



Minutes of the
City Commission for the City of Traverse City
Regular Meeting
November 18, 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 James Carruthers, Barbara D. Budros, Jeanine Easterday, Gary L. Howe, Ross W. Richardson, Timothy M. Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

2. Consent Calendar

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

- a. The minutes of the November 4, 2013, Regular Meeting, be approved.
- b. The Mayor and City Clerk execute a contract with SE Group for the preparation of a Hickory Hills Master Plan in the amount of \$32,000, with the city to provide \$16,000 in funding, Garfield Township to provide \$8,000 in funding, Preserve Hickory and Grand Traverse Ski Club to each provide \$4,000 in funding, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with the city's funding available in the Parks Division Budget.

- c. The City Manager be authorized to declare a 2002 Ford F450 (Truck #67) surplus and issue a purchase order to Altec Industries of Indianapolis, Indiana in the amount of \$115,014 for the purchase of a 2014 Dodge chassis with a thirty foot Altec aerial bucket to be used by the Streets Department, with funds available in the Garage Fund.
- d. The City Manager be authorized to issue a purchase order to Fabco Industries in the amount of \$33,750 for 45 replacement cartridges with funds available in the Capital Projects Fund, to be reimbursed by the Great Lakes Restoration Initiative Grant program
- e. The Mayor and City Clerk execute Amendment No. 1 to the Agreement with CH2MHILL for Operations, Maintenance and Management Services, at the Wastewater Treatment Plant (originally authorized March 5, 2012) for the period of July 1, 2013, to June 30, 2014, which would increase the base fee by 3.5% and increase the Direct Cost 1.7%, with the total payment to be \$2,307,561, such amendment subject to approval as to its substance by the City Manager and its form by the City Attorney.
- f. The Mayor and City Clerk execute a unit prices change order to the contract with DHE Plumbing and Mechanical for the Fluoride Feed System Upgrade Project (originally authorized June 17, 2013) to complete the 2013 Water Treatment Plant Alum Feed System Upgrade Project in the amount of \$35,000, more or less, with funds available in the Water Fund, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney.

CARRIED unanimously

Items removed from the Consent Calendar

None.

3. Old Business**3(a).**

Consideration of introducing an amendment to the Traverse City Code of Ordinances to establish various regulations regarding noise within the city, including regulating “C-Scale Noise”; discussion regarding proposed amendments to the Parks and Public Land Use Policy and fees for the Open Space.

The following addressed the Commission:

Jered Ottenwess, City Manager

Benjamin Marentette, City Clerk

Trevor Tkach, National Cherry Festival Executive Director

Brian Haas, 227 East 10th Street

Cindy Ruzak, Maritime Heritage Alliance, Schooner Festival, no address given

John Pack, 824 Webster Street, Cherry Tree Suites General Manager

Tim Hinkley, 3015 East Partridge Court, Solon Township, Traverse City Boom Boom Club

Mike Dow, 436 Washington Street

Brad Van Dommelen, Traverse City Tourism Organization President

Raymond Minervini, The Minervini Group, 800 Cottageview Drive

Denny Braun, 602 Washington Street

Rick Buckhalter, 932 Kelley Street

Doug Dornbos, 10260 South Dalzell Road, Elmwood Township, Cherry Capital Cab and Grand Traverse Limousine Owner, Grand Traverse Area Hospitality Association Treasurer

Alfred Warmbier, 803 Cass Street

Andy McFarlane, 716 Washington Street

Carol Lewis, Taste of Traverse City Festival Producer, no address given

Mark Walter, 13842 South Windcrest Court, Elmwood Township, Sound Environments

Debbie Lake, 1122 Lake Ridge Drive, Traverse City Film Festival Executive Director

Lee Kurt, 428 East State Street, TART Trails Program and Planning Coordinator

Fran Denewitz, 2738 Neah Ta Wanta Road, Peninsula Township

Sam Porter, 426 West Eighth Street

Moved by Richardson, seconded by Carruthers, that a City Commission Ad Hoc Committee to review Park and Public Land Use Policy and Noise Ordinance be established; and that Commissioners Richardson, Howe and Budros be appointed to such committee, with Commissioner Richardson to serve as chair, with the committee to expire April 18, 2014.

CARRIED unanimously.

There being no objection, Mayor Michael Estes declared a recess.

3(b).

Consideration of adopting resolutions authorizing grant agreements with the Michigan Department of Environmental Quality for a stormwater and wastewater asset management program, including a local match.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Werner, that the Resolution Authorizing the SAW Grant Agreement for a wastewater asset management plan and the Resolution Authorizing the SAW Grant Agreement for a stormwater asset management plan and stormwater management plan be adopted, with the city to provide matching funds up to \$444,000, to be provided in the following manner: matching funds to be provided in the form of in-kind services to the greatest extent possible, along with a not-to-exceed amount of \$50,000 from the Sewer Fund and a not-to-exceed amount of \$25,000 from the General Fund.

CARRIED unanimously.

4. New Business

4(a).

