



Notice
City Commission Regular Meeting

7:00 pm

TUESDAY, February 18, 2014

Commission Chambers, Governmental Center
400 Boardman Avenue
Traverse City, Michigan 49684
Posted and Published 02-13-14

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 and 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 February 3, 2014, Study Session of February 8, 2014, and Joint Study Session of February 10, 2014. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)

- b. Consideration of authorizing placement of the Winter 2014-2015 Road Salt Order. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- c. Consideration of authorizing a confirming purchase order for diesel fuel for city operational use. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- d. Consideration of enacting an amendment to the Traverse City Code of Ordinances, which would specify that the Board of Zoning Appeals adopt procedures for its operation rather than having such procedures established by ordinance. (Enactment recommended) (Jered Ottenwess, Russell Soyring)
- e. Consideration of authorizing the City Manager to approve payment in the amount of \$7,000 per year for three years for the city's cost share of the agreement held by Traverse City Light and Power for asset inventory and management software. (Approval recommended) (Jered Ottenwess) (5 affirmative votes required)
- f. Consideration of authorizing a change order for the removal of existing wall coating and related replacement for two filter tanks at the Water Treatment Plant in connection with the 2014 Water Treatment Plant Filter Replacement Project and authorizing a related change order for the associated evaluation, design and permit administration work. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- g. Consideration of concurring with the Traverse City Light and Power Board's recommendation to remove restrictions from Traverse City Light and Power's Self-Insurance Bank Account, which will make these funds available for operational or capital uses if authorized in future budgets. (Concurrence recommended) (Jered Ottenwess, Timothy Arends)

Items removed from the Consent Calendar

- a.
- b.
- c.

3. Old Business

- a. Consideration of authorizing a contract for the procurement of a train 500 D membrane technology at the Wastewater Treatment Plant. (Jered Ottenwess) (5 affirmative votes required)

4. New Business

- a. Consideration of authorizing a purchase order for a new refuse truck for use by the Parks and Streets divisions. (Jered Ottenwess, Dave Green) (5 affirmative votes required)

5. Appointments

None.

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 Traverse City Light and Power Board Meeting of January 14, 2014.
 - 6. Capital Improvement Program Plan Update from the City Planning Director and City Engineer dated January 28, 2014.
 - 7. Minutes of the Human Rights Commission Meeting of January 13, 2014.
- e. Reports and correspondence from non-City officials.
 - 1. Fractile Emergency Response Report from North Flight for January 2014.

7. Public Comment

- a. Reserved.

None.

- 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 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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Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ¹⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: MINUTES

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

- February 3, 2014, Regular Meeting
- February 8, 2014, Study Session
- February 10, 2014, Joint Study Session

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

that the minutes of the February 3, 2014, Regular Meeting, February 8, 2014, Study Session, and February 10, 2014 Joint Study Session, be approved.

JJO/kes

k:\tcclerk\city commission\minutes



**Minutes of the
City Commission for the City of Traverse City**

Regular Meeting

February 3, 2014

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, Barbara D. Budros, Jeanine Easterday, Gary L. Howe, Ross Richardson, Tim Werner.

The following Commissioner was absent: Mayor Pro Tem James Carruthers.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

As requested by Commissioner Ross Richardson, Agenda Items 2(a) and 2(b) were removed from the Consent Calendar for full discussion.

2. Consent Calendar

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

- a. Removed from the Consent Calendar.
- b. Removed from the Consent Calendar.
- c. That the Resolution Establishing Fees for the Duncan L. Clinch Marina Transient Rates 2014, be adopted.

CARRIED unanimously. (Carruthers absent)

Items removed from the Consent Calendar

a.

Consideration of approving minutes of the Regular Meeting of January 21, 2014, and Study Session of January 27, 2014.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Budros that the amended minutes of the January 21, 2014, Regular Meeting, and January 27, 2014, Study Session be approved.

CARRIED unanimously. (Carruthers absent)

b.

Consideration of adopting a resolution accepting a \$232,000 Great Lakes Fishery Trust Grant to fund environmental, engineering and design work for a new, universally-accessible multi-purpose pier in West Grand Traverse Bay at the mouth of the Boardman River and approving the related budget amendment.

Moved by Richardson, seconded by Budros, that the resolution accepting the Great Lakes Fishery Trust grant in the amount of \$232,000 for final design and environmental work associated with the possible construction of a universally-accessible multi-use pier in West Grand Traverse Bay be adopted; and that the City Manager be authorized to execute all related agreements; and further that a budget amendment in the amount of \$232,000 be made in the Capital Projects Fund to reflect the receipt and expenditure of the grant proceeds.

Jered Ottenwess, City Manager

Deni Scrudato, 422 East State Street – made general comments

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously. (Carruthers absent)

3. Old Business

3(a).

Consideration of a report from the City Commission Ad Hoc Committee on Park and Public Land Use and Noise Regulation and recommended changes.

Moved by Richardson, seconded by Budros, that the Resolution Establishing Fees for Park and Public Land Use be amended as generally described in the January 30, 2014, communication from the City Commission Ad Hoc Committee on Parks and Public Land Use and Noise Regulation and as submitted with the February 3, 2014, meeting materials; and further that the Parks and Public Land Use Policy be amended to provide that a maximum of two quadrants in the Open Space may be used for High Impact Events and that the Parks and Recreation Commission review and provide recommendations to the City Clerk regarding first-time High Impact Park Use Event Applications.

The following addressed the Commission:

Rick Buckhalter, 932 Kelley Street – made general comments
Jered Ottenwess, City Manager
Lauren Tribble-Laucht, City Attorney
Benjamin Marentette, City Clerk

CARRIED unanimously. (Carruthers absent)

4. New Business

4(a).

Consideration of adopting a resolution authorizing a contract for payment in lieu of taxes as requested by Craig Patterson – Woda Group.

The following addressed the Commission:

Jered Ottenwess, City Manager

Craig Patterson, Vice President, WODA Group, Westerville, Ohio

No action was taken.

4(b).

Consideration of authorizing an amendment to the Employment Agreement for City Manager to provide for City Manager travel outside of a 25 mile radius of the city, be made by rental car or mileage reimbursement.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Budros, seconded by Werner, that the Mayor and City Clerk execute the First Amendment to Employment Agreement for City Manager with Jered Ottewness (original agreement authorized May 20, 2013), to provide that the City Manager may receive mileage reimbursement for travel in his personal vehicle or car rental reimbursement for travel outside of a 25-mile radius of the Governmental Center, whichever is in the best interest of the city, such amendment subject to approval as to form by the City Attorney.

CARRIED unanimously. (Carruthers absent)

4(c).

Consideration of renaming the former Veterans Memorial Park at Division and Bay Street as *Slabtown Corner* and naming the dog park within the park at Division and Bay Street as *Wags West*, as recommended by the Parks and Recreation Commission.

Moved by Howe, seconded by Easterday, that the former Veterans Memorial Park be renamed *Slabtown Corner* and that the dog park enclosure in that same park be named *Wags West*, as recommended by the Parks and Recreation Commission.

CARRIED unanimously. (Carruthers absent)

5. Appointments

5(a).

Consideration of re-establishing the City Commission Ad Hoc Committee to make a recommendation regarding sidewalk cafés.

Moved by Richardson, seconded by Easterday, that a City Commission Sidewalk Café Ad Hoc Committee be reestablished (originally established on August 5, 2013) to make a recommendation regarding sidewalk cafés; and that Mayor Pro Tem Carruthers and Commissioners Budros and Easterday be reappointed to such committee, with Mayor Pro Tem Carruthers to serve as Chair, with the committee to expire August 3, 2014.

CARRIED unanimously. (Carruthers absent)

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- Report regarding state regulations regarding a hotel tax.
- 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 Traverse City Light and Power Board meeting of December 10, 2013.
- e. Reports and correspondence from non-City officials.
- 1. Monthly Operations Report for the Wastewater Treatment Plant from CH2MHILL for December 2013.
 - 2. Minutes of the History Center Board of Directors meeting of January 7, 2014.

7. Public Comment

The following addressed the Commission:

- 1. Reserved.
- 2. General.

Rick Buckhalter, 932 Kelley Street
David Bedells, 422 Washington Street

- 3. Mayor and City Commissioners.

None.

There being no objection, Mayor Michael Estes declared the meeting adjourned at 8:22 pm.



Benjamin C. Marentette, CMC
City Clerk

Approved: _____,
(Date) (Initials)



Minutes of the
City Commission for the City of Traverse City
Study Session
February 8, 2014

A study session of the City Commission of the City of Traverse City was called to order at Clinch Marina Harbor Master Building, 111 East Grandview Parkway, Traverse City, Michigan, at 9:00 AM.

The following Commissioners were present, constituting a quorum: Mayor Pro Tem James Carruthers, Jeanine Easterday, Gary Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: Mayor Michael Estes, Barbara D. Budros.

