



## Notice City Commission Regular Meeting

7:00 pm

Monday, April 21, 2014

Commission Chambers, Governmental Center

400 Boardman Avenue

Traverse City, Michigan 49684

Posted and Published 04-17-14

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. Penny Hill, 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](mailto:tcclerk@traversecitymi.gov)  
Web: [www.traversecitymi.gov](http://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 April 7, 2014, and Quorum of April 15, 2014. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)

- b. Consideration of amending the Americans with Disability Act resolution to designate the Assistant City Manager as the city's ADA Coordinator, which is a housekeeping matter. (Adoption recommended) (Jered Ottenwess)
- c. Consideration of authorizing a service order for aerial imagery services to populate images in the city's geographical information system. (Approval recommended) (Jered Ottenwess, Polly Cairns) (5 affirmative votes required)
- d. Consideration of adopting a Resolution of Charitable Gaming Licenses (issued by the Michigan Lottery), to recognize Love Inc. of Traverse Bay Area, as a non-profit, so they may apply for a Raffle License from the State of Michigan. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)
- e. Consideration of authorizing an amendment to the City Opera House Heritage Association lease to clarify the insurance requirements. (Approval recommended) (Jered Ottenwess, Benjamin Marentette) (5 affirmative votes required)
- f. Consideration of authorizing an agreement for design services and construction administration in connection with the Garland Street Reconstruction Project, subject to approval by the Downtown Development Authority Board of Trustees. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- g. Consideration of adopting a resolution supporting inclusion of the Park Street Bridge Rehabilitation, North Cass Street Bridge Rehabilitation and South Union Street Bridge Rehabilitation in the Local Bridge Program, to make the rehabilitation projects eligible for 95% funding from the Michigan Department of Transportation in 2017. (Adoption recommended) (Jered Ottenwess, Timothy Lodge)
- h. Consideration of adopting a resolution declaring necessity of acquisition for 743 Boyd Avenue to clear title cloud issues in connection with a property transfer with Traverse City Light and Power. (Adoption recommended) (Jered Ottenwess, Lauren Tribble-Laucht) (5 affirmative votes required)

## **Items removed from the Consent Calendar**

- a.
- b.
- c.

## **3. Old Business**

- a. Consideration of a report from the City Commission Ad Hoc Committee for water bottle filling stations; and authorizing a service order for water bottle filling stations, with the cost of the filling stations to be provided by donors. (Commissioner Jeanine Easterday, Chair; Mayor Michael Estes; Mayor Pro Tem James Carruthers; Jered Ottenwess; and Katie Lowran) (5 affirmative votes required)

## **4. New Business**

- a. Consideration of introducing an amendment to the Traverse City Code of Ordinances which would conditionally rezone 101 North Madison Street from R-1b (Single Family Dwelling District) to C-1 (Office Service District), which was not recommended by the City Planning Commission. (Commissioner Jeanine Easterday, Commissioner Tim Werner, Jered Ottenwess, Russell Soyring)
- b. Brief presentation of the City Manager's Proposed Budget for Fiscal Year 2014/15 and scheduling a public hearing on the budget for May 12, 2014. (Jered Ottenwess)

## **5. Appointments**

- a. Consideration of appointing an alternate member to the Board of Zoning Appeals. (Commissioner Jeanine Easterday, Chair; Commissioner Gary Howe, Commissioner Tim Werner)

## **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. Report from the Traverse City Light and Power Executive Director regarding the Traverse City Light and Power Board action certifying the Coal Dock Property as surplus.

6. Communication from the City Manager with the Police Department's report on drug activity.
  7. Minutes of the Board of Zoning Appeals Regular Meeting of February 11, 2014.
  8. Minutes of the Traverse City Light and Power Board Regular Meeting of March 25, 2014.
  9. Minutes of the Planning Commission meeting of March 4, 2014.
  10. Minutes of the Parks and Recreation Commission meeting of March 6, 2014.
- e. Reports and correspondence from non-City officials.
1. Monthly Operations Report for the Wastewater Treatment Plant from CH2MHILL for March 2014.

## **7. Public Comment**

- a. Reserved.
  1. Reserved public comment request from Mike Wills, representing *Discovery Center Great Lakes* regarding its interest in the Traverse City Light and Power Coal Dock Property.
- b. General.
- c. Mayor and City Commissioners.

## **8. Adjournment**



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER *J.O. / Bell*

SUBJECT: MINUTES

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

- April 7, 2014, Regular Meeting
- April 15, 2014, Quorum of the City Commission

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

**that the minutes of the April 7, 2014, Regular Meeting and April 15, Quorum of the City Commission, be approved.**

JJO/kes

k:\tcclerk\city commission\minutes

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



**April 7, 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, Mayor Pro Tem James Carruthers, Barbara D. Budros, Jeanine Easterday, Gary L. Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

**2. Consent Calendar**

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

- a. the minutes of the March 17, 2014, Regular Meeting, and March 31, 2014, Study Session, be approved.
- b. the resolution recommending approval of a request from Off the Map Hospitality, LLC, dba The Franklin, for a New Resort Class C Liquor License with Dance and Entertainment Permits, be adopted; and that the City Clerk be authorized to issue a Liquor License Registration to Off the Map Hospitality, LLC to operate such license at 160 E. Front Street.
- c. the request from Maritime Heritage Alliance for advance reservation of space on the west wall of the Duncan L. Clinch Marina to accommodate up to six schooners for the period September 18-21, 2014, for the Schooner

- Festival, be approved; and that the request from Maritime Heritage Alliance for waiver of the dockage fees for space on the west wall of the Clinch Marina to accommodate up to six schooners for the period September 18-21, 2014, for the Schooner Festival, be approved.
- d. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$29,597.04 to Brenner Oil Co. for 9,999 gallons of unleaded gasoline priced at \$2.960 per gallon with funds available in the Garage Fund.
  - e. the City Manager be authorized to issue a confirming purchase order in the amount of \$32,193.94 to Brenner Oil Co. for 10,002 gallons of dyed #2 diesel fuel without additives priced at \$3.21875 per gallon with funds available in the Garage Fund.
  - f. an amendment to the Traverse City Code of Ordinances, *Notification Process for Single-Parcel Special Assessments*, Section 232.04, which would require that the City Clerk provide notice of a special assessment on a single parcel within 7 calendar days rather than within 48 hours of adoption of a single-parcel special assessment, which was introduced on March 17, 2014, be enacted with an effective date of April 17, 2014.
  - g. an amendment to the Traverse City Code of Ordinances, which would rezone the property located at 10597 East Traverse Highway from R-9(A) to R1-b MU, to revert the conditionally-rezoned property to its zoning prior to the conditional rezoning, as recommended by the City Planning Commission, which was introduced on March 17, 2014, be enacted with an effective date of April 17, 2014.
  - h. the competitive bidding process be waived; and that the City Manager be authorized to issue a purchase order to Physio Control in the amount of \$32,187.20 to purchase a Lifepak 15 Heart Monitor/Defibrillator and accessories, with funds available in the 2013-2014 Capital Outlay Budget; and that a Lifepak 12 Heart Monitor/Defibrillator be declared surplus and returned as a credit against the new purchase.

CARRIED unanimously.

**Items removed from the Consent Calendar.**

None.

**3. Old Business**

**3(a).**

Consideration of authorizing a service order for the West Boardman Lake Trail Railroad Crossing Project, to be paid for by a Michigan Natural Resources Trust Fund Grant and Brownfield Funds.

The following addressed the Commission:

Jered Ottenwess, City Manager  
Timothy Lodge, City Engineer

Moved by Howe, seconded by Werner, that the City Manager be authorized to issue a service order to Armond Cassil Railroad Construction, Inc. in the amount of \$17,190 for work to allow for the Boardman Lake Trail to cross the railroad tracks east of Lake Avenue between 11<sup>th</sup> and 12<sup>th</sup> Streets, with funds to be provided by the Grand Traverse County Brownfield Redevelopment Authority and/or the Michigan Natural Resources Trust Fund Grant received for the West Boardman Lake Trail.

CARRIED unanimously.

**4. New Business**

**4(a).**

Consideration of a request from Nolan's Tobacco, LLC for a New Redevelopment Liquor License to be operated at 336 E. Front Street.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Easterday, seconded by Werner, that the City Commission not adopt a resolution recommending approval of a request from Nolan's Tobacco, LLC for a Redevelopment Project Area Liquor License with Class C Liquor License privileges to be operated at 336 E. Front Street based on the following factors which the Commission deems appropriate as a reason for denial: health and safety of the public both on the premises and off.

Lauren Tribble-Laucht, City Attorney

Michael Nolan, Nolan's Tobacco Owner, 336 East Front Street – expressed opposition

Rick Buckhalter, 932 Kelley Street – made general comments

Rob Bacigalupi, Downtown Development Authority Executive Director

Roll Call:

Yes - Easterday, Werner, Estes.

No - Budros, Howe, Richardson, Carruthers.

FAILED.

Moved by Richardson, seconded by Carruthers, that a resolution recommending approval of a request from Nolan's Tobacco, LLC for a Redevelopment Project Area Liquor License with Class C Liquor License privileges to be operated at 336 East Front Street, be adopted and that the City Clerk be authorized to issue a Liquor License Registration to Nolan's Tobacco, LLC to operate such license at 336 East Front Street.

Roll Call:

Yes - Budros, Howe, Richardson, Carruthers.

NO - Easterday, Werner, Estes.

CARRIED.

**5. Appointments****5(a).**

None.

**6. Reports and Communications**

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
  1. Report from the Mayor serving on the Downtown Development Authority.
  2. Report from Commissioners serving on the Light and Power Board.
  3. Report from the Mayor and Commissioner serving on the Planning Commission.
  4. Report from Commissioners serving on other boards.
  5. Minutes of the Historic Districts Commission meeting of December 19, 2013.
  6. Minutes of the Planning Commission meetings of February 4, 2014, and February 19, 2014.
  7. Minutes of the Act 345 Retirement System meeting of December 18, 2013.

8. Minutes of the Traverse City Light and Power Board meetings of February 18, 2014, and February 25, 2014.

e. Reports and correspondence from non-City officials.

1. Fractile Emergency Response Report for North Flight for February 2014.

**7. Public Comment**

The following addressed the Commission:

1. Reserved.

Request from Christine Maxbauer, Grand Traverse County Commission on Aging, to provide a "Brief annual COA [Commission on Aging] Report."

2. General.

Rick Buckhalter, 932 Kelley Street

3. Mayor and City Commissioners.

Commissioner Gary Howe  
Mayor Pro Tem James Carruthers  
Jered Ottenwess, City Manager

There being no objection, Mayor Michael Estes declared the meeting adjourned at 7:51 pm.

  
Benjamin C. Marentette, CMC  
City Clerk

Approved: \_\_\_\_\_,  
(Date) (Initials)

**CITY OF TRAVERSE CITY**



**Minutes**

**Quorum of the City Commission**

**April 15, 2014**

A quorum of the City Commission of the City of Traverse City was present at walking tour which began at the Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 3:30p.m.

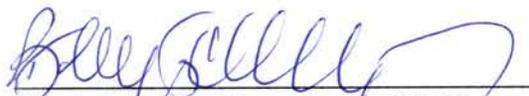
The following Commissioners were present, constituting a quorum: Timothy Werner, Barbara Budros, Mayor Pro Tem Carruthers and Jeanine Easterday.

The following Commissioners were absent: Mayor Michael Estes, Gary Howe, and Ross Richardson.

1. Walking Tour Hosted by Robert Gibbs.

Various individuals addressed the City Planning Commission.

There was no longer a quorum as of 5:00 pm.

  
Benjamin C. Marentette, CMC  
City Clerk

Approved: \_\_\_\_\_, \_\_\_\_\_  
(Date) (Initials)



---

# Communication to the City Commission

---

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: <sup>50</sup>JERED OTTENWESS, CITY MANAGER

SUBJECT: AMERICANS WITH DISABILITIES ACT RESOLUTION

With the transition of Assistant City Managers, it was noticed that the Americans with Disabilities Act Resolution designates the Assistant to City Manager as the person responsible for coordinating compliance with ADA. This position was expanded and changed to Assistant City Manager. As a housekeeping matter, I recommend an amendment to the Americans with Disabilities Act Resolution to designate the Assistant City Manager as the person coordinating compliance with ADA.

I recommend the following motion:

**That the Second Amendment to the Americans with Disabilities Act Resolution which would designate the Assistant City Manager as the person responsible for coordinating compliance with ADA, be adopted.**

JJO/kes

K:\ccclerk\City Commission\Policies\ADA Policy\_20140417.doc.



**Second Amendment to the  
Americans with Disabilities Act  
Resolution  
Adopted 04/21/14**

- Because, the City Commission adopted the Americans with Disabilities Act Resolution on April 17, 1995; and
- Because, the City Commission adopted an amendment to the Americans with Disabilities Act Resolution, paragraph 3, designating the Assistant to City Manager as the position responsible for coordinating compliance with ADA on October 15, 2001; and
- Because, the title of Assistant to City Manager has since been changed to Assistant City Manager; now, therefore be it,
- Resolved, that Americans with Disabilities Act Resolution be amended at paragraph 3 to delete the title "Assistant to City Manager" and to insert in its place the title "Assistant City Manager," to be effective immediately.

I hereby certify that the above Amendment was adopted by the Traverse City City Commission at its regular meeting held on April 21, 2014, which amends the Americans with Disabilities Resolution adopted on April 17, 1995, and amended on October 15, 2001.

---

Benjamin C. Marentette, CMC, City Clerk



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER *501 Bldg*

SUBJECT: AERIAL IMAGERY SERVICES – FOR GEOGRAPHIC INFORMATION SYSTEM

Attached is a memo from City Assessor Polly Cairns recommending a contract with Pictometry for aerial imagery services to be taken in 2014 and again in 2017, for use in the city's Geographic Information System. The following table illustrates the costs associated with the service:

Flight year:	Cost/year (invoiced over three years):	Total cost:
2014	\$5,168	\$15,505.75
2017	\$5,368	\$16,105.25
<b>Total cost:</b>		<b>\$31,611.00</b>

The cost of this contract would be spread among the DDA and seven city departments, including Traverse City Light and Power. The City Assessor estimates the pricing is approximately half of what we would pay another vendor; and this vendor has offered this pricing on a limited basis; and therefore, we did not seek competitive bids. 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 contract with Pictometry for aerial imagery services, in the total amount of \$31,611 (with payments as follows: \$5,168.58 per year in 2014, 2015 and 2016; and \$5,368.42 per year in 2017, 2018, and 2019), with funds available in the Assessor, Engineering, Planning/Zoning, Department of Public Services, Police, Fire, Downtown Development Authority and Traverse City Light and Power Budgets, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.**

JJO/bcm K:\ccclerk\city commission\agreements\digital photography parcel layer  
e-copy: Polly Cairns, City Assessor

---

# MEMORANDUM

CITY OF TRAVERSE CITY



## ASSESSING DEPARTMENT

---

**TO:** **JERED OTTENWESS, CITY MANAGER**  
**Cc:** Tim Lodge, Engineering  
Russ Soyring, Planning/Zoning  
Chief Mike Warren, Police  
Chief Jim Tuller, Fire  
Dave Green, DPS  
Rob Bacigalupi, DDA  
Tim Arends, TCLP

**FROM:** **Polly Cairns, City Assessor** Polly Cairns  
**SUBJECT:** **Pictometry contract approval**  
**DATE:** **April 15, 2014**

---

We have the opportunity to update the current aerial imagery through a proposed contract with Pictometry. This project will improve the accuracy of our parcel data layer with current digital orthophotography. Updated imagery is a very valuable tool for all departments involved, currently using aerial imagery.

