

**City Commission Ad Hoc Committee**  
***Parks and Public Land Use and Noise Ordinance***



**1:00 p.m.**  
**Monday, December 16, 2013**  
**2<sup>nd</sup> Floor Commission Chambers**  
**400 Boardman Avenue**  
**Traverse City, MI 49684**  
**Posted: Wednesday, December 11, 2013 at 10:00 a.m.**

If you are planning to attend the meeting and you have a disability requiring any special assistance at the meeting, please notify the City Clerk, immediately.

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Benjamin C. Marentette, CMC  
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**Agenda**

1. Consideration of approving the minutes from the December 2, 2013 meeting.
2. Discussion regarding the Parks and Public Land Use Policy, Fees, and Noise Regulations.
3. Public Comment.
4. Adjournment.

**City Commission Ad Hoc Committee: Parks and Public Land Use and Noise Ordinance  
Minutes  
Meeting of December 2, 2013**

A meeting of the City Commission Ad Hoc Committee: Parks and Public Land Use and Noise Ordinance was called to order on Monday, December 2, 2013 at 11:00 a.m. in the Commission Chambers, 400 Boardman Avenue, Traverse City, Michigan.

The following Commissioners were present, constituting a quorum: Ross Richardson, Barbara Budros and Gary Howe.

The following Commissioners were absent: None.

Staff in attendance: Jered Ottenwess, Makayla Vitous, Lauren Tribble-Laucht, Benjamin Marentette, Katie Lowran, Scott Maxson and Dave Green.

Commissioner Richardson served as Chair of this committee.

1. The first item being: "Consideration of selecting a Secretary for the duration of the committee."

It was moved by Budros, seconded by Richardson that Gary Howe serve as Secretary for the duration of the committee.

Carried Unanimously.

2. Next item being: "Discussion regarding the Parks and Public Land Use Policy, Fees, and Noise Regulations."

The committee discussed frequency, costs to the city associated with hosting High Impact Events, on-site staff liaison/ombudsman, charging for parking, site plan "foot print" and maintaining park access during events. Staff was directed to bring back fees associated with a liaison/ombudsman.

3. The next item being: "Discussion regarding the moratorium on High Impact Park Permits to be reconsidered by the City Commission on December 16, 2013."

The committee would like to meet again early next week to discuss the fee issue and hopes to have this item ready for reconsideration on December 16, 2013 at which time the full Commission will reconsider the adopted moratorium on the City Clerk's Office issuance of High Impact Park Use Permits. Noise Regulations will be discussed at a later date.

Moved by Budros, seconded by Richardson that the recommendation provided by staff on November 18, 2013 which includes only one High Impact Event be allowed in June;

none in July and one in August prohibiting summer holiday weekends (Memorial Day, Independence Day, and Labor Day); Clinch Park and the Open Space, other than the Cherry Festival and Film Festival, be approved.

Roll Call: Yes - Richardson, Budros

No - Howe

4. Next item being “public comment.”

Jonathon Pack, General Manager of Cherry Tree Inn & Suites, 824 Webster Street  
Michael Jackson, Downtown Development Authority Member, 217 6<sup>th</sup> Street  
Todd Klepper, 9781 Avondale Lane, Leelanau Township  
Julia Wagner, 402 W. 11<sup>th</sup> Street  
Brad VanDommlen, President Traverse City Tourism  
John Scrudato, 422 E. State Street  
Sam Porter, 426 W. 8<sup>th</sup> Street  
Deni Scrudato, 422 E. State Street  
Lou Columbo, 1111 Lake Ridge Drive  
Tim Norman, General Manager of The Grand Traverse Resort & Spa

The meeting was declared adjourned at 12:19 p.m.

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Commissioner Gary Howe,  
Secretary

Prepared by:  
Katie Lowran  
Deputy City Clerk

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# Memorandum

The City of Traverse City



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TO: City Commission Ad Hoc Committee on Park and Public Land Use and Noise:  
Commissioner Ross Richardson, Chairman  
Commissioner Barbara Budros  
Commissioner Gary Howe

COPY: Lauren Tribble-Laucht, City Attorney  
Benjamin Marentette, City Clerk  
Dave Green, Director of Public Services

FROM: Jered Ottenwess, City Manager

DATE: Tuesday, December 10, 2013

SUBJECT: FEES FOR USE OF THE OPEN SPACE

At the last ad hoc committee meeting, the committee requested that staff bring back a recommended fee for High Impact use of the Open Space. Specifically, the committee requested that the fee changes brought back be based on costs for staff review and administration of events.