Mayor Pro Tem James Carruthers presided at the meeting.

1.

Discussion regarding City Commission Priorities for 2014.

Mary Grover facilitated the discussion among the Commission; and City Manager Jered Ottenwess addressed the Commission throughout the discussion.

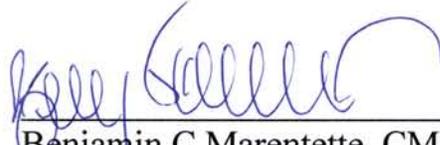
2.

Public comment.

The following addressed the Commission:

George Golubovskis

There being no objection, the meeting was adjourned at 11:57 a.m.



Benjamin C Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)

DRAFT



Minutes of the
City Commission for the City of Traverse City
Joint Study Session
with the Traverse City Light and Power Board
February 10, 2014

A joint study session of the City Commission of the City of Traverse City and Traverse City Light and Power Board 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, Gary Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: Barbara D. Budros, Jeanine Easterday.

Mayor Michael Estes presided at the meeting.

1.

Presentation of Traverse City Light and Power's Strategic Plan and general discussion regarding other Traverse City Light and Power matters.

The following addressed the Commission:

Tim Arends, Traverse City Light and Power Executive Director
Jessica Wheaton, Traverse City Light and Power Marketing and
Communications Coordinator

2.

Public Comment.

The following addressed the Commission:

John Noonan, 908 South Union Street

Roger Griner, 316 Michigan Avenue, Frankfort

Jay Ruzak, 1944 Carroll Road, Peninsula Township, Maritime Heritage Alliance

Marsha Smith, 529 Washington Street, Rotary Charities and Rotary Camps and Services Executive Director

Randy Smith, Williamsburg

Fred Sitkins, Boyne City, Inland Seas Education Association President

Rick Buckhalter, 932 Kelley Street

Chris Maxbauer, 503 West Eighth Street

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:00 pm.



Benjamin C Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: WINTER SALT ORDER

Attached are memos from Dave Green, DPS Director, and Mark Jones, Streets Superintendent, regarding the approval to order winter road salt for ice control for the winter of 2014-2015.

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

that the City Manager be authorized to approve ordering 2,000 tons of bulk salt and 500 tons of backup salt through the State of Michigan's MIDeal program.

JO/jd

cc: Dave Green, DPS Director
Mark Jones, Streets Superintendent

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: February 7, 2014
SUBJECT: 2014-15 Salt Order

Attached is a memorandum from Mark Jones, Streets Superintendent, requesting approval to order winter road salt for ice control for the winter of 2014-2015.

We purchase road salt through the State of Michigan extended purchasing program, taking advantage of the lowest prices available to the State. We actually have to place our order now for next winter's salt because the State combines the demand from all of the State's municipalities into one large bid. The actual price that we will pay does not become available until the bid is awarded and the salt is ready for delivery. But by placing an order now, we are committed to paying for the salt in the fall. Because funds are being committed, we think it appropriate that the City Commission approve the order that is being placed now, and then approve the actual expenditure of funds in the fall.

Mark estimates the need for 2000 tons of early delivery salt and 500 tons of backup salt. As Mark explains in his memo, we have some flexibility on how much of the backup salt we actually have delivered.

Please request City Commission approval to order 2000 tons of bulk salt and 500 tons of backup salt through the State of Michigan's MIDEAL program.

Memorandum

To: Dave Green, DPS Director

From: Mark Jones, Street Superintendent

Date: 02-05-14 *Mark V Jones*

Subject: 2014/2015 MIDEAL Salt Commitment

As in the past, the City has arranged for the purchase of its yearly road salt supply through the State of Michigan extended purchasing service. The State of Michigan takes bids for bulk deliveries with drop points to various agencies. Every year in March all agencies are asked for the tonnage of salt they will need for the upcoming year. By doing this they can go out for bids and receive the lowest price for bulk salt, this commitment locks the agencies in for the purchase. (MIDEAL Road Salt Contract) Normally in August we receive the finalized contract with the lowest bid price for all agencies. By participating in the MIDEAL Road Salt Contract all agencies are guaranteed the quantity they requested. The salt vendor is required to keep 30% extra in case of a heavy winter and all agencies are only required to accept 70% of their backup salt commitment. As a rule, every year salt and delivery prices increase so it makes sense to accept the full amount contracted.

Please request City commission approval for a commitment order of 2000 tons early delivery of bulk salt and 500 tons of seasonal back up salt.

Please see chart to follow which shows the last eight years of salt purchased by the City, this chart shows the year by year increases and may help to understand what we can expect for increases in the 2014/2015 season.

Necessary funds will be budgeted in the Street Division and Highway maintenance accounts for these purchases.

Salt Early Delivery and Backup Salt Delivery

		Tons Ordered			Annual Total Cost
2006	Early Delivery	1500	\$39.41 per ton	\$59,115	
2007	Backup Delivery	500	\$40.41 per ton	\$20,205	\$79,320
2007	Early Delivery	1500	\$40.80 per ton	\$61,200	
2008	Backup Delivery	500	\$41,80 per ton	\$20,900	\$82,100
2008	Early Delivery	2000	\$48.14 per ton	\$96,280	
2009	Backup Delivery	300	\$49.32 per ton	\$14,796	\$111,076
2009	Early Delivery	2000	\$59.17 per ton	\$118,340	
2010	Backup Delivery	300	\$60.67 per ton	\$18,201	\$136,541
2010	Early Delivery	2000	\$61.24 per ton	\$122,480	
2011	Backup Delivery	300	\$62.79 per ton	\$18,837	\$141,317
2011	Early Delivery	1500	\$65.95 per ton	\$98,925	
2012	Backup Delivery	500	\$65.68 per ton	\$32,840	\$131,765
2012	Early Delivery	1000	\$65.61 per ton	\$65,610	
2013	Backup Delivery	300	\$65.35 per ton	\$19,605	\$85,215
2013	Early Delivery	1500	\$55.63 per ton	\$83,445	
2014	Backup Delivery	500	\$55.41 per ton	\$27,705	\$111,150
2014	Early Delivery	2000	\$ per ton	\$	\$
2015	Backup Delivery	500	\$ per ton	\$	\$



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ¹⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: #2 DIESEL FUEL PURCHASE

Telephone/fax bids were received for dyed #2 ultra-low sulfur diesel fuel 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	\$3.37825
Blarney Castle	Traverse City	Did not bid
Brenner Oil	Mount Pleasant	Did not bid
Crystal Flash	Traverse City	Did not bid
Fick & Sons	Grayling	Did not bid
Gilberts Service Oil	Traverse City	Did not bid
Schmuckal Oil	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 \$33,792.64 to Lemmen Oil Company for 10,003 gallons of dyed #2 ultra-low sulfur diesel fuel without additives priced at \$3.37825 per gallon with funds available in the Garage Fund.

JJO/wb

The previous purchase price on 1/9/14 was \$3.07775 per gallon.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: ORDINANCE AMENDMENT – BOARD OF ZONING APPEALS
RULES OF PROCEDURE AMENDMENT

Attached is a previously submitted memo from City Planning Director Russell Soying, regarding an ordinance amendment to the Board of Zoning Appeals Rules of Procedure to remove the content from the Zoning Code and establish the Rules of Procedure as a separate document of the Board of Zoning Appeals, so that future amendments would not require an ordinance amendment to the Zoning Code.

I recommend the following motion:

that an amendment to the Traverse City Code of Ordinances, *Rules of Procedure*, Section 1324.04, which will remove the Board of Zoning Appeals Rules of Procedure from the Zoning Code and establish the Rules of Procedure as a separate document of the Board of Zoning Appeals as recommended by the City Planning Commission, which was introduced on January 21, 2014, be enacted with an effective date of February 28, 2014.

JJO/kjl

k:\tcclerk\city commission\ordinance amendments\BZA_Rules of Procedure_enact

copy: Russell Soying, City Planning Director

Memorandum

The City of Traverse City
Planning Department



TO: JERED OTTENWESS, CITY MANAGER

FROM: RUSS SOYRING, PLANNING DIRECTOR *Russ Soyring*

SUBJECT: AMENDMENT TO BZA RULES OF PROCEDURE TO AMEND MEETING SCHEDULE

DATE: January 13, 2014

At the November 20, 2013 meeting, the Planning Commission discussed the 2014 meeting schedule and agreed that meetings on the 1st and 3rd Tuesday were desirable for the Planning Commission. To make that change, it required the Planning Commission to amend its Bylaws, which it did on January 7, 2014.

The Planning Commission meeting schedule change required that the Board of Zoning Appeals schedule also be amended. The Board of Zoning Appeals meets on the first Tuesday following the second Monday, which generally is the second Tuesday of the month although if the month begins on a Tuesday, then their meeting can fall back to the third Tuesday. The Board of Zoning Appeals has its Rules of Procedure in the Zoning Code. Staff is proposing to remove the Rules of Procedure section from the Zoning Code and have the Board of Zoning Appeals adopt a Rules of Procedure document at its January 14, 2014 meeting. Their meeting day will be changed to the 2nd Tuesday of the month.