This process with Pictometry will deliver updated aerial imagery for the City at an oblique angle, allowing properties to be viewed from a more natural and intuitive perspective.

The integration of this platform will provides users with views of property and surrounding neighborhood areas enabling them to more accurately view property characteristics, providing a more efficient and effective customer experience.

Topographical/Aerial maps the City is currently utilizing are from 2010, as supplied by Grand Traverse County.

The pricing offered from Pictometry make it very cost effective, and with cost sharing between departments even better

Some of the features include – 360 degree viewing of the structure and its surroundings, aerial roof measurements, including measuring other geographic details such as distance, height, latitude/longitude coordinates, directional bearing, and relative positioning.

---

Following is a spreadsheet of estimated annual costs, based on participation of the following eight Departments, as supplied from District Manager, Brian Kienle of Pictometry.

	<u>Yearly- Flight 1</u>	<u>Yearly-Flight 2</u>
Assessor	\$ 646.00	\$ 671.00
Engineering	\$ 646.00	\$ 671.00
Planning/Zoning	\$ 646.00	\$ 671.00
DPS	\$ 646.00	\$ 671.00
Police	\$ 646.00	\$ 671.00
Fire	\$ 646.00	\$ 671.00
DDA	\$ 646.00	\$ 671.00
TCLP	\$ 646.00	\$ 671.00

Contract spread over a 6-year period, per participating department

More information about the company can be found at the link below:

[www.pictometry.com](http://www.pictometry.com)

**About:** Pictometry is a leading provider of geo-referenced, aerial, oblique image libraries and related software. Pictometry uses a patented image capture process to create Pictometry Intelligent Images, and is a provider of image libraries to E9-1-1 and other emergency response professionals. GIS, planning, and assessing professionals as well as a growing number of commercial industries including insurance, utilities, real estate, construction and more, also use images and technology. It is easy-to-use and access, and can integrate with other software programs and features for geo-referenced images, allowing accurate measurement capabilities.

**Advantages:** Pictometry offers an advantage compared to traditional overhead photography or even satellite and GPS mapping, by capturing oblique images so more relevant detail is captured, enabling users to see more and recognize buildings, structures etc. In addition, capturing in high-resolution detail, from both orthogonal and oblique angles, giving Pictometry's images something traditional aerial images or even satellite and GPS mapping can't provide. Locational data associated with each pixel makes it possible for users to measure numerous geographic details such as distance, height, latitude/longitude coordinates, directional bearing, and relative positioning.

Email communication received from Brian Kienle – Pictometry (April 2, 2014)

There are two flights in this contract spread over a 6-year period, which is the same as Garfield Township. The benefit to the city of a multi flight contract is that there are discounts and incentives included in the contract (same as Garfield). Because we need to fly this at the same time as Garfield during leaf off/no snow, there is a stipulation to have the contract signed by April 25<sup>th</sup> on page 16. Please let me know if you have any concerns about that date.

Flight 1 Total Estimated Cost: \$15,505.75  
Yearly invoice will be roughly \$5,168

Flight 2 Total Estimated Cost: \$16,105.25  
Yearly invoice will be roughly \$5,368

Just a heads up that if you aren't able to join the project for the flight this spring the next opportunity to join would be in 2017, since your area by itself is smaller than our minimum project requirement.

Attached – Pictometry contract



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: LOVE INC. OF TRAVERSE BAY AREA- STATE RAFFLE  
LICENSE

Attached is a memo from City Clerk Benjamin Marentette, explaining the request from Love Inc. of Traverse Bay Area, for it to be recognized as a local non-profit organization. If so recognized, the organization can apply for a State Raffle License to hold a raffle and/or drawing.

I recommend the following motion:

**that the Local Governing Body Resolution for Charitable Gaming Licenses (issued by the Michigan Lottery), to recognize Love Inc. of Traverse Bay Area as a local non-profit organization, be adopted.**

JJO/kes

K:\ccclerk\City Commission\Non Profit Resolutions\nonprofitLoveInc\_20140421.doc

copy: Timothy Hamilton, [timh@loveinctraverse.org](mailto:timh@loveinctraverse.org)

---

# Memorandum

The City of Traverse City



---

TO: Jered Ottenwess, City Manager

COPY:

FROM: Benjamin C. Marentette, City Clerk 

DATE: Thursday, April 17, 2014

SUBJECT: Love Inc. of Traverse Bay Area – State Raffle License

Love Inc. of Traverse Bay Area is requesting that the City Commission recognize it as a local non-profit organization. If so recognized, Love Inc. Grand Traverse may apply for a State Raffle License which will allow them to hold a raffle and/or drawing.

The purpose of Love Inc. is to organize and coordinate churches in the Traverse Bay Area Community to respond to individual, family and project needs. They work to accomplish the following objectives: fashion a cooperative relationship between area agencies and churches, generate untapped church resources to meet community needs, develop a clearing house to screen needs, and use community resources to alleviate the effects of extensive funding cuts to service organizations.

We have had similar requests in the past to recognize organizations as a local non-profit. To do so, certain documentation is required, including a letter from the IRS indicating the organization is recognized by it as a non-profit; articles of incorporation with provisions that all assets, upon dissolution will be given to another non-profit, etc. This office has reviewed that documentation and determined compliance.

Therefore, I respectfully recommend the City Commission adopt a resolution recognizing the Foundation as a local non-profit organization. As always, please feel free to contact me with any questions.

bcm/kes



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hillsdale, Lansing MI 48933  
 (517) 335-5780  
 www.michigan.gov/cg

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**  
 (Required by MCL 432.103(K)(ii))

At a Regular meeting of the Traverse City City Commission  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on April 21, 2014  
DATE

at 7:00 PM a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from Love Inc. of Traverse Bay Area of Traverse City,  
NAME OF ORGANIZATION CITY

county of Grand Traverse, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_  
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and  
 adopted by the Traverse City City Commission at a Regular  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL  
 meeting held on April 21, 2014.  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

\_\_\_\_\_  
PRINTED NAME AND TITLE

\_\_\_\_\_  
ADDRESS

COMPLETION: Required.  
 PENALTY: Possible denial of application.  
 BSL-CG-1153(R6/09)



# LOVE IN THE NAME OF CHRIST

April 2, 2014

## Love In The Name of Christ Board of Directors

Harry Hubbel- President  
5351 Blair Townhall Road  
Grawn, MI 49637  
231.649.0148

Hans Mathiak- Treasurer  
10400 Apple Ridge Drive  
Traverse City, MI 49684  
231.392.4889

Tom Mansfield- Secretary  
947 Valley View Drive  
Traverse City, MI 49685-8744  
231.392.9438

Linda Cichocky  
8829 Pheasant Run  
Traverse City, MI 49685  
231.946.6684

Pam Simons  
200 Wooded Valley Road  
Traverse City, MI 49696  
231.409.9932

Randall Burgess  
6065 Sterling Road  
Traverse City, MI 49686  
231.735.1083

Brandon Dornbusch  
6918 Logan Lane  
Traverse City, MI 49686  
231.941.5000

Sister Katherine Murphy  
St. Francis Catholic Church  
1025 S. Union Street  
Traverse City, MI 49684  
231.947.4620



---

# Communication to the City Commission

---

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: <sup>50</sup>JERED OTTENWESS, CITY MANAGER

SUBJECT: CITY OPERA HOUSE LEASE

Attached is a memo from City Clerk Benjamin Marentette recommending an amendment to the City Opera House Lease with City Opera House Heritage Association to clarify the insurance coverage required as part of the lease arrangement.

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

**That the Mayor and City Clerk execute the First Amendment to the Opera House Lease with City Opera House Heritage Association, to clarify the insurance requirements, such amendment subject to approval as to its substance by the City Manager and its form by the City Attorney.**

JJO/bcm

K:\tcclerk\city commission\agreements\city opera house insurance requirements

---

# Memorandum

The City of Traverse City



---

TO: Jered Ottenwess, City Manager  
COPY:  
FROM: Benjamin C. Marentette, City Clerk  
DATE: Tuesday, April 15, 2014  
SUBJECT: CITY OPERA HOUSE LEASE

A handwritten signature in blue ink, appearing to be 'Benjamin C. Marentette', written over the 'FROM:' line.

The city has a lease with City Opera House Heritage Association for it to oversee the management of the Opera House space.

Recently, we reviewed the insurance requirements for the City Opera House Lease with the City Opera House Heritage Association (COHHA). The lease currently provides that the insurance requirements be prescribed by the landlord – meaning the requirements are not specifically addressed within the lease. Both parties believe it would be advantageous to have the insurance requirements delineated within the lease.

Therefore, I recommend an amendment to the lease which specifies the following insurance requirements:

- COHHA to obtain \$1 million casualty and comprehensive liability insurance, with an endorsement to the policy that names the City of Traverse City as additional insured
- COHHA to obtain insurance coverage on its contents contained in the City Opera House
- COHHA to obtain Workers Compensation insurance
- The City will provide property coverage for the City Opera House building, including building and improvements to the interior – this has always been the case, although COHHA has carried duplicate property coverage on the building, which we do not believe is necessary given the fact that the risk of COHHA causing property damage to the building is extremely low and they are managing the Opera House as essentially a service to the city. The underwriter for the city's insurance carrier agrees.

As always, please contact me with any questions.

**FIRST AMENDMENT TO OPERA HOUSE LEASE**

This First Amendment (“Amendment”) to the Opera House Lease dated November 20, 2012 (the “Lease”) by and between the CITY OF TRAVERSE CITY, a Michigan municipal corporation, whose address is 400 Boardman Avenue, Traverse City, Michigan 49684 (the “Landlord”) and CITY OPERA HOUSE HERITAGE ASSOCIATION, INC., a domestic nonprofit corporation, of 106 E. Front St., Traverse City, Michigan, 49684 (“Tenant”) is made this \_\_\_\_ day of April 2014.

The parties hereby agree to amend the Lease in the following manner:

Paragraph 14, Insurance, shall be amended to read in its entirety as follows:

14. Insurance. Landlord agrees to maintain property coverage on the Premises including any permanent fixtures. Tenant is responsible to maintain insurance coverage on any trade fixtures and personal property located on the Premises. Tenant shall obtain a minimum \$1 million casualty and comprehensive liability insurance policy, with an endorsement to the policy which names the City of Traverse City as additional insured and shall secure workers compensation insurance in the limits required by the State of Michigan. Tenant shall provide a certificate evidencing such coverage, as well as the required endorsement, to the City Clerk.

All other terms and conditions of the Lease shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date and year first above written.

TENANT  
CITY OPERA HOUSE HERITAGE  
ASSOCIATION, INC.

By: \_\_\_\_\_  
Its:

LANDLORD  
THE CITY OF TRAVERSE CITY

By: \_\_\_\_\_  
Michael Estes, Mayor

By: \_\_\_\_\_  
Benjamin C. Marentette, City Clerk

Approved as to Substance:

Approved as to Form:

\_\_\_\_\_  
Jered Ottenwess, City Manager

\_\_\_\_\_  
Lauren Tribble-Laucht, City Attorney



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: GARLAND STREET RECONSTRUCTION PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a contract for schematic design, final design and bidding and construction administration services in connection with the Garland Street Reconstruction Project. The firm that was doing this work went out of business – and we need a new firm to continue where the prior firm left off.

As explained by the City Engineer, in addition to total reconstruction of the street, a new alignment changing the east terminus from Grandview Parkway to Union Street between the Visitor Center and 5/3 Bank drive through is anticipated.

It is anticipated that the actual street reconstruction project will occur this year, with the funding to be provided by TIF97 and reimbursed by the Traverse City Place Brownfield Plan; the project is included in the Capital Improvement Plan.

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

**that the Mayor and City Clerk execute an agreement with Fleis & Vandenbrink Engineering in the amount of \$84,523 for schematic design, final design and bidding and construction administration services in connection with the Garland Street Reconstruction Project, 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 TIF 97 Fund to be reimbursed by the Traverse City Place Brownfield Plan.**

K:\tcclerk\city commission\agreements\garland street reconstruction engineering services

copy: Timothy Lodge, City Engineer  
Robert Bacigalupi, Downtown Development Authority Executive Director

---

# Memorandum

The City of Traverse City  
Engineering Department



---

TO: Jered Ottenwess, City Manager  
Rob Bacigalupi, DDA

FROM: Timothy J. Lodge, City Engineer

A handwritten signature in black ink, appearing to read "T. Lodge", written over the printed name.

DATE: April 15, 2014

SUBJECT: Request for Proposals- Garland Street Reconstruction Project

The City of Traverse City/DDA is planning improvements to Garland Street between Hall Street and the Grandview Parkway/Union Street. The project is anticipated to include total reconstruction of the street, streetscapes, utilities, drainage improvements and related work. A new alignment changing the east terminus from the Grandview Parkway to Union Street between the Visitor Center and the 5/3<sup>rd</sup> Bank Drive-Thru is anticipated. In 2010 the City/DDA hired the consulting firm of Greenan and Associates, LLC to perform consulting services including schematic design and report, final design, bidding and construction administration for the project. They delivered final plans to the City in October 2013 and have now ceased business operations. Thus, the City/DDA are requesting proposals from engineering consultants to complete the design with updates, prepare bidding documents, assist with bidding and perform construction administration and construction engineering for the project.

We have solicited proposals from engineering consultants for the above referenced project. The RFP was issued on March 28, 2014 with three firms responding to our request on April 15, 2014 as follows:

Consultant	Location	Cost
Fleis & Vandenbrink	Traverse City	\$ 84,523
Gourdie Fraser	Traverse City	\$ 108,713
Gosling Czubak	Traverse City	\$ 169,659

After reviewing the submittals, a selection team representing City Engineering, City Planning, the DDA, and County Brownfield recommends executing a consultant agreement with Fleis & Vandenbrink Engineering Inc. in the amount of \$84,523 with funds available in the TIF97 Fund and reimbursed according to the Traverse City Place Brownfield Plan, subject to approval as to substance by the City Manager and as to form by the City Attorney and concurrence by the DDA.



The City of Traverse City

## Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: <sup>50</sup> JERED OTTENWESS, CITY MANAGER

SUBJECT: RESOLUTION OF SUPPORT – MICHIGAN DEPARTMENT OF  
TRANSPORTATION LOCAL BRIDGE PROGRAM

Attached is a memo from City Engineer Timothy Lodge, recommending that the City Commission adopt the attached resolutions to make repairs to the following bridges eligible for 95% funding from the Michigan Department of Transportation in Fiscal Year 2017:

- Park Street Bridge
- North Cass Street Bridge
- South Union Street Bridge

I recommend the following motion:

**that the following resolutions be adopted: Resolution in Support of Critical Bridge – Support for the Park Street Bridge; Resolution in Support of Critical Bridge – Support for the North Cass Street Bridge; Resolution in Support of Critical Bridge – Support for South Union Street Bridge, in support of the city's grant applications to the Michigan Department of Transportation (MDOT) Local Bridge Program.**

jjo/bcm

k:\tcclerk\city commission\resolutions\critical funding for bridges 2017

e copy Timothy Lodge, City Engineer

---

# Memorandum

The City of Traverse City  
Engineering Department



---

TO: Jered Ottenwess, City Manager  
Rob Bacigalupi, DDA

FROM: Timothy J. Lodge, City Engineer 

DATE: April 11, 2014

SUBJECT: Resolution of Support, MDOT Local Bridge Program

MDOT is soliciting applications for candidate projects for the Local Bridge Program for the fiscal year 2017. The Local Bridge Program will provide funding for 95% of the eligible construction cost for the work with 5% provided by the local agency (City/DDA) along with the necessary design and construction engineering cost. The City Engineering Department will be completing the applications for improvements to the following bridges prior to the May 1 application deadline. For each application we are required to:

*"..submit a current resolution, signed and dated, from the governing board supporting the project."*

Please provide a resolution of support from the City and DDA for the following applications for bridge rehabilitation so we can include them in the submittal to MDOT. We have listed the bridges in order of priority.

