amendment to Chapter 1354, I (*Industrial District*), Section 1354.01, *Uses Allowed*, to allow for C-2 (Neighborhood Center District) uses in the I (Industrial District) with restrictions for one month.

A Public Hearing was opened.

There was no public comment.

The Public Hearing was closed.

Motion carried 9-0.

- B. Public Hearing to consider a rezoning request initiated by the Planning Department to rezone 1350, 1290, 1280, 1260, 1240, 1210, 1291 and 1281 Lake Ridge Circle of which the parcels have split zoning between C-2 (Neighborhood Center District) and R-29 (Multiple Family Dwelling Districts) to R-29 (Multiple Family Dwelling Districts) and consideration of rezoning 212 E. Fourteenth Street that has split zoning of R-9 (Multiple Family Dwelling Districts) and C-2 (Neighborhood Center District) to R-9 (Multiple Family Dwelling Districts) based on the Future Land Use Map in the City of Traverse City Master Plan.

Mr. Soyring explained the details of his memo to the Commission.

Motion by Commissioner Warren, second by Commissioner Jaffe, that a rezoning request initiated by the Planning Department to rezone 1350, 1290, 1280, 1260, 1240, 1210, 1291 and 1281 Lake Ridge Circle of which the parcels have split zoning between C-2 (Neighborhood Center District) and R-29 (Multiple Family Dwelling Districts) to R-29 (Multiple Family Dwelling Districts) and consideration of rezoning 212 E. Fourteenth Street that has split zoning of R-9 (Multiple Family Dwelling Districts) and C-2 (Neighborhood Center District) to R-9 (Multiple Family Dwelling Districts) based on the Future Land Use Map in the City of Traverse City Master Plan be recommended for approval and such recommendation be forwarded to the City Commission for their consideration.

A Public Hearing was opened.

There was no public comment.

The Public Hearing was closed.

Motion carried 9-0.

- C. Public Hearing to consider a rezoning request initiated by Lisa Kloosterman of 611 Bates Street to rezone 1139 E Eighth Street from C-1 (Office Service District) to C-2 (Neighborhood Center District).

Mr. Soyring explained the details of his memo to the Commission.

Motion by Commissioner Jaffe, second by Commissioner Twietmeyer, that the request from Lisa Kloosterman to rezone 1139 E Eighth Street from C-1 (Office Service District) to C-2 (Neighborhood Center District) be approved by the Planning Commission and be recommended for approval to the City Commission.

A Public Hearing was opened.

There was no public comment.

The Public Hearing was closed.

Motion carried 9-0.

- D. Consideration of an amendment to Chapter 1340, *C-1 (Office Service District)*, Section 1340.01, *Uses Allowed*, and Chapter 1342, *C-2 (Neighborhood Center District)*, Section 1342.01, *Uses Allowed*, regarding allowing Medical Marijuana Collectives in the C-1 (Office Service District) and C-2 (Neighborhood Center District) for introduction and possibly setting a Public Hearing on September 4, 2013.

Mr. Soyring explained the details of his memo to the Commission.

Commission discussion.

Mrs. Tribble-Laucht answered questions from the Commission.

Commission consensus was that the proposed amendment was too broad and the potential build-out for Medical Marijuana Collectives was too great.

Motion by Vice-Chairperson McNally, second by Commissioner Warren, that a Public Hearing be scheduled for September 4, 2013 to consider an amendment to Chapter 1340, *C-1 (Office Service District)*, Section 1340.01, *Uses Allowed*, and Chapter 1342, *C-2*

(Neighborhood Center District), Section 1342.01, Uses Allowed, regarding allowing Medical Marihuana Collectives in the C-1 (Office Service District) and C-2 (Neighborhood Center District).

Motion fails 9-0.

6. NEW BUSINESS

- A.** Discussion of zoning change for property located at 600 W Front St (Connie Deneweth, Traverse City State Bank)

Mr. Soyryng explained the details of his memo to the Commission.

Connie Deneweth, Chief Executive Officer, for Traverse City State Bank, of 310 W Front St, presented their preliminary plans to open a bank branch with drive-through at 600 W Front St. The bank currently owns the parcel and is working with neighboring parcel occupied by CVS Pharmacy on shared parking and access. The bank is proposing two ATM machines, one that is accessible for pedestrians.

Commission discussion included questions related to the extent of the environmental cleanup required as it sits on top of the same contaminated plume that the CVS Pharmacy project remediated during their project, projections of the customers the bank is expected to serve, the drive-through facility, if a conditional rezoning is sought for the project the offer should contain benefits to the public.