The Planning Commission held a public hearing on January 7, 2014 and took the following action: Motion by Commissioner Werner, second by Commissioner Warren that an amendment to the Traverse City Code of Ordinances, Section 1324.04 *Rules of Procedure*, to remove the rules and procedure content from the Zoning Code and establish Rules of Procedure as a separate document of the Board of Zoning Appeals be recommended by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration. Motion carried 8-0 (Commissioner McNally absent.) There were no comments from the public made during the public hearing.

Please pass on the Planning Commission's recommendation regarding this zoning code amendment on to the City Commission for their consideration.

RAS:mll

Attachments: Amendment

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: Board of Zoning Appeals Rules of Procedure Amendment to remove the content from the Zoning Code and establish the Rules of Procedure as a separate document of the Board of Zoning Appeals

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 1324.04 *Rules of Procedure*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

CHAPTER 1324
Board of Zoning Appeals

1324.01	Establishment.	1324.05	Powers and duties.
1324.02	Composition; terms of office.	1324.06	Time limitations of orders.
1324.03	Meetings.	1324.07	Court review.
1324.04	Rules of procedure.		

CROSS REFERENCES

Board of Zoning Appeals MCLA 125.585

Meetings of the Board; freedom of information MCLA 125.585a

Review by Circuit Courts; appeals to Supreme Court; procedure MCLA 125.590

Actions for review; proper and necessary parties; notice; failure to appear MCLA 125.591

Authority re nonconforming uses Zoning Code 1370.03

Construction Board of Appeals B & H Ch. 1442

1324.01 ESTABLISHMENT.

The Board of Zoning Appeals is established in accordance with Article VI of Act 110 of the Public Acts of 2006. The Board shall perform its duties and exercise its powers as provided by state law and this Zoning Code such that the intent of this Zoning Code is observed and the health, safety and welfare of the public is secured.

(Ord. 719. Passed 2 5 07.)

1324.02 COMPOSITION; TERMS OF OFFICE.

(a) The Board of Zoning Appeals shall consist of nine members appointed by the City Commission for terms of three years. Terms shall be overlapping to provide for the appointment of an equal number of members each year. A successor member must be appointed within one month following the expiration of the previous term. At least one member shall also be a member of the Planning Commission.

(b) The City Commission shall also appoint two alternate members for terms of three years each. An alternate member may be called by the Chairperson of the Board, the Planning Director or the Zoning Administrator to sit as a regular member of the Board in the absence of a regular member if:

- (1) A regular member is unable to attend a regularly scheduled meeting; or
- (2) A regular member has abstained from a decision for reason of conflict of interest.
- (3) The alternate member having been appointed shall serve on an appeal until a final decision has been made. Such alternate member shall have the same voting rights as a regular member of the Board. Absence, inability to attend or abstention because of a conflict of interest may be established by communication of a Board member at least twenty four hours prior to the regularly scheduled Board meeting.

(Ord. 719. Passed 2 5 07.)

1324.03 MEETINGS.

Meetings of the Board of Zoning Appeals shall be held at the call of the Chairperson and at such other times as the Board may determine. There shall be a fixed place of meeting and all meetings shall be open to the public. The Board shall adopt its own rules of procedure and shall keep a public record of its proceedings showing the action of the Board and the vote of each member upon each question considered. The presence of five members shall be necessary to constitute a quorum and a majority vote of the members of the Board shall be necessary to reverse an order, requirement, decision or determination of an administrative official or to decide in favor of the applicant in the case of a variance, exception or interpretation, except that the concurring vote of two thirds of the members shall be necessary to grant a variance from uses of land permitted by this Zoning Code.

1324.04 RULES OF PROCEDURE.

The Board of Zoning Appeals shall follow such procedures as are established by statute, ordinance and resolution of the Board. ~~These procedures shall include:~~

- ~~(a) **Appeals Generally.** For purposes of these rules of procedure, an appeal shall include all applications for appeals, interpretations, variances, exceptions and matters involving nonconforming uses.~~
- ~~(b) **Initiating Appeals.** Appeals shall be filed with the Zoning Administrator within twenty-one days after written notice is given of the action being appealed. The appeal shall be placed upon the Board's agenda in the second month immediately following the month in which the appeal is filed.~~
- ~~(c) **Filing Fees.** The filing fee for appeals shall be established by resolution of the City Commission.~~
- ~~(d) **Notices.** Notice of an appeal will be given pursuant to State statute. Such notice shall be mailed or delivered at least fifteen days prior to the first meeting of the Board at which it will be formally considered.~~
- ~~(e) **Advertisements.** One advertisement in a local newspaper of general circulation indicating the nature of the appeal and the date of the hearing will be placed at least 15 days before the hearing. A minor deviation in the notice published in the newspaper or in the time of appearance of such notice in the newspaper shall not affect the validity of the~~

proceedings of the Board unless there is a clear demonstration of prejudice as a result of such minor deviation.

- (f) **Regular Meetings.** The Board's regular meeting date is the Tuesday after the second Monday of each month at 7:30 p.m. If the regular meeting date falls on a holiday, or if the regular meeting date falls on a Tuesday immediately following a Monday holiday, the meeting date shall be moved to the next working day. Meetings shall be held in the City Commission Chambers of the Governmental Center, unless otherwise indicated.
- (g) **Exceptions to Regular Meeting Dates.** If a quorum of the members is not present or anticipated, then the regular meeting may be canceled and rescheduled to the next regularly scheduled meeting or to the earliest possible date determined by the Chairperson of the Board. If no requests have been received 21 days before the date of a regularly scheduled meeting, the meeting may be canceled by the Zoning Administrator.
- (h) **Application Contents.** In addition to all other requirements of statute and ordinance, applications shall be in a form determined by the Zoning Administrator and shall contain such information as the Zoning Administrator shall direct. Such applications shall also include the following:
- (1) A site plan or site diagram reflecting accurate dimensions of the property, the location of structures on the property and the location of buildings on adjacent properties. If requested by the Board or the Zoning Administrator, such drawing shall be a survey performed by a registered land surveyor.
 - (2) The name, address and telephone number of the applicant and all authorized agents of the applicant.
 - (3) The application must be signed by the owner or someone acting upon written consent of the owner, which written consent must be submitted with the application.
 - (4) All previous appeals involving the property noted on the application as to the subject, date and outcome of the appeal.
- (i) **Conflict of Interest.** A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office. Before deliberating any appeal, the Chairman shall ask if any member has such a conflict.
- (j) **Representation at Hearing.** The applicant or the applicant's authorized agent must be present at the public hearing to properly answer questions concerning the appeal. If the applicant or agent is not present, the appeal may be deferred until the next meeting or dismissed, at the discretion of the Board.
- (k) **Reconsideration.** An applicant may re-appeal a decision after twelve months from the decision of the Board. The Board will not reconsider any appeal within twelve months from the date of the decision unless it can be shown by the applicant that there has been substantially changed circumstances affecting the appeal, which circumstances were not known to the Board at the previous hearing. The substantial change in circumstances shall be described, in writing, by the applicant at the time of the application. Before rehearing the matter, the Board shall decide whether there is a substantial change in

~~circumstances allowing the rehearing.~~

~~(l) **Instructions.** The Zoning Administrator shall prepare a written description of the procedures of the Board and instructions to all potential applicants. Such written instruction shall be submitted to the Board for its approval prior to public distribution.~~

~~(m) **Other Rules.** The Board may adopt such other rules to govern its procedure as it deems advisable, provided such rules are not in conflict with statute or ordinance.~~

1324.05 POWERS AND DUTIES.

- (a) **Generally.** The Board of Zoning Appeals shall not have the power to alter or change the zoning district classification of any property or make any change in the terms of intent of this Zoning Code. The Board shall have the power to act on those matters where this Zoning Code provides for an appeal, interpretation, variance or exception. The Board of Zoning Appeals shall not have the power to vary a standard for a Planned Unit Development or a Special Land Use Permit.
- (b) **Appeals.** The Board shall hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, decision or determination made by the administrative official or body charged with the enforcement of this Zoning Code.
- (c) **Interpretations.** Upon application by a City official or person interested in a specific affected parcel of land, when other administrative appeals have been exhausted, the Board shall have the power to:
- (1) Interpret this Zoning Code in such a way as to carry out its intent and purpose;
 - (2) Determine the precise location of a zoning district and special area boundaries;
 - (3) Classify a use which is not specifically mentioned, determine the district within which the use is permitted and determine the necessary parking to support the use; and
 - (4) Determine the off-street parking and loading space requirements of this Zoning Code.
- (d) **Variances.** The Board shall have the power to authorize specific variances or departures from this Zoning Code, if all of the basic conditions are satisfied, and if there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Zoning Code. A variance from the dimensional requirements of this Zoning Code may only be granted if it is determined that all basic conditions have been satisfied and that there is a practical difficulty in carrying out the requirement. A variance from the use requirements of this Zoning Code may only be granted if it is determined that all basic conditions have been satisfied and that there is an unnecessary hardship created by those use restrictions.
- (1) **Basic conditions.** Any variance granted from this Zoning Code shall meet the following basic conditions:
- (A) The spirit of this Zoning Code shall be observed, public safety secured and substantial justice done.
 - (B) There is no substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.