**Park Street Bridge (Rehabilitation) - CIP #586 – FY 2017/18**

The work anticipated includes the removal and replacement of the existing concrete and steel beam supported deck, painting of the structural steel, widening and replacement of the sidewalks, railings, approach pavement and related work. The estimated cost is \$900,000.

**North Cass Street Bridge (Rehabilitation) – CIP #885 – FY 2019/20**

The work anticipated includes the removal and replacement of the existing concrete box beam supported deck, widening and replacement of the sidewalks, railings, approach pavement and related work. The estimated cost is \$1,035,000.

**South Union Street Bridge (Rehabilitation) – CIP #186 – FY 2018/19**

The work anticipated includes the structural repair of the existing concrete and steel beam supported deck, painting of the structural steel, replacement of the sidewalks, railings, approach pavement and related work. Restoration and repair of the decorative railing and fascia details will be included in the proposed work. The estimated cost is \$775,500.

We have received funding from the Local Bridge Program for the West Front Street, 8<sup>th</sup> Street and South Cass Street Bridges in previous applications. The only other bridge under the City's jurisdiction, the North Union Street Bridge was rehabilitated in 2000.



---

**RESOLUTION IN SUPPORT OF CRITICAL BRIDGE**

**SUPPORT FOR THE PARK STREET BRIDGE**

- Because, presently the Park Street Bridge crossing the Boardman River qualifies for the LOCAL BRIDGE PROGRAM; and
- Because, the Park Street Bridge is an integral part of the City Transportation System and is first priority in bridge rehabilitation; and
- Because, the closure or loss of this bridge crossing would provide a considerable hardship on transportation in this area; and
- Because, the City of Traverse City has sufficient funds for their portion of the bridge rehabilitation; therefore, be it

**RESOLVED**, that the City of Traverse City and the Downtown Development Authority actively seeks participation for this rehabilitation from the LOCAL BRIDGE PROGRAM.

I hereby certify that the above resolution was adopted by the Traverse City City Commission at its Regular Meeting held on April 21, 2014, in the Commission Chambers of the Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

---

Benjamin C. Marentette, CMC  
City Clerk



---

**RESOLUTION IN SUPPORT OF CRITICAL BRIDGE**

**SUPPORT FOR THE NORTH CASS STREET BRIDGE**

- Because, presently the North Cass Street Bridge crossing the Boardman River qualifies for the LOCAL BRIDGE PROGRAM; and
- Because, the North Cass Street Bridge is an integral part of the City Transportation System and is first priority in bridge rehabilitation; and
- Because, the closure or loss of this bridge crossing would provide a considerable hardship on transportation in this area; and
- Because, the City of Traverse City has sufficient funds for their portion of the bridge rehabilitation; therefore, be it

**RESOLVED**, that the City of Traverse City and the Downtown Development Authority actively seeks participation for this rehabilitation from the LOCAL BRIDGE PROGRAM.

I hereby certify that the above resolution was adopted by the Traverse City City Commission at its Regular Meeting held on April 21, 2014, in the Commission Chambers of the Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

---

Benjamin C. Marentette, CMC  
City Clerk



---

**RESOLUTION IN SUPPORT OF CRITICAL BRIDGE**

**SUPPORT FOR SOUTH UNION STREET BRIDGE**

- Because, presently the South Union Street Bridge crossing the Boardman River qualifies for the LOCAL BRIDGE PROGRAM; and
- Because, the South Union Street Bridge is an integral part of the City Transportation System and is first priority in bridge rehabilitation; and
- Because, the closure or loss of this bridge crossing would provide a considerable hardship on transportation in this area; and
- Because, the City of Traverse City has sufficient funds for their portion of the bridge rehabilitation; therefore, be it

**RESOLVED**, that the City of Traverse City and the Downtown Development Authority actively seeks participation for this rehabilitation from the LOCAL BRIDGE PROGRAM.

I hereby certify that the above resolution was adopted by the Traverse City City Commission at its Regular Meeting held on April 21, 2014, in the Commission Chambers of the Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

---

Benjamin C. Marentette, CMC  
City Clerk



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER *J.O. / BCM*

SUBJECT: 743 BOYD AVENUE – CONDEMNATION

Attached is a memo from City Attorney Lauren Tribble-Laucht regarding recently-completed property transfers with Traverse City Light and Power (TCLP). The city transferred 743 Boyd Avenue to TCLP as part of the property transfers.

It was understood at the time of property transfer that the 743 Boyd Avenue parcel had clouded title – that is, that there are other parties that may have an interest in the north six feet of the lot. TCLP General Counsel has been unable to locate any such parties/heirs.

TCLP, which now owns the clouded parcel, has adopted the attached resolution recommending the city use its eminent domain powers to eliminate the cloud on the title; and TCLP will pay all related expenses.

The City Attorney recommends the Commission adopt the attached resolution declaring it necessary to acquire the portion of the parcel that is at issue; if adopted, the City Attorney and Counsel for TCLP will take the necessary actions to make the acquisition, and offer \$2,188 if the owners/heirs are located.

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

**That the Resolution Declaring Necessity of Acquisition and Authorizing Offer for 743 Boyd Avenue, be adopted.**

JJO/bcm

K:\tcclerk\city commission\resolutions\boyd avenue acquisition

e-copy: Timothy Arends, Traverse City Light and Power Executive  
Director

---

# Memorandum

The City of Traverse City



---

TO: City Commission  
COPY: Jered Ottenwess, City Manager  
FROM: Lauren Tribble-Laucht, City Attorney *LL*  
DATE: April 16, 2014  
SUBJECT: 734 Boyd Avenue Condemnation Action

As you will recall the property swap recently completed with Traverse City Light and Power requires title to be cleared on the above referenced property. The property swap agreement calls for the City to undertake the necessary condemnation action at the request and expense of TCL&P. Under the Charter TCL&P does not have the power of eminent domain, but the City may exercise eminent domain.

I have been working with counsel for TCL&P to prepare for filing of the condemnation action. The next step required under the Uniform Condemnation Act is for the City Commission to adopt a Resolution Declaring Necessity of Acquisition and Authorizing Offer. The resolution is attached hereto for your consideration at your next regular meeting. After the Commission adopts the resolution, I can make the good faith offer to the owners of record, or in this case their unknown heirs. Then the complaint may be filed and we will proceed according to the process outlined in the Act. Please let me know if you have any questions.



**Resolution Declaring Necessity of  
Acquisition and Authorizing Offer**

- Because, the small parcel of property described below is adjacent to City owned property and has been mistakenly deemed to be owned by the City of Traverse City; and
- Because, the Traverse City Light and Power Department wishes to utilize the City owned property together with the adjacent small parcel for municipal electric facilities; and
- Because, the Traverse City Light and Power Board has adopted a Resolution Requesting Eminent Domain to Cure Title to said property; and
- Because, the City of Traverse City wishes to convey all of the property to the Traverse City Light and Power Department for use for municipal electric facilities; and
- Because, the City of Traverse City, pursuant to state law (MCL 213.23 and MCL 117.4e) and Traverse City Charter Sections 179e and 3, may condemn property for public use; now therefore, be it
- Resolved,** that it is deemed necessary to acquire the following property for public use as municipal electric facilities:
- The North 6 feet of Lot 6, Block N, Hannah, Lay, and Co's Seventh Addition to Traverse City, Section 11, Town 27 North, Range 11 West, City of Traverse City, Grand Traverse County, Michigan; and, further, be it
- Resolved,** that the amount of \$2,188.00 is hereby found to be just compensation for fee title to the above property; and, further be it
- Resolved,** that the City Attorney is authorized to submit a good faith written offer to the owners of said property; and, further, be it
- Resolved,** the City Attorney and general Counsel of the Traverse City Light and Power Department are hereby authorized to take such actions on behalf of the City of Traverse City as they deem appropriate for the acquisition of said property, pursuant to state statutes and City Charter, including an action pursuant to the Uniform Condemnation Procedures Act (MCL 213.51a et seq.).

I hereby certify that the above Resolution was adopted on April 21, 2014, at a regular meeting of the Traverse City City Commission held in the

Commission Chambers, Governmental Center, 400  
Boardman Avenue, Traverse City, Michigan.

---

Benjamin C. Marentette, CMC, City Clerk

K:/tcclerk/City Commission/Resolutions/Resolution Declaring Necessity of Acquisition and Authorizing Offer.doc

TRAVERSE CITY LIGHT AND POWER DEPARTMENT  
RESOLUTION REQUESTING EMINENT DOMAIN TO CURE TITLE

WHEREAS, The City of Traverse City and the Traverse City Light and Power Department entered into a Purchase and Sale Agreement dated November 26, 2013, agreeing to exchange certain real estate; and

WHEREAS, one of the properties to be conveyed to TCL&P by the City is 743 Boyd Avenue which is the following parcel:

Part of Lots 6 and 7, Block N, Hannah, Lay and Co's Seventh  
Addition to Traverse City, Section 11, Town 27 North, Range 11  
West, City of Traverse City, Grand Traverse County, Michigan;  
and

WHEREAS, City records have for many years shown the City of Traverse City to be the owner of that parcel; and

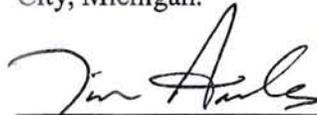
WHEREAS, an examination of title has determined that other parties have or may have an interest in a part of that property, that part being the north six feet of Lot 6; and

WHEREAS, TCL&P wishes to correct this title problem and extinguish and cure title to the north six feet of Lot 6 so that it may use that property for municipal electric facilities;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Traverse City Charter Section 179(e), the Traverse City Light and Power Board recommends that the City use its power of eminent domain to extinguish any cloud on or interest in title to that property except for the City of Traverse City and the Traverse City Light and Power Department; and

BE IT FURTHER RESOLVED that General Counsel is authorized at TCL&P's expense to represent the City, jointly with the City Attorney, in the eminent domain proceedings.

I hereby certify that the above Resolution was adopted on January 14, 2014, at the regular TCL&P Board meeting held in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.



---

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 APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: City Commission Ad Hoc Committee for Water Bottle Filling Stations:

Commissioner Jeanine Easterday, Chair

Mayor Michael Estes

Mayor Pro Tem James Carruthers

SUBJECT: REPORT – CITY COMMISSION AD HOC COMMITTEE FOR WATER BOTTLE FILLING STATIONS

Our committee was appointed by the Commission to conduct a fundraising campaign to fund water bottle filling stations. We launched our campaign in July, 2013, and approached potential funders to purchase three water bottle filling stations at the Open Space, with each station costing an anticipated \$7,000.

The filling stations essentially serve two purposes: 1) to function as a traditional drinking fountain; and 2) to have a special feature to fill reusable water bottles. The initiative is intended to enable our community, as well as visitors, to enjoy a drink of fresh, clean, local water through the fountain or by filling their reusable water bottle – enjoying water on the go, and contributing to a healthy lifestyle. This initiative is beyond aesthetic – public money is spent collecting, landfilling and/or recycling plastic water bottles.

The new filling stations are thanks to a collaborative effort with Hagerty Insurance Agency, LLC who immediately offered a Challenge Grant to donors. The Hagerty Challenge Grant offered to fully fund one water bottle filling station contingent upon securing funding from other donors for two additional stations.

The National Cherry Festival stepped forward to fund a new station to be installed at Grandview Parkway and Union Street. An additional donor, who wishes to remain anonymous, offered to fund a station located at the volleyball courts. Hagerty Insurance Agency will fund the station to the west of the marina on the bayfront.

The stations funded by Hagerty and the anonymous donor will be retrofitted from existing drinking fountains. (See Attachment A – Potential Outdoor Bottle Filling Stations – highlighted in blue are the three stations where funding has been pledged.) Additional funders have expressed an interest in funding a water bottle filling station; and therefore, it is recommended that an open-ended service order be issued to accommodate future installations as donors step forward. Additional proposed locations are in red; however, a donor may request to fund a station in a location not featured on the attachment.

We did not go out for bids for the water bottle filling stations due to the fact that this was the only model that offered factory installed filtration as requested.

We recommend the following motion would be appropriate (5 affirmative votes required):

**that the competitive bidding process be waived; and that the City Manager be authorized to issue a service order to Stern-Williams for water bottle filling stations, with the cost to be provided by donors in an amount up to \$7,000 for each water bottle filling station; and that additional water bottle filling stations may be installed in locations throughout the city as donations are received; and that contributions be placed in the Water Fund and the expenditure of said proceeds for the water bottle filling stations also come from the Water Fund, subject to receipt of funding for the filling stations from the donors.**

JJO/kjl

k:\tcclerk\city commission\purchase orders\water bottle filling stations open space 2014

e copy      Carmen Stevens, Hagerty Insurance Vice President Corporate  
                  Communications and Community Relations  
                  Trevor Tkach, National Cherry Festival Executive Director  
                  Dave Green, Department of Public Services Director



**Legend**

**Water Station Location**

- \* EXISTING
- \* FUNDING PENDING
- \* PROPOSED

**STERN  
WILLIAMS**

# DISTINCTIVE DRINKING FOUNTAINS



**Designers & Manufacturers of:**

- Drinking Fountains
- Outdoor Mistors
- Outdoor Showers
- Foot Showers
- Pet Fountains
- Jug Fillers & Hydrants
- Water Bottle Fillers



**STERN-WILLIAMS CO., Inc.**

PO. BOX 8004 • SHAWNEE MISSION, KANSAS 66208-0004  
913-362-5635 • FAX 913-362-6689 • www.sternwilliams.com

## WATER BOTTLE FILLER STATION SPECIFICATIONS

**MODEL:** 7700

**TYPE:** Combination filtered water bottle filler and handicap accessible drinking fountain.

**PEDESTAL:** 10-3/4" diameter steel pipe with 3/16" wall.

**ARM:** 3/16" sheet steel arm projecting 20" from the pedestal.

**RECEPTOR:** 18 gauge stainless steel with chrome plated brass drain plug on fountain.  
Powder coated metal with chrome plated brass drain plug on filler.

**BUBBLER:** Chrome plated brass, locked to receptor with vandal resistant steel guard.

**FILLER SPOUT:** Brushed aluminum.

**VALVE:** Two (2) chrome plated brass push button assemblies recessed in 1/2" steel plate with adjustable flow regulating valves.