Consideration of introducing an amendment to the Traverse City Code of

Ordinances which would rezone the properties at 221 Cass Street and 215, 223 and 229 Washington Street from C-4a to C-4b in connection with the *Washington Place* development, which would allow buildings to be 60 feet by right and 68 feet by Special Land Use Permit, rather than 45 feet in height, as recommended by the City Planning Commission.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Easterday, seconded by Werner, that an amendment to the Traverse City Code of Ordinances, *Zoning Map Amendments*, to rezone 221 Cass Street and 215, 223, and 229 Washington Street from C-4a (Regional Center) District to C-4b (Regional Center) District which would allow for buildings to be 60 feet high by right and 68 feet by Special Land Use Permit, based on the Future Land Use Map in the City of Traverse City Master Plan, as recommended by the City Planning Commission, be introduced and scheduled for possible enactment on December 2, 2013.

Rick Buckhalter, 932 Kelley Street – made general comments

John Scrudato, 422 East State Street - made general comments

CARRIED unanimously.

4(b).

Consideration of adopting a Resolution Concurring with a Brownfield Plan for 647 East Eighth Street (located at the corner of Eighth Street and Railroad Avenue), which would make the property eligible for Brownfield Redevelopment tax incentives.

The following addressed the Commission:

Jered Ottenwess, City Manager

Jean Derenzy, Grand Traverse County Planning and Development Deputy Director

Moved by Easterday, seconded by Howe, that the Resolution Concurring

with Grand Traverse County Brownfield Plan for 647 East Eighth Street, be adopted.

Rick Buckhalter, 932 Kelley Street – made general comments
John Scudato, 422 East State Street – made general comments
Debra Graetz, owner of 647 East Eighth Street – made general comments
John Serratelli, 237 Midtown Drive – expressed support
Connie Friedrich, 701 Webster Street - made general comments
Ty Schmidt, 841 Washington Street – expressed support
Lee Kurt, 428 East State Street – expressed support
Tom Szafranski, 210 South Elmwood – expressed support
Michael Strom, 605 East State Street – made general comments
Ken Richmond, 333 Boardman Avenue – made general comments

Roll Call:

Yes - Budros, Carruthers, Easterday, Howe, Werner, Estes.

No - Richardson.

CARRIED.

4(c).

Consideration of adopting a Resolution Concurring with a Brownfield Plan for 147 East Eighth Street (located at the northwest corner of Eighth Street and Cass Street), which would make the property eligible for Brownfield Redevelopment tax incentives.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Howe, seconded by Werner, that the Resolution Concurring with Grand Traverse County Brownfield Plan for 147 East Eighth Street, be adopted.

Deni Scudato, 422 East State Street – made general comments

Moved by Richardson, seconded by Budros, that the motion be amended to amend the resolution to stipulate that the concurrence is subject to a maximum of two years of capture to fund the Local Site Remediation Fund.

Roll Call:

Yes - Budros, Richardson, Carruthers

No - Easterday, Howe, Werner, Estes.

FAILED.

Therefore, City Clerk Benjamin Marentette announced the motion on the floor is as follows:

Moved by Howe, seconded by Werner, that the Resolution Concurring with Grand Traverse County Brownfield Plan for 147 East Eighth Street, be adopted.

Mayor Michael Estes called for a vote on the motion on the floor.

CARRIED unanimously.

5. Appointments

5(a).

Consideration of re-establishing the City Commission Ad Hoc Committee to make a recommendation regarding providing water bottle filling stations at the Open Space.

Moved by Carruthers, seconded by Easterday, that a City Commission Water Bottle Filling Station Ad Hoc Committee be re-established to make a recommendation regarding bottle water filling stations at the Open Space during events and festivals; and that Commissioner Easterday, Mayor Pro Tem Carruthers, and Mayor Estes be appointed to such committee, with Commissioner Easterday to serve as chair, with the committee to expire April 19, 2014.

CARRIED unanimously.

5(b).

Consideration of appointment by the Mayor with approval of the City Commission to the Housing Commission.

Moved by Carruthers, seconded by Budros, that the Mayor's reappointment of Kay Serratelli to one five-year term expiring November 30, 2018, on the Housing Commission, be approved.

CARRIED unanimously.

5(c).

Consideration of accepting the resignation of Mayor Pro Tem James Carruthers from the Brown Bridge Advisory Committee as the City Commission's representative and appointing a City Commission representative to fill the vacancy.

Moved by Carruthers, seconded by Richardson, that the resignation of Commissioner Carruthers dated November 13, 2013, from the Brown Bridge Advisory Committee, be accepted; and that Commissioner Howe be appointed to one unexpired three-year term expiring October 6, 2014, (seat previously held by Commissioner Carruthers), 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.
 5. Minutes of the Act 345 Retirement System Board Meeting of August 28, 2013.
 6. Minutes of the Historic Districts Commission Regular Meeting of September 26, 2013.
 7. Minutes of the Traverse City Light and Power Board Regular Meeting of October 8, 2013.
 8. Communication from the City Treasurer/Finance Director regarding Tax Tribunal Refunds dated November 11, 2013.
- e. Reports and correspondence from non-City officials.

None.

7. Public Comment

The following addressed the Commission:

1. Reserved.
None
2. General.

Chris Maxbauer, 503 West Eighth Street, Grand Traverse County

Commissioner
Larry Titus, 1231 Santo Street
John Serratelli, 237 Midtown Drive

3. Mayor and City Commissioners.

Mayor Pro Tem James Carruthers
Commissioner Gary Howe

There being no objection, Mayor Michael Estes declared the meeting adjourned at 10:01 p.m.

Benjamin C. Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)