The City Clerk's Office estimates the *average* cost of reviewing High Impact Park Use Permits to be approximately \$1,000. Based upon the feedback at the November 18 Commission meeting we anticipate handling trash by requiring event holders to have provisions in place for proper trash removal; and if trash isn't removed to the city's satisfaction, the city will remove the trash and bill the costs to the event holder. Therefore, the fee recommendation below does not account for any up-front fees for trash removal.

We are currently exploring options for having an event liaison that would enforce permit conditions. This liaison is likely to be a third-party individual and will not be a member of the Police Department as previously discussed. Because we are currently exploring options, the estimated cost for a liaison is not yet defined.

Some events would require more time from a liaison than others, for example, some might require the liaison to be on site the entire time of the event, whereas others would require more limited presence. Therefore, we do not recommend a one-size-fits-all approach; and we recommend billing the event holder for the actual time invested by the event liaison is the preferred approach rather than building into the fee the cost of an event liaison. City staff would communicate in advance the anticipated charge for the event liaison to the event holder so there was a clear understanding of the charge up front.

At the November 18 meeting, one of the recommendations was to charge \$500 per day if alcohol is sold rather than the current practice of a one-time \$500 charge. Based upon feedback, staff recommends continuing the \$500 per event charge. The genesis for the charge currently in place, is that the city does not recoup all of its costs through the permit fees. A case could be made to increase the fees substantially in order to better cover the city's costs. However, when

looking at the criteria identified by the committee that staff propose fees that are commensurate with the cost of reviewing requests and administering the event permitting process, it makes sense to remain with the \$500 per event charge, which can help make up for events that use greater-than-average city time in the permitting process.

Therefore, staff recommends the following fees for the Open Space:

First day fee	Each add'l day fee	First day fee – charitable organizations	Each additional day fee – charitable organizations	Sale of Alcohol Fee – per event
\$1,000	\$500	\$750	\$375	\$500

Basis for fees – first day fee is \$1,000 (average cost of reviewing and permitting such events); charitable organizations, as defined by the Internal Revenue Service, receive a 25% discount. The each additional day fee is ½ the given first day fee.

The following table compares the permit fees that would be charged using the proposed fee structure to the fees currently in place, based on the average event in the Open Space – one where alcohol is sold, the event is two days in duration, plus a total of two days for set up and take down, for a total of four days park use.

Permit fee – using proposed fee structure / fee for charitable organization	Fee under current structure / fee for charitable organization	Difference
\$3,000 / \$2,375	\$1,200 / \$850	\$1,800 / \$1,525

With respect to fees, are there other factors the Committee would like taken into consideration?

Depending on the length of discussion regarding fees, the Committee may choose to move into discussion regarding noise.

JJO/bcm

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TO: Commissioner Howe, Secretary  
FROM: Katelyn Stroven, Administrative Specialist  
RE: Outline to follow during meeting

The City Attorney explained that the City Clerk or Deputy City Clerk do not have to be in attendance to take minutes. However, if not, then please complete the following; and I will be glad to draft the minutes for you. I remain at your service to attend or not to attend, whatever you choose.

Date of Meeting: Monday, December 16, 2013

**Starting time:** \_\_\_\_\_

Name of board: City Commission Ad Hoc Committee: Parks and Public Land Use and Noise Ordinance

Meeting Location: Second Floor Commission Chambers

1. Please place a check mark next to the Ad Hoc Committee Members in attendance.  
\_\_\_\_\_ **Commissioner Richardson**      \_\_\_\_\_ **Commissioner Budros**  
\_\_\_\_\_ **Commissioner Howe**

2. Staff in attendance:

\_\_\_\_\_  
\_\_\_\_\_

3. Consideration of approving the minutes from the December 2, 2013 meeting.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Carried Unanimously? **Yes**      **No**

If not, who opposed? \_\_\_\_\_

4. Discussion regarding the Parks and Public Land Use Policy, Fees, and Noise Regulations.

*(Indicate Below)*

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\_\_\_\_\_  
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5. Public Comment.

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6. *Further direction for the Clerk's Office:* \_\_\_\_\_

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7. *Time/Date of Next Meeting:* \_\_\_\_\_

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\_\_\_\_\_ **Ending Time.**

\_\_\_\_\_ **Secretary**