**MOUNTING:** Surface. 1/2" thick 15-1/4" o.d. base support plate with four (4) bolt holes.

**WASTE:** 1-1/4" schedule 40 PVC.

**SUPPLY:** 1/2" reinforced vinyl tubing with 1/2" IPS hook-up and stainless steel fittings.

**FINISH:** Polyester powder coat.

**COLOR:** Green. Optional colors: red, blue, dark bronze, black, silver, sand, yellow, orange and white.

**OPTIONS:**

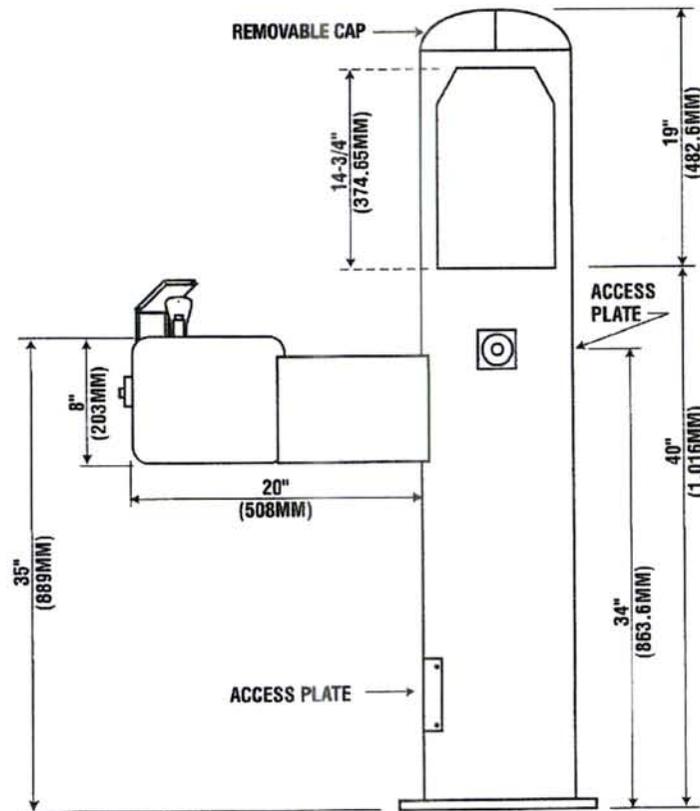
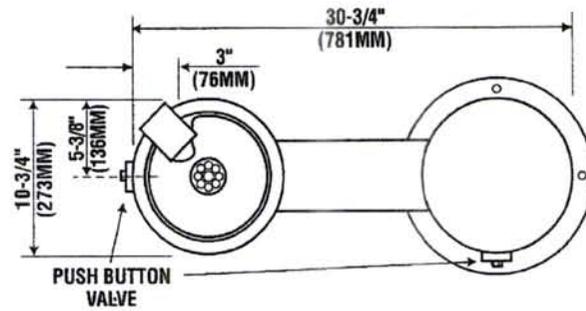
- 32 1/2" compression type with standard hose connection and vacuum breaker
- 35-VP recessed hose bibb with locking cover
- 85 valve box
- 90 attached pet fountain
- 96 sand strainer plate
- SS stainless steel
- SMP-10 surface mounting plate

STERN

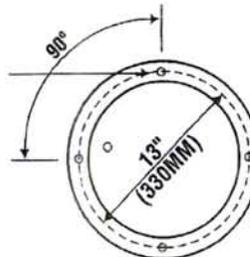
# WILLIAMS DIMENSIONAL INFORMATION

MODEL 7700

MODEL 7700  
Single Fountain with  
Water Bottle Filler Station



NOTE: FOUR 1/2" O.D.  
MOUNTING HOLES  
SPACED ON 13" DIA.  
BY OTHERS



NOTE: THESE ROUGH-IN DIMENSIONS  
MAY VARY 1/2" (13 mm) PLUS OR MINUS



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JOJERED OTTENWESS, CITY MANAGER

SUBJECT: CONDITIONAL REZONING – 101 NORTH MADISON

Attached is a memo from City Planning Director Russell Soyring indicating the request for the property owner of 101 North Madison for the property to be conditionally rezoned from R1-b (Single Family Dwelling District) to C-1 (Office Service District). With a conditional rezoning request, a property owner(s) has the option of submitting an “offer” for a conditional rezoning, whereby the property can be rezoned, provided the property owner fulfills certain conditions upon which the rezoning was based.

Attached are the materials submitted by the applicant. Attachment B dated March 26, 2014, provides the “conditions” for the rezoning. These conditions would be incorporated into an agreement that the developer would be bound by.

The current zoning would allow three conforming residential lots; the request is to conditionally rezone the property to C-1, which would allow four dwellings, narrower lot widths, shallower front and side yard setbacks and higher impervious limits.

The Planning Commission’s motion to recommend this request failed 4-5. The applicant is entitled to have the Commission review and consider the request. The Commission can move forward with the request without Planning Commission support.

If the Commission wishes to further consider this request, it is a two-part process, as follows:

1. The ordinance amendment is introduced and scheduled for possible enactment two weeks later; and

2. Two weeks later, the ordinance amendment is enacted, and the Conditional Rezoning Agreement is authorized; the rezoning and agreement become effective 31 days later

If the conditional rezoning is ultimately approved, the development must be at least 75% complete within two years and 100% within three years; if not, the conditional rezoning is void.

The following motion would introduce the conditional rezoning and schedule it for possible enactment on May 5:

**that an amendment to the Traverse City Code of Ordinances, which would rezone the property located at 101 North Madison from R1-b (Single Family Dwelling District) to C-1 (Office Service District), which was not recommended by the City Planning Commission, be introduced and scheduled for possible enactment on May 5, 2014.**

In the alternative, if the Commission does not wish to move forward with consideration of the request, then no action is necessary.

JJO/bcm

K:\tcclerk\city commission\conditional rezoning\ conditional rezoning 101 North Madison\_Intro  
e-copy: Russell Soyring, City Planning Director

# Memorandum

The City of Traverse City  
Planning Department



TO: Jered Ottenwess, City Manager

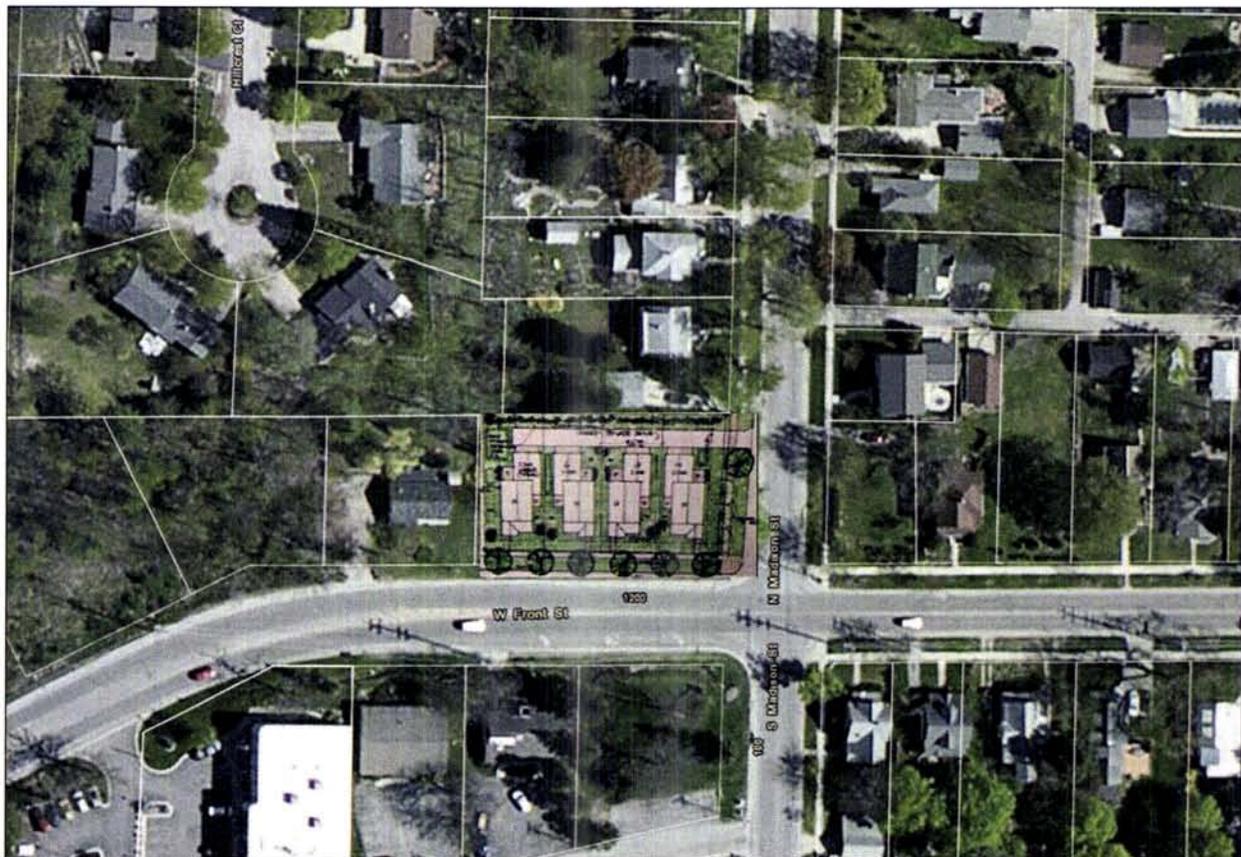
FROM: Russell A. Soyring, Planning Director *R. Soyring*

DATE: April 11, 2014

SUBJECT: CONDITIONAL REZONING REQUEST FOR 101 N MADISON

A request has been made to conditionally rezone 101 N. Madison Street (the northwest corner of West Front/Madison Streets) from R-1-b (Single Family Dwelling District) to C-1 (Office Service District).

The proposal is to build four single-family detached dwellings with a single driveway access from Madison Street. The site is currently vacant and is adjacent to residential houses to the north, east and west. Offices are located to the south.



*Site plan inserted over aerial photograph to show relationship with neighborhood properties*

The property is currently zoned R-1b (Single Family Dwelling) which would allow for three conforming residential lots. The request is to conditional rezone the property to C-1(Office Service) to allow four dwellings. C-1 is sought because it allows narrower lot widths, shallower front and side yard setbacks and higher impervious limits.

The Master Plan designates this area as a TC-3 (Traditional) neighborhood where the focus is on historic patterns with residential scale. The Plan states this neighborhood type is moderate intensity for residential areas. Single family detached dwellings, moderate density with some multi-family dwellings and home occupations are appropriate. The recently adopted Corridors Master Plan indicates this property provides an opportunity for six or seven townhomes.

The single family and multiple family zoning districts (R-2, R-9 and R-15) are consistent with the Core Principles of the Master Plan according to the Zoning Element.

The Planning Commission held a Public Hearing on April 1, 2014 on this matter. There were 10 public comments made during the Public Hearing including 6 general comments and 4 in opposition. The following motion was made:

Motion by Commissioner Easterday, second by Commissioner Werner, that the request from, John Kerridge, Kerridge Architecture and Construction, Inc, representing Kermal Cinaroglu, to rezone the properties commonly known as 101 N Madison Street from R1-b (Single Family Dwelling District) to C-1 (Office Service District) with conditions as offered by the applicant dated March 26, 2014 be recommended and that the Conditional Rezoning Agreement be approved subject to approval as to form by the City Attorney, which Agreement shall include and incorporate the preliminary site plan dated March 26, 2014 and based on the submittals of the applicant and as outlined in the March 28, 2014 communication memo from Planning Director Russ Soyring be recommended for approval to the City Commission.

Motion failed 4-5 (Commissioners Dow, Easterday, Fleshman, Twietmeyer and Warren opposed).

While the Planning Commission's action did not recommend approval of the request, the applicant is allowed to continue his due process and have the request heard by the governing body, the City Commission.

RAS/ml

Attachments:

- 101 N Madison Conditional Rezoning Application packet
- Draft Conditional Rezoning Agreement
- 4/1/14 Powerpoint Presentation by John Kerridge
- March 28, 2014 communication memo from Planning Director Russ Soyring

RECEIVED

MAR 26 2014

PLANNING DEPT  
CITY OF  
TRAVERSE CITY

**CONDITIONAL REZONING  
101 N. MADISON  
TRAVERSE CITY, MI.**

## Attachment B

March 26, 2014

Conditional Zoning Request and Offer

Kemal Cinaroglu is the owner of the real property located in Traverse City and identified by the Property Number and address:

Property Parcel Number: 28-51-104-058-00

Property Address: 101 N. Madison St., Traverse City, Mi.

Mr. Cinaroglu hereby voluntarily offers to permanently place the following restrictions upon the parcel noted above and as a condition of rezoning this parcel to C-1 (Office Service District).

1. The use of the property will be for single family residential homes. 4 homes.
2. The maximum building height will be 30'.
3. No driveway curb cuts will be permitted onto Front St. from the lots. A shared private drive for the homes will provide access onto Madison St.
4. The homes shall be built substantially in conformance with the concepts provided with the application. Single family, 2story, Traditional styling, Front Porches, 2-car garages on north side serviced by the shared driveway.
5. The site elements will be built substantially in conformance with the concepts provided in this application. 4 lots with a shared driveway at the north side of the houses.
6. The offer will grant a 5' temporary construction easement for construction of a sidewalk on Front St. and moving the sidewalk to 4" off the property line, increasing the green /tree area and increasing the separation of pedestrians and traffic, providing for healthier trees and increased safety.
7. Rezoning the subject property to C-1 and these voluntary conditions shall only become effective upon issuance of a land use permit for the proposed project.