7. CORRESPONDENCE None.

8. REPORTS

- A.** City Commission- Commissioners Bergman and Easterday reported.
B. Board of Zoning Appeals- Commissioner Warren reported
C. Grand Traverse Commons Joint Planning Commission- Commissioners Serratelli and Warren reported.
D. Planning Commission
1. Housing Building Committee— No report.
2. Corridor Steering Committee—Commissioner Bergman reported that the Commission will discuss the revised draft and implementation at the August 21 study session.
3. Active Transportation Committee—Commissioner Werner reported.
E. Planning Department—Mr. Soyryng introduced the new City Manager, Jered Ottenwess and mentioned that he has a planning background.

9. PUBLIC COMMENT- None.

10. ADJOURNMENT- Meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Date: September 4, 2013

Gary Howe
Gary Howe, Secretary

STUDY SESSION MINUTES TRAVERSE CITY PLANNING COMMISSION

WEDNESDAY, August 21, 2013

7:00 P.M.

Training Room

Governmental Center, 2nd Floor

400 Boardman Avenue

Traverse City, Michigan 49684

PRESENT: Commissioners Jody Bergman, Jeanine Easterday, Gary Howe, Vice Chairperson Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren and Tim Werner

ABSENT: Commissioner Jennifer Jaffe

STAFF PRESENT: Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant; Tim Lodge, City Engineer

1. **CALL MEETING TO ORDER-** The meeting was called to order by Chairperson Serratelli at 7:00 p.m.

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** Mr. Soyring announced that Traverse City State Bank will not be pursuing a rezoning of their property on the corner of Maple and West Front Streets.

4. **CORRIDORS MASTER PLAN IMPLEMENTATION (DISCUSSION)**

Mr. Soyring explained that the document should be adopted, accepted or formally acted upon for it to be a guiding document by City Staff. Mr. Soyring also explained that Portland, Oregon adopted Community Design Standards in certain parts of the city, such as along their commercial corridors. An article summarizing Portland's ordinance was in the packet.

Commission discussion.

Commission consensus was to act on the Corridors Master Plan document with a resolution that states that the document provides a conceptual framework for these corridors.

5. **BOARDMAN LAKE AVENUE (DISCUSSION)**

Chairperson Serratelli explained that he wanted to discuss Boardman Lake Avenue because of its relationship with the Corridors Master Plan and that it's been an unresolved project for many years.

Commission discussion offered various perspectives and no consensus was reached.

6. BAYSHORE CORRIDOR STRATEGY (DISCUSSION)

Mr. Soyring explained that staff representatives from Traverse City, Acme, East Bay and Elmwood Townships have been meeting regularly under the guidance of Grand Traverse County Planning address common community goals regarding the waterfront highway (US-31/M-22.) A Planning Commission representative is needed to participate in the process. Chairperson Serratelli volunteered to serve.

7. PUBLIC COMMENT

- Homer Nye, 228 Spruce Street, president of Kids Creek Neighborhood Association commented passed out a summary regarding high traffic speeds in their neighborhood based on reports from annual speed counts performed by City Engineering in 2012. Mr. Nye stated that the speeding creates a public safety concern and would like the City to take action.
- Mike Sleeman, 3680 Incochee Rd, commented regarding traffic speeds in Slabtown and would like more neighborhood association involvement on large planning processes like the Corridor Study.
- Janet Fleshman, 210 E 9th St, president of Old Towne Neighborhood Association commented that speed is also a problem in Old Towne and residents should not have to pay more money to the City for traffic calming.

8. ADJOURNMENT- Meeting adjourned at 8:53 p.m.

Respectfully submitted,

Date: September 4, 2013

Gary Howe
Gary Howe, Secretary *RS*



CH2MHILL

MONTHLY OPERATING REPORT

TO: Jered Ottenwess, Traverse City Manager
Mike Slater, Grand Traverse County

COPY: Grand Traverse County Board of Public Works
John Bowman, CH2M HILL, Regional Business Manager
Dave Green, Director of Public Services

FROM: Casey Rose, CH2M HILL Project Manager *CR*

DATE: September 10, 2013

SUBJECT: Monthly Operations Report for August 2013

Attached is a copy of the report to the state, which we submit electronically.

The data sheet showing flows and loadings from the Townships, the City, and the Septage Plant for August is attached to this report. Financial information as of the last Friday in August was not available at the time of this report.

OPERATIONS AND PROJECTS

The treatment plant continued to be in compliance for August 2013. The boiler pipe replacement project is moving forward. The bid package is complete and the project will go to bid in September.