- (C) The difficulty or hardship relating to the property is not so general or recurrent in nature that the formulation of a general regulation for such conditions is preferable.
- (D) The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood, and shall apply only to property that is under the control of the applicant.
- (E) It shall be necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
- (F) There is a clear showing of an unnecessary hardship in that the property as a whole cannot reasonably be put to a use authorized by this Zoning Code.
- (G) The alleged hardship or difficulty is not solely economic, and is based on the reasonable use of a particular parcel of land.
- (H) It may be denied where the alleged practical difficulties or unnecessary hardships resulted from an act of the applicant, or a person in privity or concert with the applicant.

(2) **Practical difficulties and unnecessary hardships.** In order to determine if there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Zoning Code the following shall apply:

- (A) **Dimensional variance.** A practical difficulty shall exist where there are exceptional or extraordinary circumstances or physical conditions, such as narrowness, shallowness, shape or topography of the property involved, that do not generally apply to other property or uses in the same zoning district.
- (B) **Use variance.** An unnecessary hardship shall exist where the lot considered in combination with other land owned by the applicant adjacent thereto has no reasonable value as zoned.

(e) **Exceptions.** The Board shall have the power to grant the following exceptions:

- (1) Extend a district where the boundary line of a district divides a lot of record in single ownership at the time of adoption of this Zoning Code (July 6, 1999);
- (2) Interpret or apply this Zoning Code where the street layout actually on the ground varies from the street layout as shown on the District Map.
- (3) Permit the alteration or enlargement of an existing building associated with a Class 1 nonconforming use, or permit the increase in intensity of use of a Class nonconforming use, where:
 - (A) The change will not unreasonably delay future probability of compliance with this Zoning Code.
 - (B) There will be greater compliance with this Zoning Code or, in the alternative, with the Building Code or other applicable ordinances if the change is permitted, and such compliance is the maximum which can be reasonably expected. The change will not detract from any historical or unique architectural qualities of the building.
 - (C) The change will not be detrimental to or tend to alter the character of the neighborhood.

- (4) Permit a change in use of a Class 1 nonconforming use to another nonconforming use which is more nearly conforming to the use restrictions of this Zoning Code. After a change in use has been permitted, the use shall not be changed back to the former nonconforming use or to any less conforming use. Such a change in use may be permitted only where:
- (A) The change in use will not unreasonably delay future probability of compliance with this Zoning Code.
 - (B) There will be greater compliance with this Zoning Code if the change is permitted, and such compliance is the maximum which can reasonably be expected.
 - (C) The change will not be detrimental to the neighborhood or tend to alter the character of the neighborhood.

1324.06 TIME LIMITATIONS OF ORDERS.

- (a) **Building Alterations.** An order of the Board of Zoning Appeals permitting the erection or alteration of a building is valid for no longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.
- (b) **Uses.** An order of the Board permitting the use of a building or premises is valid for no longer than one year unless such use is established within such period. However, where such permitted use is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for such erection or alteration is obtained within such period and if such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.
- (c) **Modification.** Time limits established by this section may be lengthened or shortened by the Board as a condition imposed under the standards for conditions set forth in this Zoning Code.
- (d) **Expiration.** In addition to any expiration provision contained in an order itself, an order of the Board of Zoning Appeals may be declared by the Zoning Administrator to be expired where there has been a change in a material circumstance or fact upon which the order was issued, such as, but not limited to, destruction of a building or natural feature, vacation of a street or a change in topography. Before so declaring an order expired, the Zoning Administrator shall notify the landowner and if requested shall conduct a hearing with notice and procedures as practical.

1324.07 COURT REVIEW.

- (a) **Circuit Court Review.** A decision of the Board of Zoning Appeals shall be final. However, any party having a substantial interest affected by an order, determination or decision of the Board of Zoning Appeals may appeal to the Circuit Court if made to the Court within 30 days after the Zoning Board of Appeals certifies its decision in writing signed by the Chairperson or within 21 days after the Board of Zoning Appeals approves the minutes of its decision, or upon grant by the Court of leave to appeal.
- (b) **Standards for Review.** The Circuit Court shall review the record and decision of the

Board of Zoning Appeals to insure that the decision:

- (1) Complies with the constitution and the laws of the State;
- (2) Is based upon proper procedure;
- (3) Is supported by competent, material, and substantial evidence on the record;
- (4) Represents the reasonable exercise of discretion granted by law to the Board of Zoning Appeals.

(c) **Inadequate Record.** If the Court finds the record of the Board of Zoning Appeals inadequate to make the review required, or that additional evidence exists which is material and with good reason was not presented to the Board of Zoning Appeals, the Court shall order further proceedings before the Board of Zoning Appeals on conditions which the Court considered proper. The Board of Zoning Appeals may modify its findings and decision as a result of the new proceedings, or may affirm its original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse or modify the decision.

(Ord. 476. Passed 7-6-99. Ord. 655. Passed 11/1/04. Ord. 717. Passed 2-5-07. Ord. 808. Passed 8-4-08.)

The effective date of this Ordinance is the _____ day of _____, 2014.

I hereby certify the above ordinance amendment was introduced on January 21, 2014, at a regular meeting of the City Commission and was enacted on February 18, 2014, 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



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: ASSET INVENTORY AND MANAGEMENT (GIS) SOFTWARE
LICENSE AGREEMENT

Attached is a memo from Assistant City Manager Makayla Vitous regarding the city's GIS (Geographic Information System) management software. As indicated by Ms. Vitous, Traverse City Light and Power has authorized a three-year agreement for this software; the cost of the agreement is \$25,000 per year for each of the three years. The city's share is \$7,000 per year, which is equivalent to the amount the city expended in 2011 before the upgrade and was based on a fixed number of users. This software can now be used by any employee within the city organization.

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

That the City Manager be authorized to approve payment in the amount of \$7,000 per year, for three years to Traverse City Light and Power for the city's share of the software license agreement with ESRI for asset inventory and management, with funds available in the GIS Fund.

JJO/bcm

Copy: Dave Green, Director of Public Services
Tim Lodge, City Engineer
Polly Cairns, City Assessor

K:\tcclerk\city commission\payment authorizations\asset inventory and management software ESRI

Memorandum

The City of Traverse City



TO: JERED OTTENWESS, CITY MANAGER

FROM: MAKAYLA VITOUS, ASSISTANT CITY MANAGER *mv*

DATE: FEBRUARY 12, 2014

RE: ESRI ENTERPRISE LICENSE AGREEMENT

In 2011, Traverse City Light & Power entered into a license agreement with ESRI with the objective of upgrading the GIS software. The change moved away from the current per user license model and towards an Enterprise License Agreement (ELA) licensing model.

The ELA model gave the City the right to deploy ESRI software to every desktop user in our organizations for a fixed yearly cost. It also provided a bundle of software products and the ability to provide system redundancy between the TCL&P and the City.

TCL&P requested that they be reimbursed \$7,000 annually to help cover the cost of the ELA. That amount was equal to the annual cost City Departments paid under the per user license model in 2011.

That three year agreement is expiring and we would like to renew it. While the \$7,000 annual cost is within the City Manager's authority, the intent to participate for the three years necessitates City Commission approval.

Please forward this request to the City Commission for its consideration.



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: 2014 WATER TREATMENT PLANT FILTER REPLACEMENT PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a change order in the amount of \$69,500 to the contract for the 2014 Water Treatment Plant Filter Replacement Project. The change order would provide for the removal of the existing wall coating system and replacement for two filter tanks at the Water Treatment Plant. The wall coating is required by the State of Michigan and essentially seals the tanks.

Mr. Lodge also recommends a service order in the not-to-exceed amount of \$7,800 with Prein and Newhof for the evaluation of the tanks, design of the replacement, permitting administration and installation oversight.

Competitive bids were not sought for the change order and the service order because we have currently engaged both contractors for related work in connection with this overall project.

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

that the competitive bidding process be waived and that the Mayor and City Clerk execute a change order to the contract with Harper Industrial Construction, Inc. (originally authorized January 6, 2014), in the amount of \$69,500 for removal of the existing wall coating system and installation of a new wall coating system in two filter tanks at the Water Treatment Plant, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney and the City Manager be authorized to issue a service order to Prein and Newhof in the not-to-exceed amount of \$7,800 for the evaluation, design, permitting administration and installation oversight in connection with the change order, with funds available in the Water Fund.