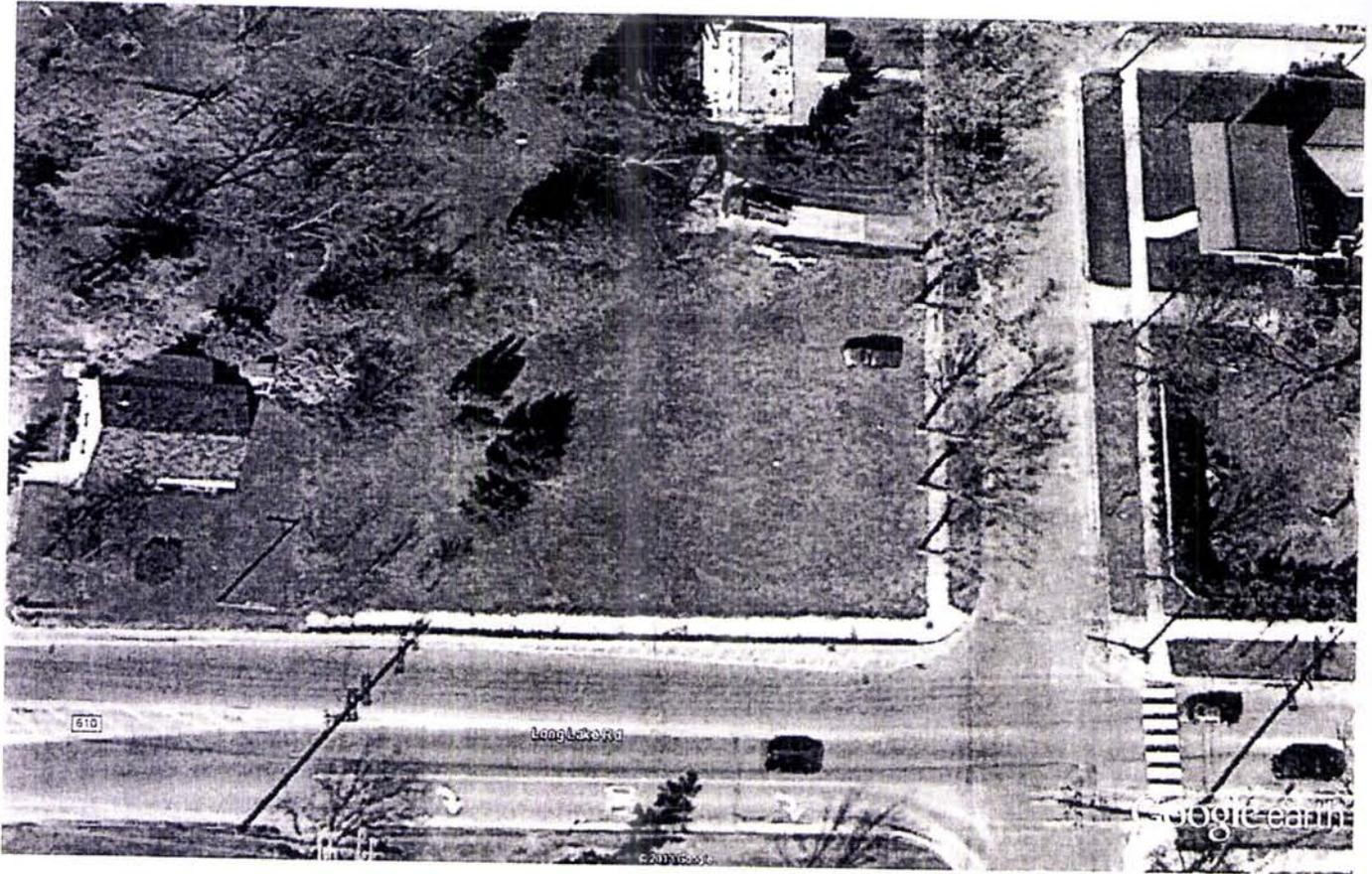
# 101 N. Madison

## Conditional Rezoning Outline

- Conditional Rezoning to C1 (Office Service District)
- C1 - Lot Size Complies/Lot Area Complies, Density Complies, Setbacks Comply / No Variances Required  
Current Zoning R1b – Single Family

### Rezoning Plan Attribute Summary

- Develops Long Time vacant and unused Parcel
- Fits Neighbor Fabric and Context of neighborhood
- Good Mix of Density for Corridor – Slightly Increased Density over allowable current zoning but with less impact on Front St.
- Developed in consideration of Traverse City Corridor Master Plan - Master Plan Indicates 6-7 Townhouse Unit . 4 Single Family units less density and better fit.
- Units to pick up on Architecture of adjacent Houses- Yet will be current in Architectural Concepts- Roof pitches, materials, fenestration, size.
- Single Family Units in Context of Neighborhood  
2 Story with attached 1 1/2 Car Garage -
- Green Space around units with Patios/Terrace/Gardens
- Strengthens Walkable Neighborhood/Sustainable-Green in material usage/planning/location
- Front Porches on Front Street to create personal/neighbor space- welcoming.
- House Traffic Access off of Madison vs. Front St.- Rear Parking Access – Low impact for traffic with shared private drive
- Provides Needed Moderately Priced Single Family Residential Housing in city.



Google earth

feet  
meters

100

50



EXISTING SITE.

TRAVERSE CITY PLANNING COMMISSION  
 APPLICATION FOR  
 ZONING CHANGE

APPLICATION # 842500 DATE 7-15-84  
 Check No. \_\_\_\_\_ Hearing Date \_\_\_\_\_  
 Receipt No. \_\_\_\_\_ Case No. \_\_\_\_\_

Address of subject Property: \_\_\_\_\_  
 Tax Parcel Number: 28-51-104-058-00  
 Legal Description: PRT OF NW 1/4 OF SE 1/4  
SEC 4, T27N R11W DES AG COM AT NW  
COR MADISON & FRONT ST. THE N 99 FT  
TH W 166 FT TH S 99 FT TH E 166 FT  
TO POB M 1 B

Present Zoning Classification: \_\_\_\_\_  
 Requested Zoning Classification: R 20 C1  
 Signature of Owner: \_\_\_\_\_  
 Owner's Address: 8119 East Shore Road  
Traverse City, MI 49686  
 Applicant's Signature: \_\_\_\_\_  
 Relationship of Applicant to owner: \_\_\_\_\_  
 Applicant's Address: \_\_\_\_\_  
 Applicant's Telephone: \_\_\_\_\_

APPLICATION REQUIREMENTS

The fee of \$425.00 must accompany this request.

This application must be presented to the City Planning Department a minimum of twenty-four (24) days prior to the public hearing. After the Planning Commission makes a recommendation, the matter will be forwarded to the City Commission, whose final action will be held in public session by the City Commission, completing the rezoning process.

Thirteen (13) copies of a site plan, drawn to scale and complete with the following, must accompany this application:

1. All property lines and setbacks shown.
2. Indicate and name address of streets and alleys.
3. Indicate all existing structures on the property.
4. Indicate the width of the driveway.
5. South arrow.
6. Any additional information deemed by the Planning Commission Secretary to be necessary for proper review of the request.

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



# Concept Board – 101 N. Madison

## 101 N. Madison

### Conditional Zoning Outline

- Conditional Zoning to C1 (Office Service District)
- C1-1 of the City of Madison Comprehensive Zoning Ordinance, Density Conversion, Section 15.02, Verifies Required Density Zoning R1b – Single Family

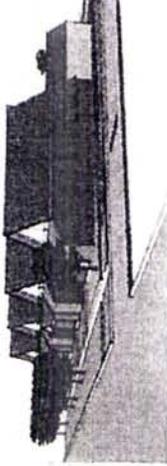
### Rezoning Plan Attributes Summary

- Develops Long Term vacant and unused Parcel
- Fits Neighbor Fabric and Context of neighborhood
- Good Mix of Density for Corridor – Slightly Increased Density
- Consistent with City's Vision for West Front Street
- Developed in collaboration of Traverse City Corridor Master Plan – Master Plan indicates 4-7 Townhouse Unit
- Single Family units were density and better fit
- Will be consistent with architecture of adjacent houses. Yet will be a new addition to the neighborhood – Roof pitches, materials, construction, etc.
- Single Family Units fit Context of Neighborhood
- Entry with additional 1 1/2 Car Berths
- Streetscape, Walkable Neighborhood, Sustainable Green in natural landscape/neighborhood
- Front Porches on Front Street to small porches/neighborhood
- Consistent with City's Vision for West Front Street
- Parking Access – Low Impact for traffic into adjacent blocks
- Provides Integrated Multifamily/Single-Family
- Residential Housing in city

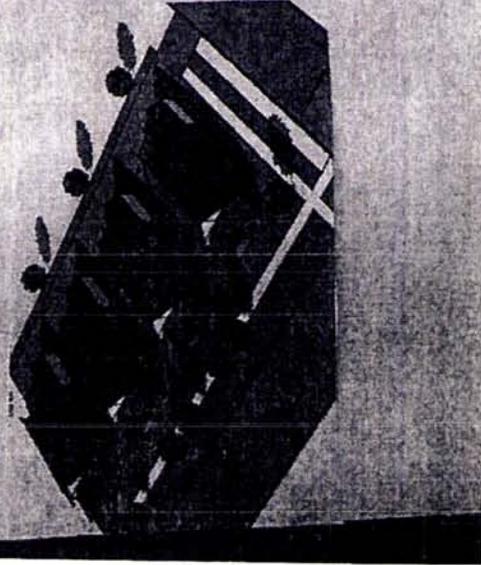
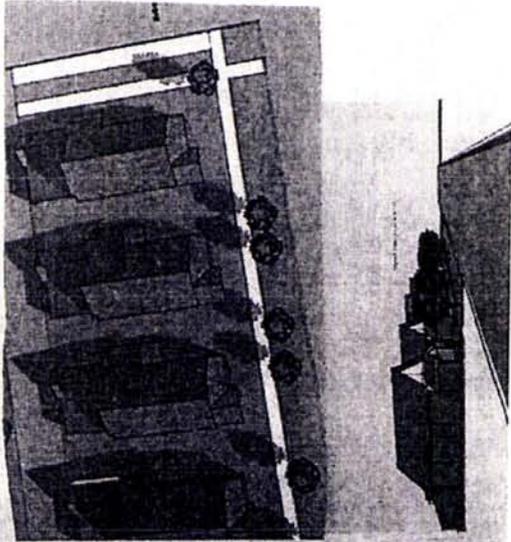


### 101 N. Madison CORRIDORS MASTER PLAN

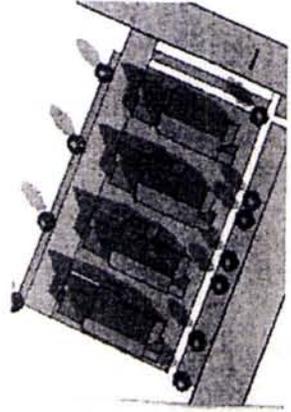
WEST FRONT - WEST FRONT - HEIGHTS - THE HEIGHTS - 4TH FLOOR



### SECTION FOUR WEST FRONT STREET FRAMEWORK PLAN



### 101 N Madison Residences





(GENT P NEIGHBORS BY JK)

## Slab Town Neighborhood

RE: Front and Madison New Single Family Owner Occupied Homes - 101 N. Madison St.

**Greetings,** My name is John Kerridge. I am an architect, builder and owner of Kerridge Architecture + Construction. I represent the owner of the vacant lot at Madison and Front. We want to make sure everyone understands what we are proposing for this unique corner. I have lived in the Traverse City area since 1979. I have practiced here as an architect since 1989. In that time I have completed many projects as both an architect and builder. You will be familiar with some of my projects in town, including GT Allergy/Dr. Lazars Office at the corner of Elmwood and Front, the original Republic Bank building at the corner of Division and Front, and also Cass St. ENT/ Dr. Schultz's Office building on the corner of 14<sup>th</sup> and Cass. All of these were developed around solving unique site issues. At the GT Allergy project we carefully crafted a building and site plan to save the two large spruce trees by building around them (still there 13 years later) Republic Bank was one of the first to internalize the parking areas and also cleaned up a polluted site and won a planning award for good Site Planning. At Cass St. ENT we developed a difficult site and created a landmark building. We believe that all of these projects have been positive additions to the fabric of our built environment here in Traverse City. We intend to bring this same care to the project on Madison and Front.

## Madison and Front Project Facts:

**The Project is for 4 new detached/separate Single family owner occupied homes. Not Rental.**

- Current Zoning will **allow for three single family houses on this site** by right. We are proposing 4 homes instead of the allowable 3. The change we are proposing would allow **one additional house**.
- A private drive is proposed off Madison to be shared by all the houses, rather than driveways off Front Street which can be done by current zoning. This is recommended site planning.
- The houses will be modest in size, 2 car garage, and 2 stories, similar in context to the houses of the neighborhood. Porches to be on the Front street side, rear patios at north. Materials, roof pitches, etc. similar to neighborhood.
- The City Corridor Master plan approved by the City Commission recommended 6-7 Townhouse units on this site. We believe our plan is a better solution with less impact than what the city suggested.
- The homes will become your new neighbors and advocates for the neighborhood, including Front St. issues/traffic etc.
- The homes will screen both sound and visual impact from Front Street, decreasing sound penetration into the neighborhood.
- New maple trees will be planted along Front Street. Houses will be landscaped. The existing maples on Madison will be saved.
- A new landscape hedge to be installed at north side along the private drive for an additional buffer to Front St as well as a nice new landscape element.
- The Project will be a green project, by location, materials, planning, site reuse, utilization of existing infrastructure/space, in town commute, walkability, site utilization/density all working towards sustainable growth and a better city.

We would like to show you the project and invite you to come meet with us at 4:30 PM at the Slabtown Burger on Monday March 24<sup>th</sup>. We will have some project drawings and boards and will be happy to discuss and hear your thoughts regarding the project. We look forward to this opportunity. If you cannot make it, please call me with any of your concerns.

Thank You!

John Kerridge AIA LEED AP CGB

c 620-4200 For any question's/comments.

## **Attachment B**

March 26, 2014

Conditional Zoning Request and Offer

Kemal Cinaroglu is the owner of the real property located in Traverse City and identified by the Property Number and address:

Property Parcel Number: 28-51-104-058-00

Property Address: 101 N. Madison St., Traverse City, Mi.

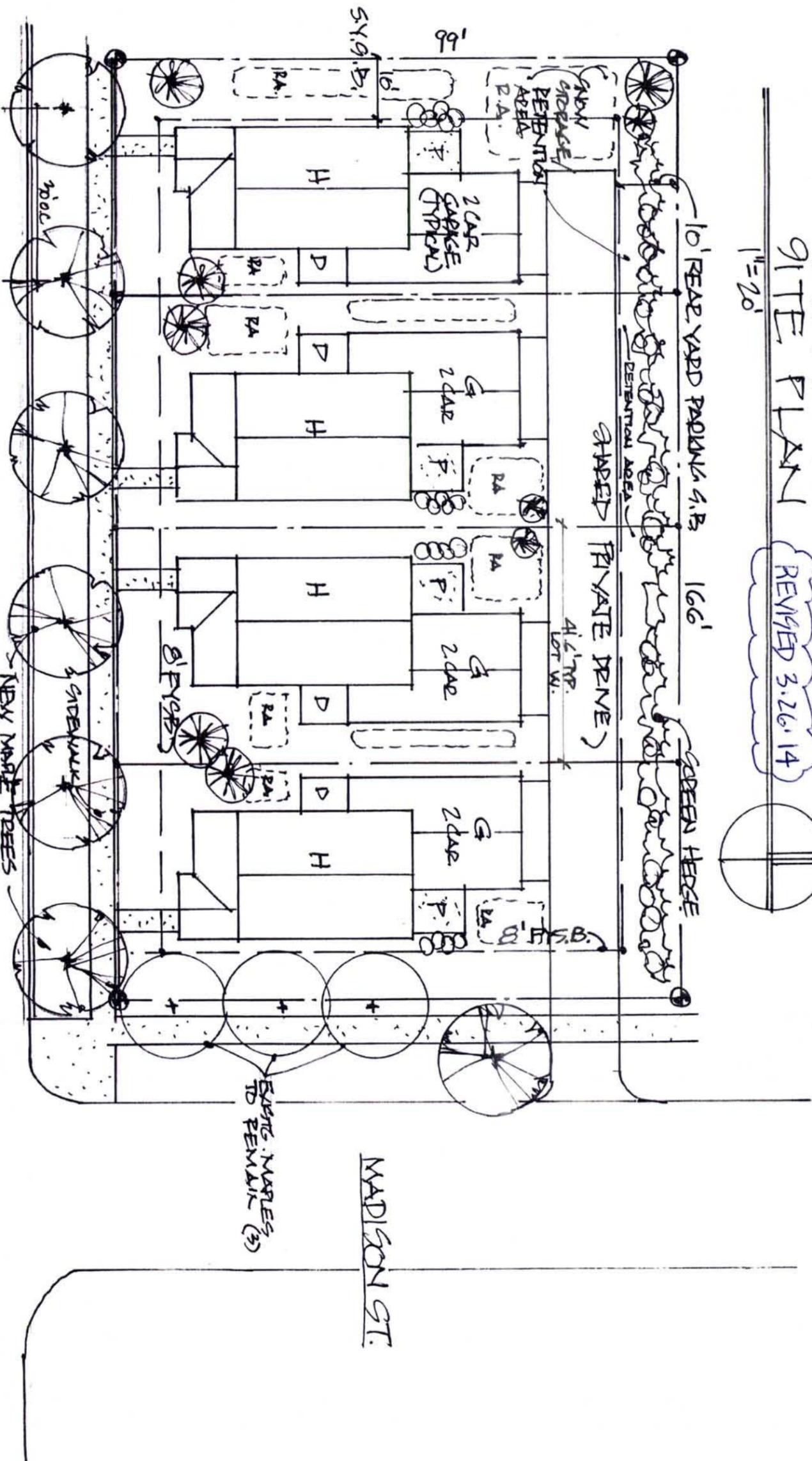
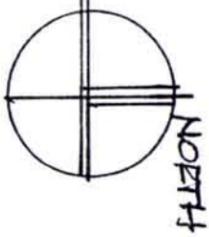
Mr. Cinaroglu hereby voluntarily offers to permanently place the following restrictions upon the parcel noted above and as a condition of rezoning this parcel to C-1 (Office Service District).