We are continuing the process of performance testing each membrane train. During this process we are inspecting and repairing each cassette. We are still working with GE on a membrane replacement strategy, and hope to have a recommendation in the coming months. The membranes are at the end of their projected life cycle. During the performance testing repairs are being completed on the membranes. So far we have had to remove 5 membrane modules due to failure, replace necessary gaskets, worn out hoses, and repaired PVC air piping.

August marked the beginning of our fall Biosolids haul. Synagro began land application of the stored biosolids the end of August and will continue into the beginning of September.

IPP

Frederick Heiges of Wholly Daylight Donuts was advised about a requirement to install an Inspection Manhole for his building and it was installed later in the month.

A letter was sent to Ambrosia Café, reminding them to send a construction schedule for their inspection manhole, which was not responded to. We issued a Notice of Violation (NOV) to them for missing a construction deadline, which requires an answer within two weeks. In the

of no response, the next step would be to issue them a second NOV along with fines of up to \$100/day.

A letter was sent to Brewery Ferment reminding them of their requirement for an Inspection Manhole. We received an email response that indicated they are making progress on this issue.

An inspection with Britten Banners is scheduled for September 18, 2013

Additional contact was made with Williams Chevy about the maintenance records for their grit trap.

A CH2M HILL internal audit of the IPP program was conducted. This was in preparation of the State audit of the IPP program that will take place September 12. According to our inspectors, the program is, as a whole, functional and in good order. They have made several recommendations to improve our program in the future.

Several hours was spent last week tracking down a strange smell that was observed at the main plant. The IPP Coordinator and one plant Operator went to several lift stations and pulled manholes tracking the smell back to its source. While the smell was strongest in the lift station wet wells, where the water accumulates, we did observe the smell to be present in an Inspection Manhole in front of some residential housing. Not knowing exactly what this smell was, we thought it best to call the TC Police and have them investigate.

SEPTAGE PLANT

Total flow from the Septage Facility to the Regional Plant was 918,840 gallons in July.

PVS cleaned the rock traps in August. During the cleaning process one of their trucks damaged a light pole in the parking lot. PVS will repair the light pole.

OTHER

In case of pump station failure, pump around procedures have been reviewed by staff, and bypass pipe work has been inspected.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

PERMITTEE NAME/ADDRESS (Include Facility Name, Location if different)

NAME Traverse City WWTP
ADDRESS 606 Hannah Ave.
Traverse City, MI 49686

MID027481
PERMIT NUMBER

001A
DISCHARGE NUMBER

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
FROM 13	08	01	TO 13	08	31

Check here if No Discharge
NOTE: Read instructions before completing this form.

PARAMETER	QUANTITY OR LOADING			QUALITY OR CONCENTRATION			NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM			
FLOW, IN CONDUIT OR THRU TREATMENT PLANT 50050 1 0 0 EFFLUENT GROSS VALUE	5.0210	6.2040	MGD	****	****	****	0	7/7	TOTALZ
	(report) MO AVG	(report) DAILY MX		****	****	****		DAILY	TOTALZ
SOLIDS, TOTAL SUSPENDED 00530 1 0 0 EFFLUENT GROSS VALUE	0.0	0.0	lbs/day	****	0.0	mg/l	0	3X Weekly	24-Hr Composite
	2.100 Maximum	3200 Maximum 7-Day		****	30 Maximum	45 Maximum 7-Day		3X Weekly	24-Hr Composite
BOD, CARBONACEOUS 05 DAY, 20C 80082 1 0 0 EFFLUENT GROSS VALUE	0.0	0.0	LBS/DAY	****	0.0	MG/L	0	3X Weekly	24-Hr Composite
	1800 MO AVG	2800 MX 7D AV		****	25 MO AVG	40 MX WK AV		3X Weekly	24-Hr Composite
PHOSPHORUS, TOTAL (AS P) 00665 1 0 0 EFFLUENT GROSS VALUE	4.2	****	LBS/DAY	****	0.1	MG/L	0	3X Weekly	24-Hr Composite
	36 MO AVG	****		****	0.5 MO AVG	****		3X Weekly	24-Hr Composite
NITROGEN, AMMONIA, TOTAL (AS NH3) 34726 1 0 0 EFFLUENT GROSS VALUE	2.3	****	LBS/DAY	****	0.1	MG/L	0	3X Weekly	24-Hr Composite
	780 MO AVG	****		****	11 MO AVG	****		3X Weekly	24-Hr Composite
COPPER, TOTAL (AS CU) 01042 1 0 0 EFFLUENT GROSS VALUE	****	****	(28)	****	0.00	(28)	0	1/QTR	COMP-24
	****	****		****	MO MAX	****		Quarterly	COMP-24
MERCURY, TOTAL (AS HG) 71900 1 0 0 EFFLUENT GROSS VALUE	****	****	UG/L	****	*G	UG/L	0	0/QTR	GRAB
	****	****		****	MO MAX	****		Quarterly	GRAB
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER			TELEPHONE			DATE			
Casey Rose, Project Manager									
TYPED OR PRINTED			SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT			231 922-4922 13 08 31			
			AREA CODE NUMBER			YEAR MO DAY			

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine, imprisonment, or both.