JJO/bcm K:\tcclerk\agreements\change order 2014 water treatment plant filter replacement project
copy: Timothy Lodge, City Engineer

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager
FROM: Timothy J. Lodge, City Engineer *TJL*
DATE: February 11, 2014
SUBJECT: 2014 Water Treatment Plant Filter Replacement Project

This memorandum is to request adding the removal of the existing wall coating and installing a new wall coating system to the work repairing Filters #4 and #5 at the City's Water Plant which was authorized by the City Commission in January. Draining the filter tanks allowed a detailed examination of the filter walls by our engineering consultant for the Water Plant, Prein and Newhoff, and they recommend replacement of the coating system applied in 1994.

City staff anticipated the coating replacement as part of future maintenance for the Water Plant. Coordinating the wall coating system replacement with the work for repairing Filters #4 and #5 will result in less operation disruption for the Water Plant if performed at the same time. Therefore we requested a cost for this work from the Contractor, Harper Industrial Construction, Inc.

We received the cost of \$69,500.00 for removing the existing coating system and applying a new system. We anticipate the coating life cycle to be 20 years. The Consulting Engineer's estimated cost for this work is \$70,000

Therefore, it is recommended that this work be included with the above referenced project and that the proper City officials be authorized to execute a change order to the Contract for the above referenced project with Harper Industrial Construction, Inc., in the amount of \$69,500.00, more or less, with funds available in the Water Fund.

Furthermore, it is recommended that the City issue a service order to Prein and Newhof in the amount not exceed \$7,800.00 for completing the evaluation, design, MDEQ permitting and related contract administration services including full time construction observation as required by the MDEQ permit for this additional work for the project, with funds available in the Water Fund.



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ^{SD}JERED OTTENWESS, CITY MANAGER

SUBJECT: TRAVERSE CITY LIGHT AND POWER SELF-INSURANCE
BANK ACCOUNT

Attached is a memo from Traverse City Light and Power Executive Director Tim Arends indicating Traverse City Light and Power Board's request that the City Commission concur with its action to remove the restrictions on its self-insurance bank account, which was established in 1985 for pollution/environmental claims for the coal-fired power plant.

As indicated by Mr. Arends, there is approximately \$4.5 million in this account; Traverse City Light and Power has determined the funds do not need to be retained as self-insurance for pollution purposes because Traverse City Light and Power no longer operates the coal-fired power plant and is now covered by a pollution liability insurance policy with the city for other issues. Release of the restriction will allow Traverse City Light and Power to use these funds for operational and capital needs, subject to approval of their annual budget as required by the City Charter.

I recommend the following motion:

That the City Commission concurs with the Traverse City Light and Power Board action removing the restrictions over its self insurance account established at the June 24, 1985, joint meeting of the City Commission and Traverse City Light and Power Board.

JJO/bcm

K:\tcclerk\city commission\traverse city light and power\self insurance fund restriction removal
copy: Tim Arends, Traverse City Light and Power Executive Director



**TRAVERSE CITY
LIGHT & POWER**

To: Jered Ottenwess, City Manager
Copy: Benjamin Marentette, City Clerk
From: Tim Arends, Executive Director
Date: January 30, 2014
Subject: Resolution of Concurrence – Self Insurance Bank Account

At its January 28, 2014 meeting the Traverse City Light & Power (“TCL&P”) Board adopted a Resolution in support of closing a self-insurance bank account owned by TCL&P and is asking for the City Commissions’ concurrence of that motion.

Because this account was originally created and discussed at a joint meeting of the City Commission and TCL&P Board back in 1985, it is appropriate that both bodies support removing restrictions and/or closing the account. If closed, the funds would be moved into the common bank account of the city, which TCL&P is already a part of.

Attached is the board memo that better describes this issue, along with the adopted Resolution. Please place this item on an upcoming city commission meeting agenda for its consideration.

Thank you.

FOR THE LIGHT & POWER BOARD MEETING OF JANUARY 28, 2014



TRAVERSE CITY
LIGHT & POWER

To: Light & Power Board
From: Tim Arends, Executive Director
Date: January 21, 2014
Subject: Self-Insurance Account

Traverse City Light & Power has a self-insurance bank account designated for environmental liability that was opened on June 30, 1986. The account balance is \$4,520,390.

In researching whether these funds are expendable for operational or capital outlay uses a few documents were provided from the city clerk & treasurer on the history of when and why these funds were created. The first document was from the City Commission minutes of June 24, 1985, whereby the Commission approved the following motion: "Where the City would appropriate forty percent of \$63,380 and the remainder sixty percent to be appropriated by the Light & Power Board for initial funding of the self-insurance pool for protection against environmental impairment liability exposure." The Light & Power Board approved to abide by the City Commission action made on June 24, 1985 on that date through a joint special meeting of the Traverse City Light & Power Board and City Commission. In further research, through review of additional City Commission minutes and Traverse City Light & Power Board minutes, we could find no other authorization of future obligations for the self-insurance account except for a memorandum to the Light & Power Board that was included in the 1986-1987 budget board packets. In that memorandum it explained that "at this time environmental insurance was price prohibitive and it was the intention of the Light & Power Board to self-insure for environmental liabilities by appropriating \$100,000 (*per year*) for fifteen years to building the fund to \$3,000,000, with interest earnings".

With TCL&P operations significantly changed from 1986 including no longer operating a coal fired power plant, the necessity of reserving these funds is no longer necessary because exposure to environmental claims greatly reduced without a coal plant, and the utility now is covered by environmental insurance with the city. TCL&P does have an ash coal pit; however, final termination notice was received from the State of Michigan Department of Environmental Quality regarding its consent order on September 26, 2005. This notice stated TCL&P complied with the State of Michigan Department of Environmental Quality's post closure requirements for water sampling and the analytical results from the sampling are below the Michigan Public Act 451, Part 201 Residential and Commercial drinking water criteria. At this time TCL&P does not foresee any other environmental issues with that site. As a precautionary measure, staff will research if it would be beneficial to obtain a separate insurance policy for the ash pit, or advisable to designate a definitive amount through the cash reserve policy for potential future environmental claims.

FOR THE LIGHT & POWER BOARD MEETING OF JANUARY 28, 2014

Staff recommends the Board's adoption of the attached Resolution as presented. This item is appearing on the Consent Calendar as it is deemed by staff to be a non-controversial item. Approval of this item on the Consent Calendar means you agree with staff's recommendation.

If any member of the Board or the public wishes to discuss this matter, other than clarifying questions, it should be placed on the "items removed from the consent calendar" portion of the agenda for full discussion. If after Board discussion you agree with staff's recommendation the following motion would be appropriate:

MOVED BY _____ **SECONDED BY** _____

THAT THE BOARD ADOPTS THE RESOLUTION REQUESTING REMOVAL OF RESTRICTIONS ON TRAVERSE CITY LIGHT & POWER'S SELF INSURANCE BANK ACCOUNT; AND FURTHER REQUESTS OF THE EXECUTIVE DIRECTOR TO FORWARD THE RESOLUTION TO THE CITY COMMISSION FOR ITS CONSIDERATION OF CONCURRENCE.



TRAVERSE CITY
LIGHT & POWER

Investing Our Energy In You

**RESOLUTION AUTHORIZING CLOSURE REMOVAL OF SELF
INSURANCE ACCOUNT RESTRICTIONS ESTABLISHED AT THE JUNE
24, 1985 JOINT CITY COMMISSION AND TRAVERSE CITY LIGHT &
POWER BOARD MEETING**

WHEREAS, the Traverse City Light & Power Board and the City of Traverse City Commission passed a motion on June 24, 1985 initially appropriating funds for a self-insurance fund and the Traverse City Light & Power Board continued funding with annual budget appropriations; and

WHEREAS, the Traverse City Light & Power has operationally changed since 1985 and is no longer an operator of a coal fired power plant and exposed to environmental claims from its operations; and

WHEREAS, the Traverse City Light & Power Board desires to remove the self-insurance account restrictions which will allow the utility to utilize the funds for operational purposes or capital improvements;

NOW, THEREFORE, BE IT RESOLVED that Traverse City Light & Power Board recommends the City Commission concur with its recommendation to remove all restrictions set forth over these funds.

I, Timothy J. Arends, Secretary of the Light & Power Board of the City of Traverse City, do hereby certify that the foregoing resolution was adopted by the Light & Power Board at a Regular Meeting thereof assembled this 28th day of January, 2014, in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan by the following vote: **7 Yes and 0 No.**

Timothy J. Arends

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



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014
FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER
SUBJECT: WWTP MEMBRANE REPLACEMENT

The City Commission has discussed membrane replacement options at two recent study sessions (December 9, 2013 and January 13, 2014), including a joint study session with the Grand Traverse County Board of Public Works. City Commission direction from those study sessions is to move forward with the recommendation from the City's WWTP Operator, CH2M Hill, to install one new train of 500D membranes.