1. The use of the property will be for single family residential dwellings. (4 dwellings)
2. The maximum building height will be 30'.
3. No driveway curb cuts will be permitted onto Front St. from the lots. A shared private drive for the homes will provide access onto Madison St.
4. The homes shall be built substantially in conformance with the concepts provided with the application. Single family, 2story, Traditional styling, Front Porches, 2-car garages on north side serviced by the shared driveway.
5. The site elements will be built substantially in conformance with the concepts provided in this application. 4 lots with a shared driveway at the north side of the houses.
6. The offer will grant a 5' temporary construction easement for construction of a sidewalk on Front St. and moving the sidewalk to 4" off the property line, increasing the green /tree area and increasing the separation of pedestrians and traffic, providing for healthier trees and increased safety.
7. Rezoning the subject property to C-1 and these voluntary conditions shall only become effective upon issuance of a land use permit for the proposed project.

101 N MADISON  
SITE PLAN

1"=20'

REVISED 3.26.14



FRONT STREET

MADISON ST.



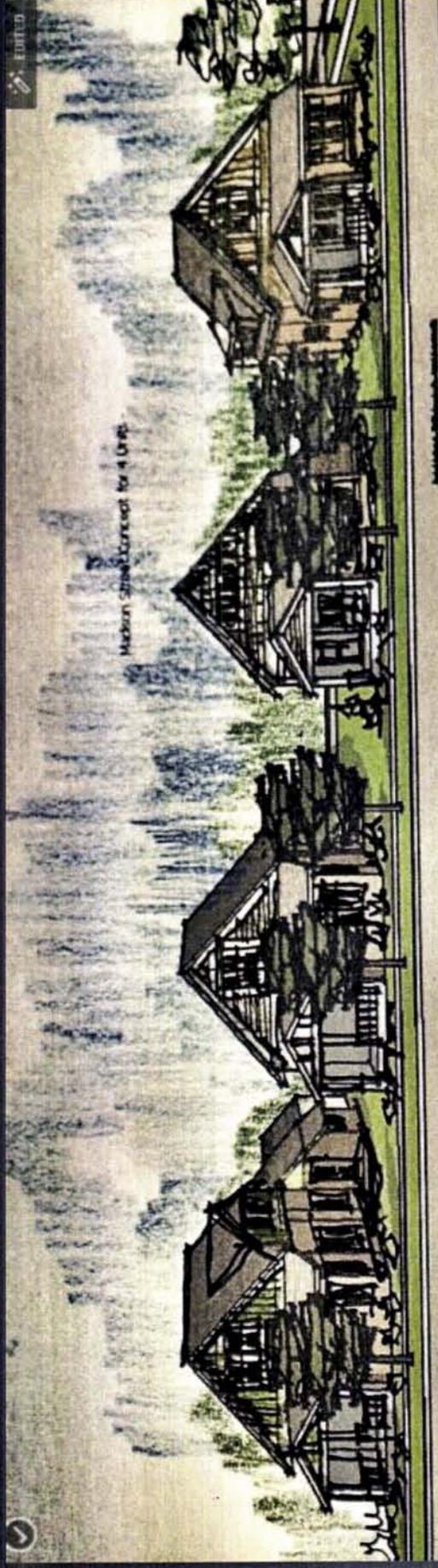
# 101 N. Madison Residences Conditional Rezoning Request and Presentation

- Presenter Name: John Kerridge AIA LEED AP, CGB ,  
Kerridge Architecture + Construction, Inc.
- April 2014

# Conditional Rezoning Request

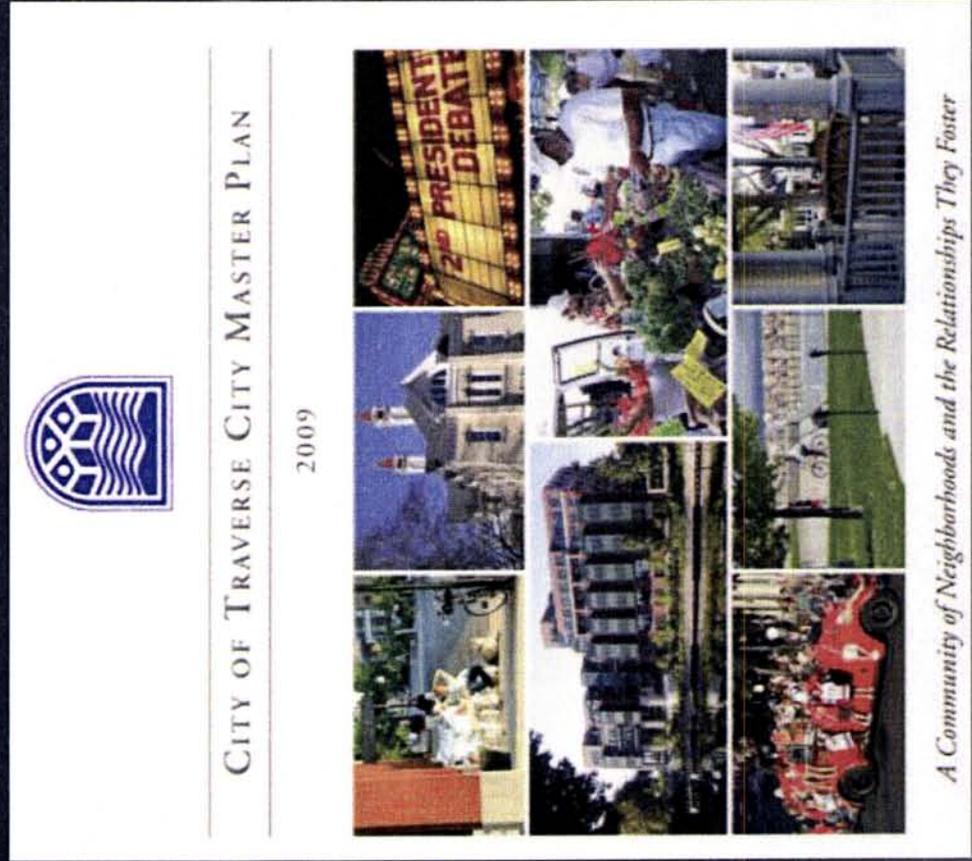
## 101 N. Madison

- Request Conditional Rezoning to C1 Office Service District- Residential Use only.
- C-1 Lot Size Complies/Lot Area Complies/Density Complies/ Setbacks Complies- No Variances Required.



# City Master Plan 2009

- Basis of Plan and Conditional Rezoning Request



# City Master Plan 2009

- Basis of Plan and Conditional Rezoning Request

## Core Principles

Seven core principles guide our vision. These principles guide land use decisions, leading us to ask the right questions in our dialog with citizens about their ideas and concerns.

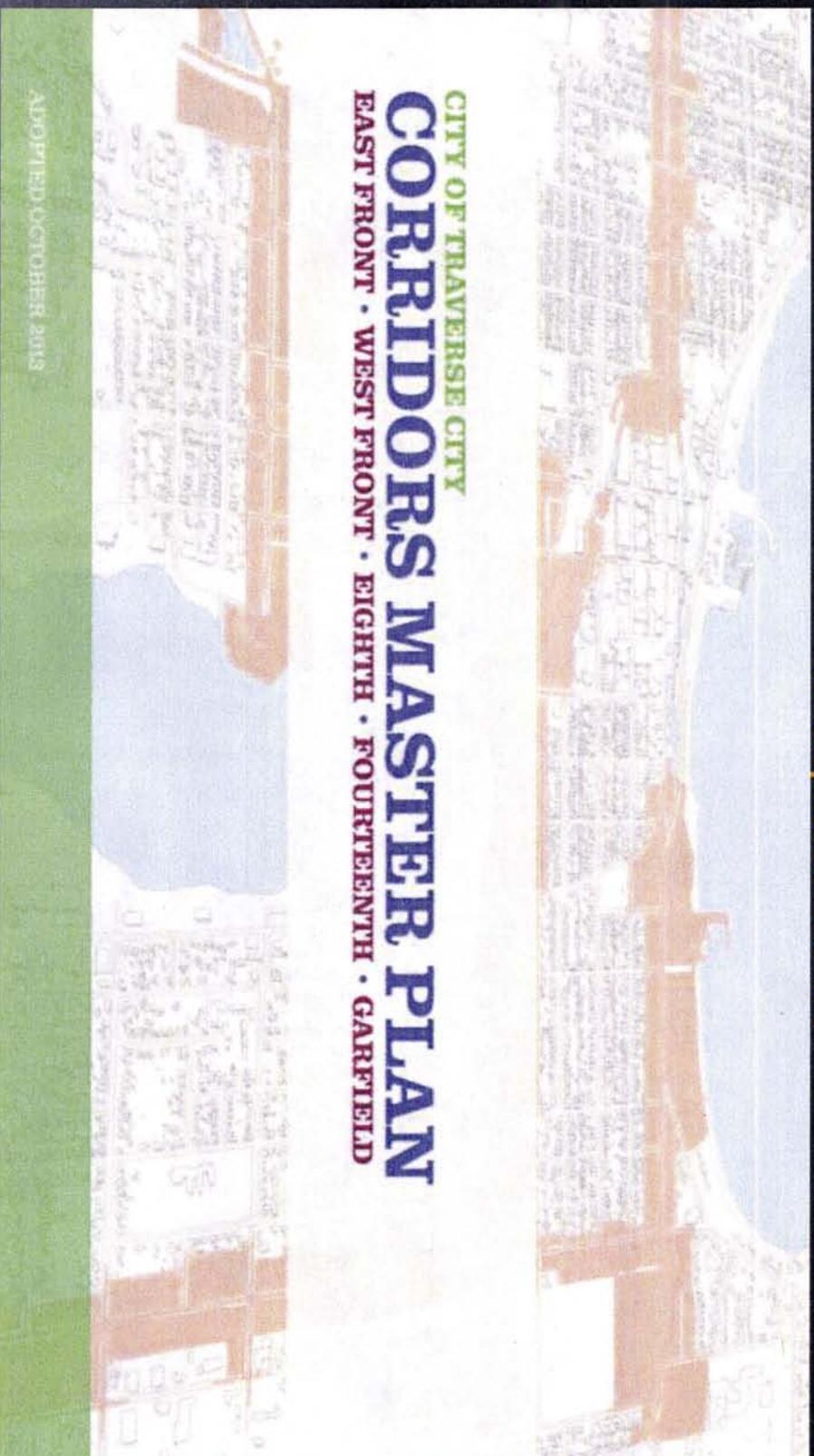
- 1** *The intensity of any land use should be the focus of land use decisions.*  
**Continues focus on residential**
- 2** *Social, economic and residential diversity and stability are key to our future.*  
**New single family use, vibrant, mid range**
- 3** *Our neighborhoods need to be preserved and protected as they evolve.*  
**Blends/melds with existing /reinforces**
- 4** *Natural and historic resources are limited and need to be protected.*  
**Reuse of existing site**
- 5** *Services should be conveniently located.*  
**Great in town access**
- 6** *Transportation choices are important to our vitality and environmental health.*  
**Walkable/biking/great access**
- 7** *Maintaining a healthy and vibrant City is important to the region.*

# City Master Plan TC 3

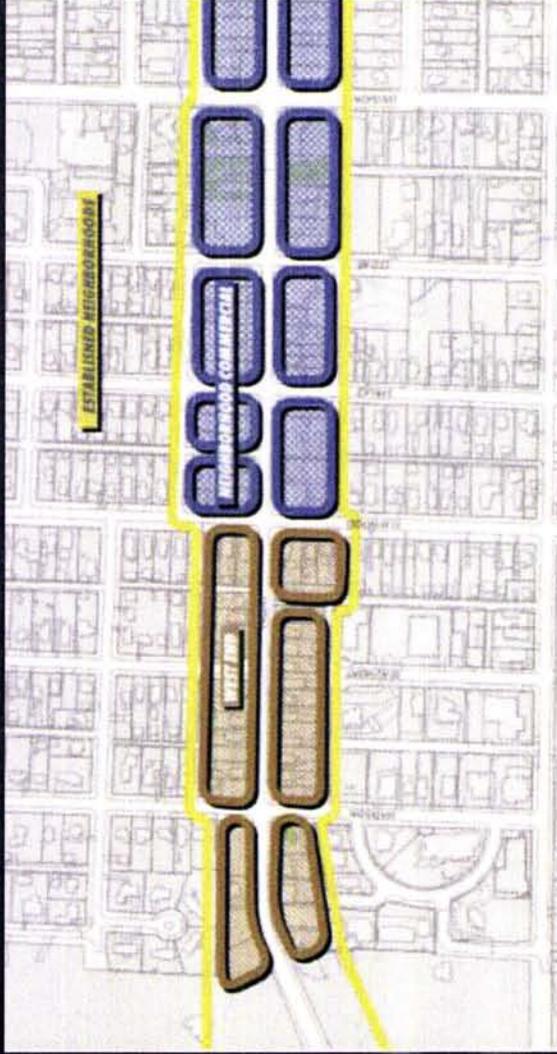
- Project Fulfills TC 3 Neighborhood Objectives
- Moderate Intensity Residential Development
- Single Family Detached Dwellings – 4
- Transitional Border and step down vs. Townhouse
- Formal Sidewalks, Curb, Street Tree Development
- New Vibrant Development Strengthens City Character at visible city entry point.

# Project Overview

- The project has been conceived with consideration to the Traverse City Corridors Master Plan – Adopted 2013



# Corridor Master Plan Character Framework – West Front St.



## CHARACTER AREA FRAMEWORK WEST FRONT ST

Along each corridor there exists a range of different "character areas", defined by components such as functionality, development patterns, parking, building height, land use, appearance, development potential, and overall character. These different character areas are united by the corridor itself, yet each provides distinct environments that help define the unique experience's at different locations along the corridor's run.

Along the Front Street Corridor, three (3) different character areas have been identified and serve as the foundation for urban design, development, and transportation recommendations. The three character areas for Front Street are: 1) West End; 2) Neighborhood Commercial; and 3) East of Maple. Together, these different areas along Front Street represent the full range of land uses and development patterns, and they provide a variety of development and improvement opportunities for the corridor.

**West End** The west end of West Front Street has a quiet residential character, despite heavy traffic volumes and close proximity to Munson Medical Center. Although traffic volumes are not expected to decrease, the hospital's recent expansion has incorporated components that enhance the quality of life and character of the area, including the hospital's efforts with campus decompression and the creation of the Rich Creek parkland. It is anticipated that this segment of West Front Street maintain its existing residential character. New development and investment should be compatible with the scale, character, and intensity of the adjacent residential neighborhood.