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

TOWNSHIP AND CITY BOD CONCENTRATIONS LOADINGS AND FLOWS 2013-2014

	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Average to date
Blair Twp	249	268	#DIV/0!										
Garfield Twp	381	543	0	0	0	0	0	0	0	0	0	0	84
Elmwood Twp	277	323	#DIV/0!										
East Bay Twp	251	402	#DIV/0!										
Acme Twp	151	146	0	0	0	0	0	0	0	0	0	0	27
Peninsula twp	289	201	#DIV/0!										
City	469	184	#DIV/0!										
Septage													

* We have no BOD data for Blair Township. Loadings are calculated using plant influent BOD as a surrogate for Blair Twp BOD concentration

	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Average to date
Blair	68	51	0	0	0	0	0	0	0	0	0	0	12
Garfield Twp	2991	2776	0	0	0	0	0	0	0	0	0	0	577
Elmwood Twp	688	736	0	0	0	0	0	0	0	0	0	0	140
East Bay Twp	984	1184	0	0	0	0	0	0	0	0	0	0	217
Acme Twp	1045	228	0	0	0	0	0	0	0	0	0	0	127
Peninsula Twp	71	57	0	0	0	0	0	0	0	0	0	0	13
Septage	118	43	0	0	0	0	0	0	0	0	0	0	16
City	5031	5142	0	0	0	0	0	0	0	0	0	0	1017
Total	10975	10217	0	0	0	0	0	0	0	0	0	0	2119

	Limit 10% leased	Limit 8% leased	Limit owned	BOD Loadings in	Flows, MGD	Average Daily
Blair	404	404	404	0.029	0.025	0.000
Garfield Twp	4870	4465	3624	1.378	1.188	0.000
Elmwood Twp	895	888	780	0.210	0.163	0.000
East Bay Twp	1562	1523	1309	0.426	0.439	0.000
Acme Twp	1761	1808	1557	0.499	0.068	0.000
Peninsula Twp	406	406	406	0.056	0.047	0.000
Septage	202	202	0	0.030	0.028	0.000
City	10100	10504	12120	2.088	3.064	0.000
Total	20200	20200	20200	4.717	5.021	0.000



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF OCTOBER 7, 2013

DATE: OCTOBER 3, 2013

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: PUBLIC COMMENT REQUEST – GRAND TRAVERSE
COUNTY ROAD COMMISSION

Attached is a request from the Grand Traverse County Road Commission for Road Commission Manager Jim Cook to be placed under Reserved Public Comment to discuss the Road Commission's November 5, 2013, ballot proposal.

As provided in the City Commission Rules, fifteen (15) minutes have been allocated.

JJO/bcm

e-copy: Debra Hunt, Grand Traverse County Road Commission –
dhunt@gtrc.org

k:\tcclerk\city commission\public comment\reserved_road commission.doc

The City of Traverse City

Office of the City Clerk

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4480
tcclerk@ci.traverse-city.mi.us



RECEIVED

SEP 30 2013

CITY OF TRAVERSE CITY
CITY CLERKS OFFICE

Request
"Public Comment - Reserved"
(at end of meeting)
City Commission of Traverse City
Regular Meeting

Please Print or Type

I, Debra Hunt, representing GTC Road Comm.,
pursuant to City Commission Rule 13 (see reverse side), request to be placed under
"Public Comment - Reserved" on the Agenda of the Regular Meeting scheduled for
Monday, 10/7.

mgr.
Jim
COOK

I understand that 15 minutes is allowed for my presentation at the end of the meeting
under 7(a) of the Agenda

I wish to address the Commission regarding the following matter:
Nov 5, 2013 Road Millage Ballot Proposal.

9/30/2013

Date
231-922-4848

Daytime Phone
dhunt@gtrc.org

E-mail

Debra Hunt

Signature
1881 La Fraier Rd

Address
Garfield Twp.

City/Township

Regular meetings are held the 1st and 3rd Mondays of each month at 7:00 pm.
Please return to the City Clerk no later than Monday, 5:00 pm, the week prior to your
requested date.

Thank you for your interest!
Benjamin C. Marentette, CMC
City Clerk