Current membranes have been in service since original installation in 2004. Typical membrane life at similar installations has been 8 to 10 years. Thus, current membranes have reached the end of their projected useful life. Recall that CH2M Hill has reiterated the importance of replacing membranes in at least one train, stating that "greater overall membrane area in the plant could provide needed relief during possible future episodes of impaired productivity [caused by Gram positive bacteria]."

- ~CH2M Hill replicated a competitive procurement process by using a recent, similar project's pricing scheme, which results in a total cost of approximately \$825,000.
- ~The City Treasurer will account for the project as an operating expense and split with townships based on flow (50%-50%). It will not be capitalized/recorded as an asset.
- ~The project is not tax exempt pursuant to State of Michigan Department of Treasury rules.
- ~The City Treasurer will include Grand Traverse County BPW's proportionate share of project cost as part of their normal annual reconciliation process.

It is important that the City move forward with membrane replacement because of the significant lead time between authorization and project completion. Membrane installation requires constant temperatures above 40° F and thus must be completed in fall 2014 or else will have to wait until 2015.

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

that the competitive bidding process be waived; and that the Mayor and City Clerk execute a service agreement with ZENON Environmental Corporation in the not-to-exceed amount of \$811,000 for the installation of a train of 500D membranes at the Wastewater Treatment Plant, 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.

cc: Casey Rose, WWTP Operator (OMI)
Dave Green, DPS Director
Tim Lodge, City Engineer
William Twietmeyer, City Treasurer/Finance Director

K:\tcclerk\city commission\agreements\membrane replacement wastewater treatment plant 2014



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF FEBRUARY 18, 2014

DATE: FEBRUARY 13, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: 2013/2014 FLEET EQUIPMENT REPLACEMENT

Attached is a memo from Dave Green, Director of Public Services, recommending the purchase of a new refuse truck; Mr. Green also outlines the vehicle fleet procurement and management process. The recommended truck would be purchased through the MIDeal program; this is a planned purchase.

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

That the City Manager be authorized to issue a purchase order in the amount of \$201,320 to Tri-County International Trucks, Inc., for the purchase of a new 2RIII Leach Refuse Packer on a 2015 International chassis, with funds available in the Garage Fund.

JJO/bcm

Copy: Dave Green, Director of Public Services

K:\tcclerk\city commission\purchase orders\fleet replacement 2013 2014

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: February 10, 2014
SUBJECT: 2013/2014 Fleet Equipment Replacement

The Garage Fund purchases all mobile equipment (vehicles and heavy equipment) for City Departments. The Garage Fund is an internal service fund, its costs being covered by "at cost" fees charged to internal customers. The Departments then pay rent to the Garage Fund for each piece of equipment that the Department uses. (The rent that a Department pays to the Garage Fund for vehicles and equipment is normally included in the budget under the line item "Rentals".) The rental rates are established by the Garage Superintendent based on depreciation, past actual and projected future maintenance costs, and insurance. An inflation cost is factored into the rental formula so that at the end of the equipment's life cycle, adequate funds are on hand in the garage budget to purchase replacements.

Each year at budget time, the Garage Superintendent adjusts rental rates on every vehicle in the City fleet. Several factors are included: maintenance costs may rise or fall depending on individual vehicle history; insurance rates change annually; and life cycles are adjusted based on vehicle condition. The Garage Superintendent may also adjust the inflation factor based on economic trends.

When its time for a piece of equipment to be replaced, the Garage Superintendent works with Department Supervisors to identify requirements, analyze equipment usage and costs, determine life cycles, develop bid specifications, and analyze bids. The bid is not always awarded based on lowest price, but rather on the best overall value to the City. Meeting bid specifications, resale value, fuel economy, and performance are examples of factors that impact the recommendation on which vehicle to purchase.

Some "specialty" type of equipment and/or vehicles have additional analysis conducted at end of the life cycle to determine if it makes economical or operational sense to keep the vehicle being replaced in the fleet for limited duty work after purchasing the replacement vehicle. One of these is our Load Packer or Refuse Truck.

Attached are two memoranda, one from Scott Meter, Garage Superintendent, requesting approval to purchase a 2015 International chassis with a Leach 2RII refuse packer to replace Truck number 176, a 2004 Freightliner Load Packer that is at the end of its life cycle for full time work and the other from Mark Jones, Streets Superintendent,

Memorandum

The City of Traverse City
Department of Public Services



explaining his department's use of the refuse packers and his reasoning for wanting to keep the 2004 Freightliner for his departments use during the leaf pick up operations.

The other advantage in this request is that we will have an option or back up plan if our new Load Packer ever goes down for repair and/or maintenance. Remember, our Parks Department uses the Load Packer to remove refuse from the downtown area as well as from all City Parks and beaches all year round. In the summer we pick up Monday, Wednesday and Friday, Saturday and Sunday. During the Cherry and Film Festivals we pick up daily. The need for a new, dependable Load Packer for everyday use is warranted. This is a planned purchase and will be obtained through the MIDEal option.

Please request of the City Commission permission to issue a purchase order in the amount of \$201,320.00 to Tri-County International Trucks, Inc. for the purchase of a new 2RIII Leach Refuse Packer on a 2015 International chassis to be used by both the Parks and Streets Departments with funds available in the Garage Fund for this needed replacement.

MEMO

To: Dave Green
From: Scott Meteer *SM*
Garage Superintendent
Subject: Equipment Replacement
Date: January 21, 2014

Truck #94, a 1980 Kenworth L700 with a 2R Leach refuse packer body had been put out of service due to excessive repair costs. It was sold at last fall's auction sale.

Although not exclusive, the City has owned the Leach brand of refuse packer since 1975. The truck we currently own has a Leach 2RII refuse packer on it.

I have a MiDeal price for a 2RIII Leach refuse packer on a 2015 International chassis in the amount of \$201,320.00.

Please request of the City Commission permission to issue a purchase order to Tri-County International Trucks, Inc., 5701 Wyoming Avenue, Dearborn, MI. 48126, for the above amount.

This is a planned purchase and funds are available in the Garage Fund.

Memorandum

To: Dave Green, DPS Director

From: Mark Jones, Street Department Superintendent

Date: 01-30-14 

Subject: Street Department's use of Garbage Trucks

The Street Departments primary use of our Garbage Trucks are during the spring and fall leaf pickup.

Spring leaf pickup can take up to three weeks.

Fall leaf pickup can take up to six to eight weeks.

In the past years we would run three crews, two garbage trucks and one loader crew with dump trucks. The garbage trucks can compact the leaves as the truck is loaded the dump trucks haul the leaves loose, meaning the garbage truck will not have to dump it's load as often saving in time, fuel and wear on the equipment. The man power to run a garbage truck crew is three employees, the loader crew takes five to six employees.

This past fall leaf pickup we only had one garbage truck and one loader crew. If the weather cooperates we like to get the leaves picked up and run the street sweepers through all the streets, this keeps more leaves from entering the catch basins and cleans off the catch basin grates from the matted leaves that can cause flooding. This past fall we were caught with a early snow, this can cause problems with leaf pickup but it also can cause problems with winter maintenance because the equipment we use with the loader/dump truck crew is equipment we use for plowing, sanders and sidewalk snow blowing. If we would have had our second garbage truck this past fall we might have been able to get the leaves picked up before the snow or we could of dropped the loader crew earlier and had the equipment switched over for winter maintenance. Having leaf piles in the street covered with snow is a very inefficient way to pickup leaves and causes great problems with winter maintenance but it 's also very unsafe for the motorists and pedestrians. Also, the operation required a significant increase in overtime costs to the City. The Street Department highly recommends purchasing a garbage truck in hope to minimize these operation and safety concerns.

TRAVERSE CITY
LIGHT AND POWER BOARD

FEB 28

Minutes of Regular Meeting
Held at 5:15 p.m., Commission Chambers, Governmental Center
Tuesday, January 14, 2014

Board Members -

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

Absent: John Taylor

Ex Officio Member -

Present: Jered Ottenwess, City Manager

Others: Tim Arends, Scott Menhart, Karla Myers-Beman, Tom Olney, Kelli
Schroeder, Rod Solak, Mark Watson, Jessica Wheaton, Blake Wilson

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

Item 2 on the Agenda being 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. Minutes of the Regular Meeting of December 10, 2013.
- b. ESRI Agreement.
- c. Resolution Requesting Eminent Domain of 743 Boyd Avenue.
- d. Resolution Authorizing Execution of Deeds.

CARRIED unanimously. (Taylor absent)

Items removed from the Consent Calendar

None.

Item 3 on the Agenda being Unfinished Business

None.