**Built Form** Compatible with the existing residential neighborhood and setbacks consistent with adjacent land uses.

**Parking** Parking should be provided in the rear of buildings if possible, or alternatively in the side yard screened from Front Street with landscaping and a low masonry wall.

**Height** 1-2 stories.

**Uses** Residential, or possibly low-impact neighborhood commercial.



Corridor Master Plan – West End  
Character Framework – West  
Front St. - Recommendations

- Built Form – Compatible with Existing Residential
- Parking at Rear of Building
- Building Height 1-2 Stories
- Residential Use

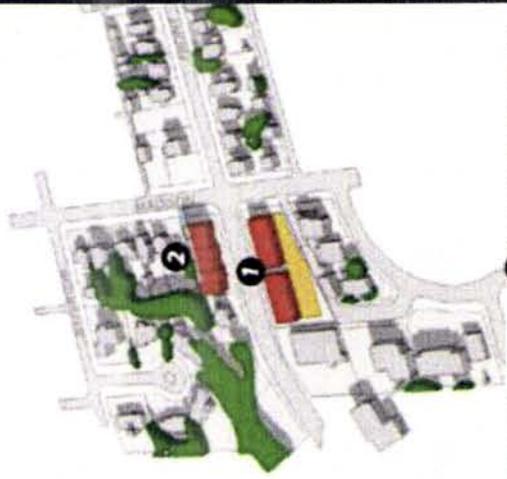
Project Complies with all Recommendations

# Corridor Master Plan- Opportunity Development Site #2

## OPPORTUNITY DEVELOPMENT SITES

### WEST FRONT ST

Recognizing that any site could redevelop, the West Front Street Corridor includes several sites that represent opportunities for improved development that would have the potential to serve as a catalyst for future improvement along the Corridor. These sites have been identified based on a number of factors, including parcel or structural vacancy, inappropriate or incompatible uses, existing character that is out of context with



**1** This is a unique opportunity along West Front Street and an opportunity to establish a high quality gateway for the City and Corridor. Redeveloped medical buildings should be attractive and high quality with strong orientation to Front Street with additional access from Beech Street via Madison. Any redevelopment should maintain the residential scale of the buildings and have a minimal impact on the nearby residential neighborhood.

**2** A vacant site at the northwest corner of Madison Street and West Front Street provides an opportunity for residential development. Six or seven row homes could be accommodated on the site with walkup entries along Front Street. Garages for the units should be located in the rear, serviced by a new alley accessible from Madison Street.

## **Corridor Master Plan – Opportunity Development Site - #2 Recommendations**

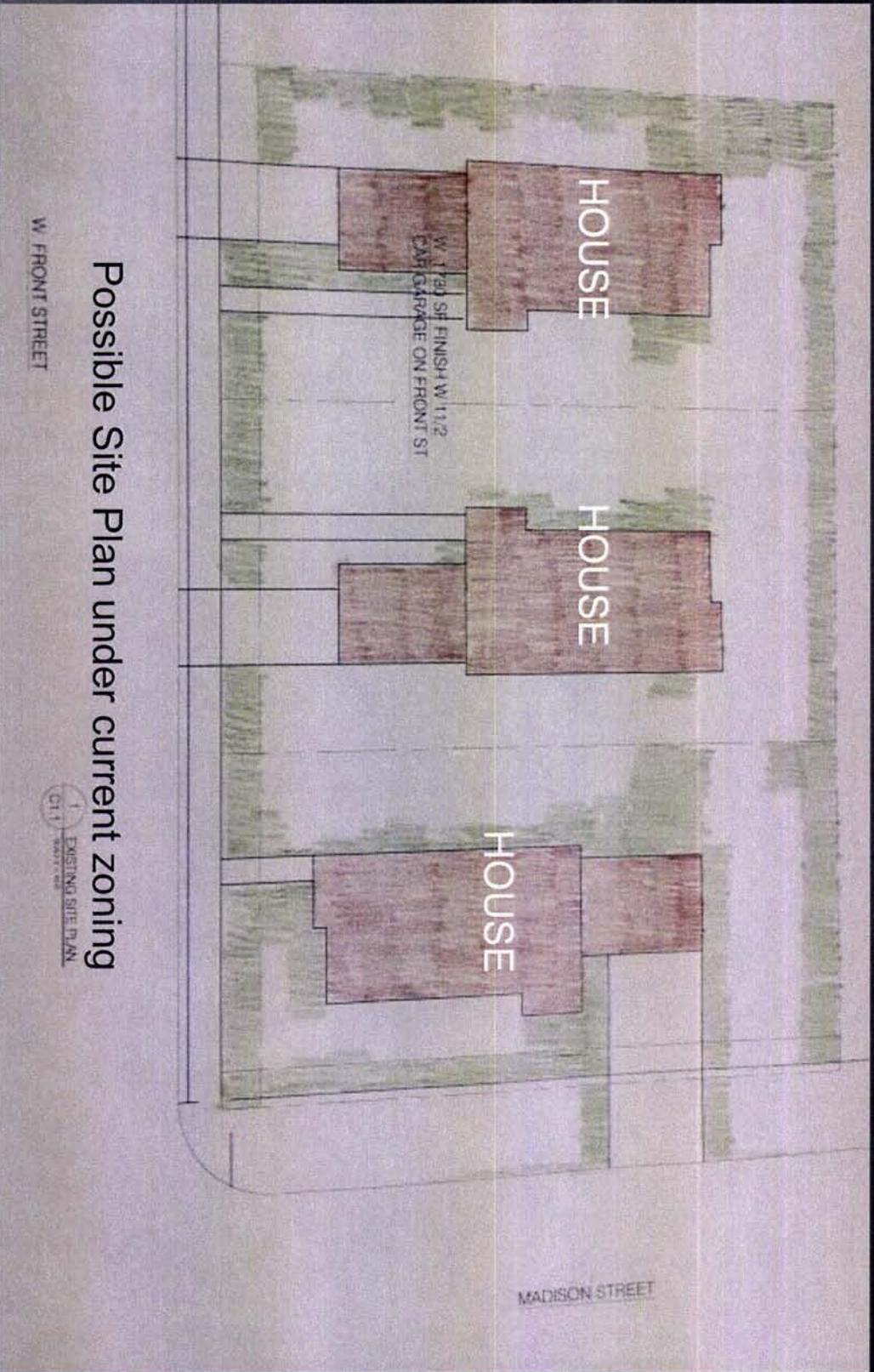
- Opportunity for Residential Development
- 6-7 Row Houses
- Walk Up Porches on Front Street
- Garages At Rear with new access off Madison
- Project meets recommendations, but with 4 single family homes in lieu of 6-7 unit row house building which is believed to be too much density for this site.

# EXISTING SITE PLAN PHOTO



Google Earth  
Imagery Date: 4/4/2012 46°43'31.97" N 85°56'16.03" W elev: 627.0 670.53 1053.04

**POSSIBLE SITE PLAN UNDER CURRENT ZONING - 3 SINGLE FAMILY HOMES WITH 2 DRIVES ONTO FRONT ST.**



Possible Site Plan under current zoning

W. FRONT STREET

MADISON STREET

1  
EXISTING SITE PLAN  
CH 1

# OVERALL PLAN – Concept Board

## 101 N. Madison

### Conditional Zoning Outline

- Conditional Rezoning to C1 (Office Service District)
- C1 - Lot Size Consistent with Area Corridor, Density Compilers - Setbacks Comply / No Variance Required
- Current Zoning M1B - Single Family

### Rezoning Plan Attribute Summary

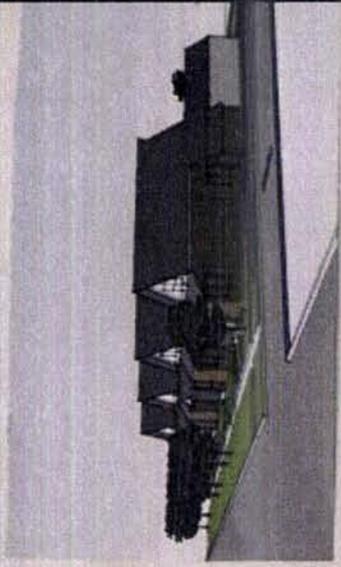
- Develops Long Term vacant and unused Parcel
- Fits Neighbor Fabric and Context of neighborhood
- Good Mix of Density for Corridor - Slightly Increased Density over allowable current zoning but with less impact on Front St.
- Developed in consideration of Traverse City Corridor Master Plan - Master Plan indicates 6-7 Townhouse Unit
- 4 Single Family units less density and better fit
- Units to pick up on Architecture of adjacent houses - Yet will be current in Architectural Concepts - Roof pitches, materials, fenestration, size
- Single Family Units in Context of Neighborhood
- 2 Story with attached 1 1/2 Car Garage -
- Green Space around units with Palov's Terrace Gardens
- Strongly fits Walkable Neighborhood Sustainable-Green in materials usage/retention/location
- Front Porches on Front Street to create personal/neighbor space - welcoming
- House Traffic Access off of Madison vs. Front St. - Rear Parking Access - Low Impact for Traffic with shared private drive
- Provides Nearest Moderately Priced Single Family Residential Housing in City



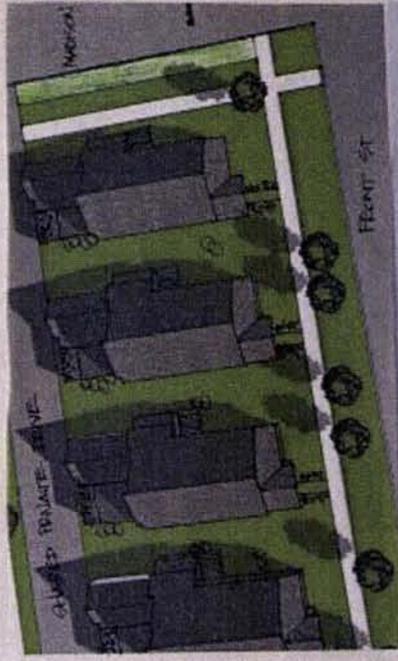
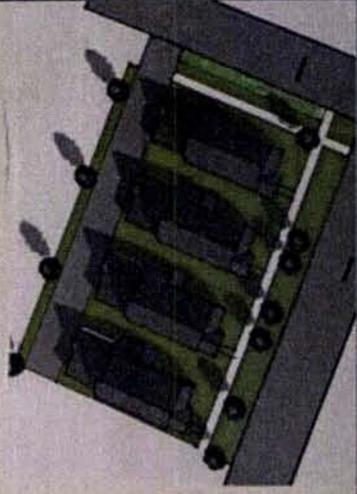
### SECTION FOUR WEST FRONT STREET FRAMEWORK PLAN

0 Parcel 101 N. Madison  
 The proposed development will be a mix of four townhouse units and two single family units. The units will be arranged in a row along the front of the parcel, with the townhouse units on the left and the single family units on the right. The units will be set back from the street by a minimum of 10 feet. The units will be constructed of brick and will have a gabled roof. The units will be finished with a high quality interior and exterior. The units will be sold as individual lots.

## CITY OF TRAVERSE CITY CORRIDORS MASTER PLAN EAST FRONT • WEST FRONT • EIGHTH • FOURTEENTH • GARFIELD



## 101 N Madison Residences



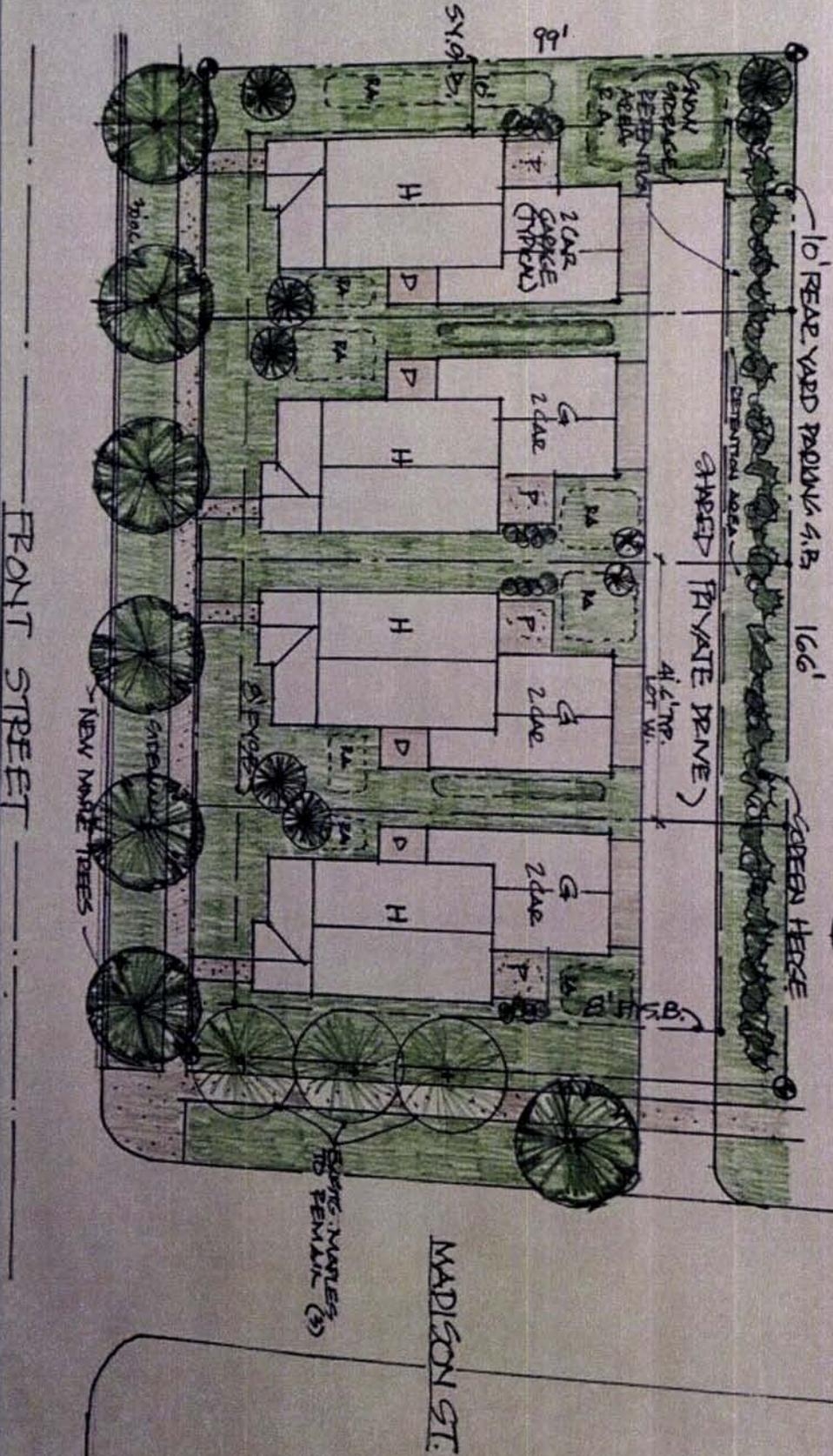
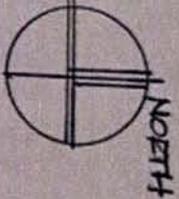
CONCEPT STREET ELEVATION