Item 4 on the Agenda being New Business

4(a). June 30, 2013 Audit Presentation.

The following individuals addressed the Board:

Tim Arends, Executive Director
Karla Myers-Beman, Controller
Alan Panter, Abraham & Gaffney

Moved by Budros, seconded by Geht, that the financial statements for the fiscal year ended June 30, 2013 be accepted.

CARRIED unanimously. (Taylor absent)

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. Staff gave a presentation of the strategic goals.

The following individuals addressed the Board:

Tim Arends, Executive Director
Karla Myers-Beman, Controller
Tom Olney, Operations Manager
Blake Wilson, System Engineer
Scott Menhart, Manager of Telecom & Technology
Kelli Schroeder, Human Resource Generalist
Jessica Wheaton, Marketing & Community Relations Coordinator

2. Tim Arends and Bob Dyer, RTD Consulting, spoke re: the Kalkaska Combustion Turbine evaluation and local generation.
3. Rod Solak gave an update on TCL&P assistance to Lansing Board of Water & Light during the recent winter storm.

The following individuals addressed the Board:

Tim Arends, Executive Director

4. Karla Myers-Beman spoke re: the 2014-15 budget schedule.

The following individuals addressed the Board:

Tim Arends, Executive Director

5. Karla Myers-Beman spoke re: the closeout of the Highland Park project.

The following individuals addressed the Board:

Tim Arends, Executive Director

6. Kelli Schroeder presented the Safety Metrics 2013 Annual Report.

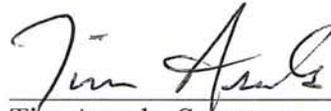
C. From Board.

1. Bob Spence requested information be provided to the Board for the upcoming joint study session with the City Commission.

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 7:58 p.m.



Tim Arends, Secretary
LIGHT AND POWER BOARD

/st

Memorandum

The City of Traverse City
Planning and Engineering Departments



TO: Jered Ottenwess, City Manager

FROM: Russell A. Soyering, Planning Director *R. Soyering*
Timothy J. Lodge, City Engineer *T. Lodge*

DATE: January 28, 2014

SUBJECT: CAPITAL IMPROVEMENT PROGRAM- PROJECT UPDATE

Parking System

#550: Lot D Reconstruction/Boardman River Boatlaunch - Asphalt surface is aging. Scope of work includes installation of new launch and piers, a universally accessible canoe/kayak launch, resurfacing the parking lot with the use of porous pavers in the turnaround area and launch exit, installation of rain gardens along the southern edge of the lot, installation of retaining walls near the launch and turnaround to stabilize eroding site banks, installation of trees and native plantings, and boat cleaning/invasive species education signage. A \$156,250 Waterways Grant received in December 2013, a \$80,000 Coastal Management Program grant, and local foundation grant of \$50,000 received in 2012 for project construction. *Update: Construction planned in 2014.*

#727: Lot G Reconstruction – Lot is falling apart; Mill and replace asphalt, replace curbs, install drainage structure. Off East State Street in the 100 block next to Mode's. *Update: Completed.*

#708: Lot O Remediation - Mitigation of contamination that likely is affecting adjacent properties and the water table in close proximity to the Boardman River. Five underground storage tanks exist at Lot O and likely are contributing to soil contamination. This project would remove the tanks and contain soil contamination at the lot. *Update: No activity.*

#729: Lot P Reconstruction - Repair asphalt. Required in lease agreement with property owner. West State Street just west of barber shop. *Update: No activity.*

#726: Lot R Reconstruction – Repair/replace asphalt. *Update: Complete.*

#730: Lot south of Chase Bank bldg. - repair/replace asphalt, new curbs, possibly drainage. Required in lease agreement with property owner. *Update: Complete.*

#728: Lot V Reconstruction - Mill and replace asphalt, replace curbs, new drainage structure. Required in lease agreement with property owner. *Update: No activity.*

#133: Lots W and N - Consolidate parking in these lots in conjunction with the development of the northeast corner of Washington and Cass. *Update: Discussions with adjacent property owner regarding development.*

Bayfront Plan Non-TIF Implementation Fund

West End Beach Trail Extension and Access - Extend the bayfront trail 1,100 feet and a new mid-block crossing of Grandview Parkway near Elmwood Avenue. A barrier free ramp to the beach along with benches and bike racks are also included. Crossing will be lighted for high visibility at night. Storm drain near Spruce Street will be retrofitted with an oil/grit separator chamber. Will enhance non-motorized travel and provide an alternative crossing with five less lanes to cross get to the bayfront from Slabtown Neighborhood compared to existing crossings. Will require additional maintenance clearing the trail and maintaining the trail, ramp, markings, landscaping and pavement markings. Northside of Grandview Parkway from West End Beach to Elmwood Ave. *Update: Planned 2014 construction.*

Brown Bridge Maintenance Fund

Upper Trail Connector Bridge (east end) - This proposed pedestrian bridge over the Boardman River is located at the site of a former bridge that was constructed by the Boy Scouts in the 70's near the outlet of Grasshopper Creek. Highwater and the lack of maintenance caused the bridge to fail and it was removed in the 80's. Recently a riverfront property owner donated a bridge that can be used at the site. This bridge combined with the Historic Brown's Bridge (West-end) will provide a 9'-mile loop trail. Work items: Abutment design, site plan development, state and local permits, and installation. *Update: Upper bridge- In design.*

Historic Brown Bridge West End- Most people don't know that in 1869 William Walter Brown purchased 80 acres from the state of Michigan for \$50. Soon thereafter Mr. Brown and his neighbors constructed a bridge across the Boardman that became one of the area's first State Roads. The site was also home to an inn called the "Half-Way House" because of its mid-point position between Grand Rapids and the Straits. Today there is great interest in constructing a foot bridge at the original site of the historic Brown's Bridge. Not only would the bridge provide a critical recreational trail connection across the Boardman River but it will also serve as an important bridge to the past. *Update: Exploring project feasibility.*

General Fund

#760: Annual Crosswalk Maintenance - This is a new annual program, providing funds to maintain or replace existing brick crosswalks; probably 3-4 crosswalks per year. Approximately 52 Crosswalks: 90% in need of replacement: Options: -1- Replace as existing, which is brick with concrete borders; -2- Replace with brick print thermol plastic pavement material, like demo crosswalk on Union Street @ 9th street; -3- Put back to asphalt and use paint for crosswalk markings. *Update: A pilot thermol plastic crosswalk has been installed on Beitner/Woodmere to see how it wears during a winter season. Planning a Spring 2014 install.*

#14: Annual Streets Program – Placeholder: Actual determined through budget process. This is an annual program that provides funds to resurface major and minor streets within the city

limits. These funds are also to be used for bridge, sidewalk, and storm water system repair and new sidewalk infill projects.

- 2012-13 Street Projects
 - Phase 1: Sheridan, Old Mission, Eastwood, Manor, Western. *Update: Complete.*
 - Phase 2: Washington, Hope, Xavier, Cypress, Fern, Grove. *Update: Complete.*
 - Bay Street. *Update: Complete*
 - Wayne Street. *Update: substantially complete in 2013, punch list items and restoration remain.*
- 2013-14 Street Projects
 - Union, Santo and Sequoia Streets- *Planned construction spring 2014*
 - West Front Street Reconstruction- *Planned construction fall 2014*

#320: Division Street –\$500,000 Roads and Risk Reserve funds were allocated to MDOT in December 2013 for Planning and Environmental Linkages (PEL) process (part of the NEPA process) *Update: PEL project area includes Division Street from 14th Street to Grandview Parkway; 1.2 miles. The PEL process will engage the community and evaluate project alternatives for improvements that consider the environmental, community and economic goals.*

Kids Creek Stormwater Grant - Project improves water quality and quality of life. Project design would reduce maintenance costs. Costs may be higher; seeking additional grant funds. Repair/replace culvert and stream restoration relating to Part 319 Grant. *Update: Completed a Kids Creek Action Plan, MDEQ has reviewed and approved the plan. Project complete.*

#633: West Front Street (Elmwood to City Limits) - Reconstruct West Front Street from City Limits to Elmwood Avenue using MDOT Small Urban Funds. Small Urban Funds \$375,000 for 2014. In kind is for engineering. General fund cost is for match and required consultants to administer funds. *Update: See #14 above.*

#365: Annual Sidewalk Replacement Program – Placeholder: actual amount determined by Annual Street allocation. The Infrastructure Strategy Policy outlines 10% of total infrastructure spending is for sidewalk and bike-way improvements. The Replacement program replaces existing sidewalks. This program is in addition to sidewalks that are installed or replaced in conjunction with the annual Streets Program. The actual location of the sidewalks to be replaced under this program is determined during the fall prior to the construction year. *Update: 2013 project complete- approximately 6400 feet of sidewalk replaced.*

Boardman Lake Avenue- a new road between 8th Street and 14th Street that consists of four basic components: Railroad Wye Relocation, Street Right-of-way acquisition, Street Construction and the Boardman Lake Trail (detailed below). *Project discussions continue.*

Boardman Lake Trail West extension-Project scope includes the extension of the Boardman Lake non-motorized trail from approximately 10th Street to 14th Street (2,900 linear feet), a connection to the Old Towne Neighborhood, and the addition of a lakefront recreational area that will feature a fishing dock, kayak/canoe small watercraft launch, shelter, picnic areas and seating. A \$210,000 Natural Resources Trust Fund Grant was received in October 2012. *Construction planned in 2014.*

#628: Boardman Lake Trail: West: Transportation Alternate: Alternate transportation trail along railroad corridor on west side of Boardman Lake; need to acquire MDOT property. Creates trail options. West side of Boardman Lake from 12th to 14th Streets. *Update: Property acquisition; Design and Development with 2014 construction.*

TIF 2

#61: Cass & Lake: Streetscape Improvements – Approximately 810 feet of streetscape improvements on Cass and Lake Streets. Improvements include trees, curb & gutter, benches, trash cans and other improvements. SID; city match TIF2. *Update: Property owner participation lacking.*

#58: Eighth Street Bridge Repair – Replace bridge deck using MDOT Critical Bridge Funds for the 2013 fiscal year. Prevent further deterioration resulting in more costly repair/replacement and ultimately bridge failure. Receiving MDOT Critical Bridge Funds for FY2013 for \$750,000. *Update: Design and Development with 2014 construction.*

WIFI – Public wireless network in downtown to serve visitors and parking control. *Update: In discussions with Traverse City Light and Power regarding TCLP implementing for DDA.*

TIF 97

#714: 200 Block Alley Enhanced Improvements – Pedestrian bridge, riverwalk and pedestrian improvements to north East Front alley between Cass and Park. *Update: No activity.*

#369: East Front Street - 300 block mid-block crosswalk – Install mid-block crosswalk in 300 block of E. Front St. including bump-outs, a brick paver crosswalk and signage. Downtown's second largest employer sits across the street from the deck, where most of their employees park. This crosswalk will provide a safe crossing as well as calm traffic in this downtown block. *Update: No activity.*

#63: Garland St. Reconstruction/streetscapes - Infrastructure improvement; realign street; improved access. Redirect Garland Street from Grandview Parkway to Union Street on the east end; provide a shared space street for pedestrians and motor vehicles. *Update: Property/Right-of-way acquisition; 2014 planned construction.*

#586: Park St. Bridge Repair – Rehabilitate bridge superstructure. *Update: Funding application not successful; Resubmit for 2017 funding cycle.*

#66: Pine Street Pedestrian Way – Pedestrian walkway and bridge over the Boardman River connecting West Front Street with Grandview Parkway. *Update: 2014 planned construction in coordination with TCLP and Uptown development.*

#646: Public Restrooms at Lot O – Provide public restroom for shoppers and other visitors in Downtown; tentatively planned near Cass Street. *Update: Research phase.*

#647: Triangle Park (mini park) – Improvements; Triangle Park at Grandview Parkway and East Front Street. *Update: Concept plan has been developed in collaboration with the Coast Guard.*

Wellington Plaza – Upgrade Wellington Plaza. *Update: No activity.*

#645: West Front St. Redevelopment - Build an approximately 410 space parking deck to serve the west side of downtown. This project would organize parking currently housed in surface lots and would. Corner of West Front and Pine. *Update: Discussions with property owners.*

#535: West Front Street Bridge Replacement - Prevent further deterioration resulting in more costly repair/replacement and ultimately bridge failure. Receiving MDOT Critical Bridge Funds for the FY2013. *Update: Design and Development with planned 2014 construction.*

ADDITIONAL PROJECTS:

#551 Holiday Inn Phase: Bayfront Plan - The proposed Holiday Inn promenade consists of a 10-foot expansion of the existing seawall. Preliminary cost projections for the promenade seawall are conditioned on assumptions made without design wave conditions analysis, soil borings and determination of regulatory constraints. For estimating purposes the new seawall will consist of a new 40-foot long steel sheet piling bulkhead with a 10 foot wide concrete cap over new fill. Along Grand Traverse Bay shoreline, between Boardman River and Sunset Park. (FY2014-15) *Update: Easement needed, initial meeting with new owners held.*

#705: East Front Streetscapes (Boardman to Grandview Parkway) - New curbs, street trees, benches, bike racks and sidewalk along East Front between Boardman Avenue and Grandview Parkway. (FY2014-15). *Update: Seeking property owner support for SID.*

Public Pier: Bayfront Plan – The proposed public pier would extend out into Grand Traverse Bay/Lake Michigan adjacent to the Boardman River outlet. The pier would provide universal access for fishing from the shore. It would consist of a 15-foot wide pier projecting 550-feet into Grand Traverse Bay and includes a 30'x30' platform with large tensile structure. Interpretive signage, connection with the TART Trail and other amenity features to be explored. (FY2014-15) *Update: Provided the City Commission authorizes acceptance of the Great Lakes Fishery Trust Fund Grant for the study and design of a public pier, the Planning department will be administering the grant.*

MINUTES
TRAVERSE CITY HUMAN RIGHTS COMMISSION
REGULAR MEETING
MONDAY, JANUARY 13, 2014
5:30 P.M.
County Committee Room
Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684

PRESENT: Commissioners Gardner, Hornberger, McClellan, Mentzer, Nash,
Nerone and Stinnet
ABSENT: Commissioners Donick and Henning Callison
EX OFFICIO PRESENT: Kelli Schroeder

1. ELECTION OF OFFICERS

a. Chairperson

Motion by Commissioner Mentzer, seconded by Commissioner Nash to elect Commissioner Gardner as Chairperson. Upon vote, motion carried 7-0.

b. Vice-Chairperson

Motion by Commissioner Mentzer, seconded by Commissioner Nash to Elect Commissioner Hornberger as Vice-Chairperson. Upon vote, motion carried 7-0.

c. Secretary

Motion by Commissioner Mentzer, seconded by Commissioner Nash to elect Kelli Schroeder as Secretary. Upon vote, motion carried 7-0.

2. APPROVAL OF THE MINUTES OF THE DECEMBER 9, 2013 REGULAR MEETING

Motion by Commissioner Nash, seconded by Commissioner Stinnet to approve the December 9, 2013 meeting minutes. Upon vote, motion carried 7-0.

3. PUBLIC COMMENT

None

4. OLD BUSINESS

a. Discussion regarding the annual Educational Forum.

Commissioner Mentzer reported. Ad-hoc meeting will be scheduled within the next week.

b. MLK Day Celebration

The Commission discussed the amount of money to contribute towards the 2014 event.

Motion by Commissioner Hornberger, seconded by Commissioner McClellan to approve expenditures in the amount of \$1,000 towards the 2014 MLK Day Celebration. Upon vote, motion carried 7-0.

5. NEW BUSINESS

a. HRC 2013 Annual Report

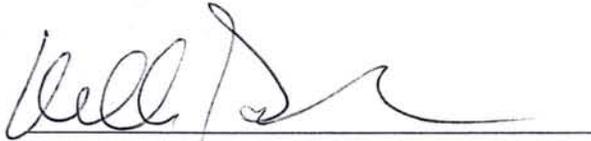
Motion by Commissioner Mentzer, seconded by Commissioner Nash to approve the 2013 Annual Report as presented. Upon vote, motion carried 7-0.

6. COMMISSIONER COMMENTS

None.

7. ADJOURNMENT

The meeting adjourned at 5:50 p.m.



Kelli Schroeder, Secretary

2-10-2014

Date

Fractile Emergency Response Times

Company IS NORTH FLIGHT INC; AND Trip Date IS BETWEEN 01/01/2014 AND 01/31/2014; AND Call Types IS Prehospital; AND Initial Priorities IS P - 1, Lights and Sirens; AND Response Zones IS TRAVERSE CITY, CITY OF-28

Response Time Minutes	Call Count	Cumulative Call Count	Percentage of Total Calls	Cumulative Percentage
Negative Times				
8	8		8.00%	8%
00:00 - 00:59				
3	11		3.00%	11%
01:00 - 01:59				
1	12		1.00%	12%
02:00 - 02:59				
3	15		3.00%	15%
03:00 - 03:59				
8	23		8.00%	23%
04:00 - 04:59				
8	31		8.00%	32%
05:00 - 05:59				
15	46		15.00%	47%
06:00 - 06:59				
18	64		18.00%	65%
07:00 - 07:59				
15	79		15.00%	81%
08:00 - 08:59				
9	88		9.00%	90%
09:00 - 09:59				
2	90		2.00%	92%
10:00 - 10:59				
1	91		1.00%	93%
11:00 - 11:59				
1	92			