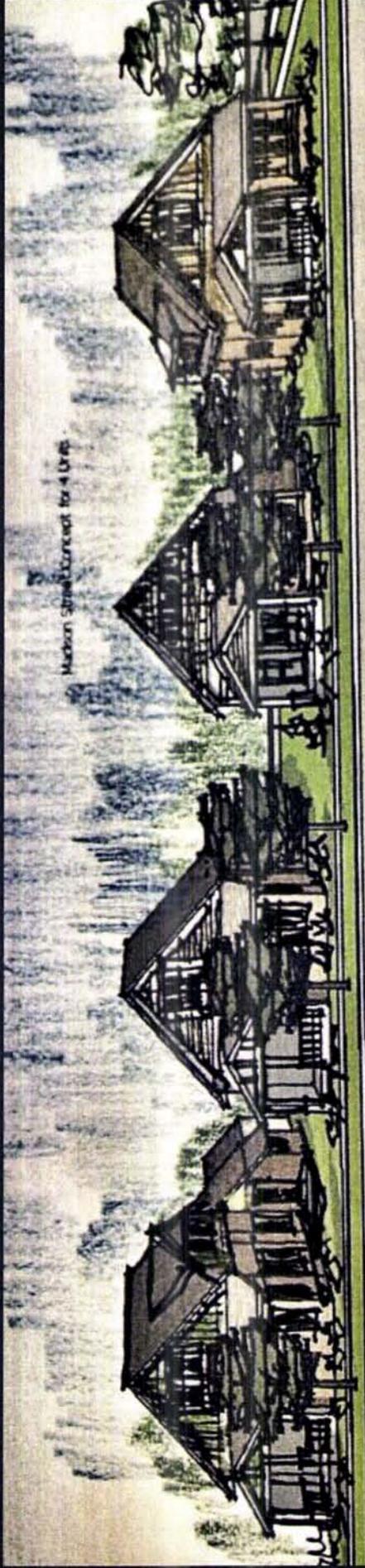
# OVERALL SITE PLAN

101 N MADISON  
SITE PLAN  
3-26-14

1" = 20'



# PROJECT /HOME SPECIFICS -- HOME DESIGN CONCEPTS



UNIQUE UNITS/COLORS/UNIT  
VARIATIONS/INDIVIDUAL STYLE- NOT COOKIE  
CUTTER

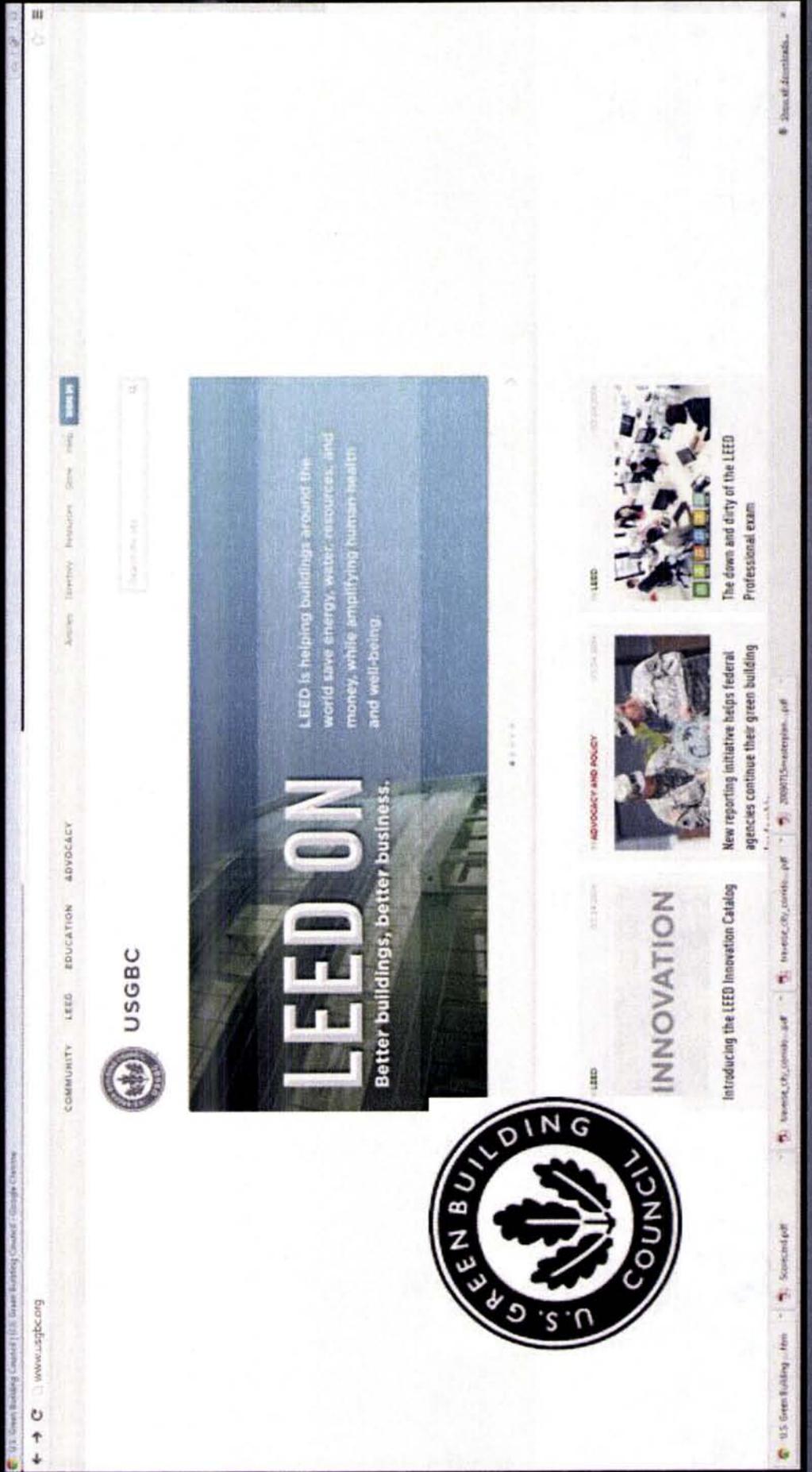


# PROJECT /HOME SPECIFICS – HOME DESIGN CONCEPTS



UNIQUE UNITS/COLORS/UNIT  
VARIATIONS/INDIVIDUAL STYLE- NOT COOKIE  
CUTTER

# PROJECT /HOME SPECIFICS – SUSTAINABLE SITE PLAN PRACTICES USGBC- LEED PRACTICES



# 101 N.MADISON HOMES - SUSTAINABLE SITE DESIGN PRACTICES USGBC- LEED SITE PRACTICES/FEATURES

- FLOOD PLAN AVOIDANCE - COMPLIES
- AVOIDS SENSITIVE LAND DEVELOPMENT- REUSE EXISTING SITE - COMPLIES
- LOCATED NEAR COMMUNITY OPEN SPACE -COMPLIES
- LOCATED IN STREET NETWORK - COMPLIES
- BICYCLE NETWORK AVAILABILITY -COMPLIES
- DENSITY OF BUILDING DEVELOPMENT 4 UNITS -COMPLIES
- COMMUNITY RESOURCE AVAIL.-HOSPITAL/STORES COMPLIES
- ACCESS TO TRANSIT /BUS - COMPLIES
- CONSTRUCTION ACTIVITY POLLUTION PREVENTION- WILL
- NO INVASIVE SPECIES PLANTING -WILL COMPLY
- RAINWATER MANAGEMENT SITE PLANNING -WILL COMPLY



## 101 N Madison -Rezoning Attribute Summary

- Develops Long Time Vacant Parcel – Current Zoning Allows 3 Houses on Site. Seek 1 Additional Residence only.
- Fits Neighborhood Fabric and Context
- Good Density Mix for T-3 Neighborhood- transition at edge of city.
- Developed in consideration of Traverse City Corridor Master Plan- Plan called for 6-7 Townhouse units, 4 Single Family units less density and better fit to surroundings.
- Homes to pick up on Architecture of neighborhood context. Roof pitches, material usage, fenestration, porches.

## 101 N. Madison - Rezoning Attribute Summary

- Single Family Homes in Context of Neighborhood. 2 Story, with attached 2 car garages.
- Green Spaces around units, outdoor spaces, patios, porches.
- Strengthens Walkability, Sustainable development, reuse, density, Green materials and planning.
- Front Porches on Front St. /South exposure. Create personal/neighbor space. - *Welcoming.*
- Private Drive for Houses to access Madison and not onto Front Street.
- Provides Mid Range Priced Residential Housing in *City-diversity.*

## **101 N Madison –Conditional Rezoning Request/ Offer Summary March 2014 - C1 OFFICE SERVICE**

1. The use of the property will be for Single Family Residential Homes. 4 homes.
2. The maximum building height to be 30'.
3. No driveway curb cuts will be permitted onto Front St. from lots. A shared private drive will provide access onto N. Madison St.
4. The homes shall be built substantially in conformance with the concepts provided with the application. Single family, 2 story, Traditional styling, Front porches, 2 car garage on north side serviced by shared drive.
5. The site elements will be built substantially in conformance with the concepts provided in this application. 4 lots with a shared driveway at the north side of the houses.

## 101 N Madison –Conditional Rezoning Request/Offer Summary

6. The offer will grant a 5' temporary construction easement for the construction of a sidewalk on Front St. and moving the sidewalk to 4" off the property line, increasing the green/tree area and increasing the separation of pedestrians and traffic, providing for healthier trees and increased safety.

7. Re-zoning the subject property to C-1 and these voluntary conditions shall only become effective upon issuance of a land use permit for the proposed project

Proposed Zoning Request has been submitted to City Attorney for review.



# THANK YOU.

- JOHN KERRIDGE AIA LEED AP  
KERRIDGE ARCHITECTURE +  
CONSTRUCTION, INC.
- TRAVERSE CITY, MI.





# Communication to the Planning Commission

---

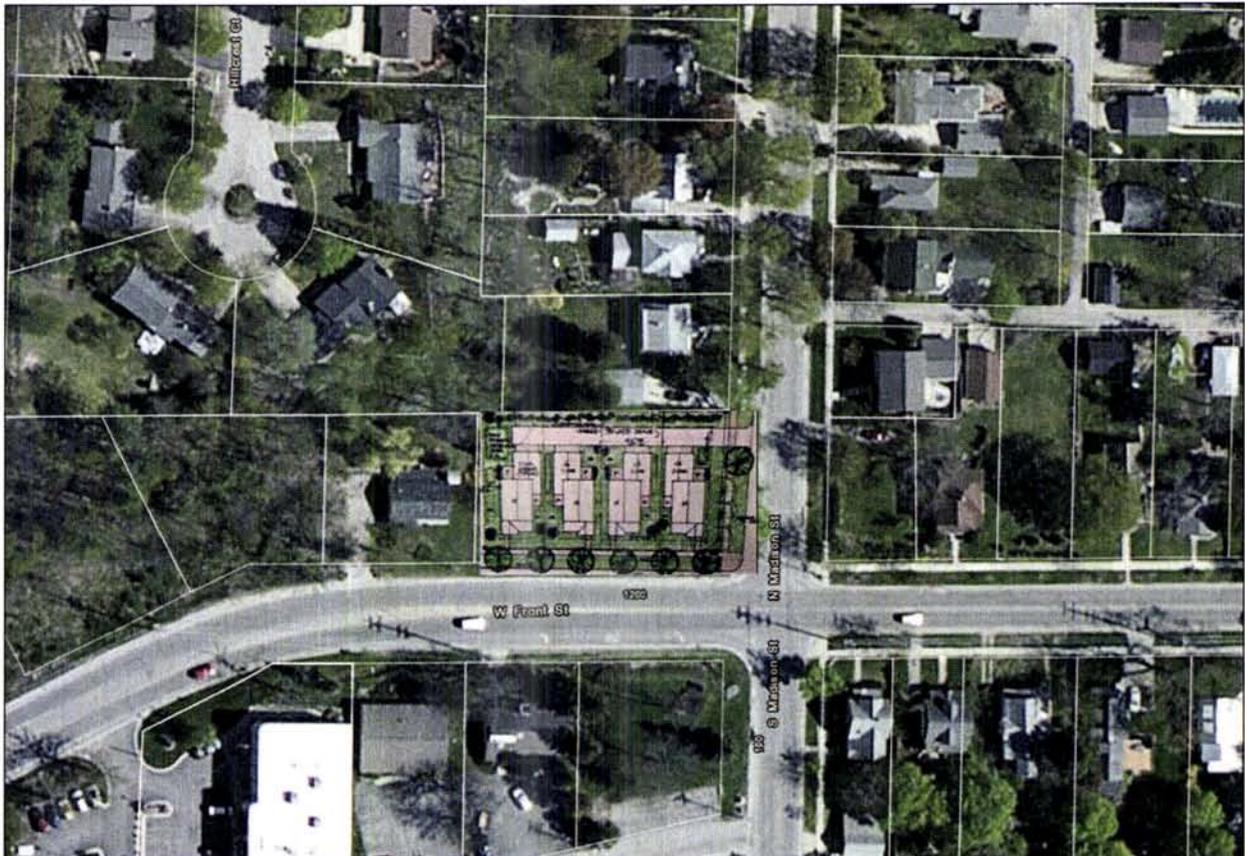
FOR THE MEETING OF:                    APRIL 1, 2014

FROM:                                        RUSS SOYRING, PLANNING DIRECTOR

SUBJECT:                                  CONDITIONAL REZONING REQUEST FOR PARCEL LOCATED AT  
101 N. MADISON (NW CORNER OF WEST FRONT STREET AND  
MADISON STREET)

DATE:                                        MARCH 28, 2014

At the March 4, 2013 regular meeting, John Kerridge, architect representing the owner Kermal Cinaroglu, formally introduced a proposed residential project at 101 N. Madison Street. The proposal is to build four single-family detached dwellings with a single driveway access from Madison Street. The site is currently vacant and is adjacent to residential houses to the north, east and west. Offices are located to the south.



*Site plan inserted over aerial photograph to show relationship with neighborhood properties*

The property is currently zoned R-1b (Single Family Dwelling) which would allow for three conforming residential lots. The request is to conditional rezone the property to C-1 (Office Service) to allow four dwellings. C-1 is sought because it allows narrower lot widths, shallower front and side yard setbacks and higher impervious limits.

The Master Plan designates this area as a TC-3 (Traditional) neighborhood where the focus is on historic patterns with residential scale. The Plan states this neighborhood type is moderate intensity for residential areas. Single family detached dwellings, moderate density with some multi-family dwellings and home occupations are appropriate. The recently adopted Corridors Master Plan indicates this property provides an opportunity for six or seven townhomes.

The single family and multiple family zoning districts (R-2, R-9 and R-15) are consistent with the Core Principles of the Master Plan according to the Zoning Element (please see page 8).

Rezoning and conditional rezonings are legislative decisions and should be based on sound planning principles. The following questions are appropriate when considering rezonings:

- 1. Is the current zoning reasonable for the land?** The current zoning is R-1b which would allow for up to three single family dwellings. The current zoning provides reasonable uses for the property.
- 2. Is the rezoning request consistent with the goals, policies and future land use plan of the Master Plan?** The property is on the edge of a TC-3 neighborhood type with high intensity TC-4 neighborhood on the opposite side of West Front Street. The tighter, slightly higher density at the edge of the neighborhood provides a gentle transition from a low intensity neighborhood to a high intensity neighborhood. On page 4 of the Master Plan, it reads, "Higher intensities will be allowed at the periphery of residential neighborhoods than what is allowed in their interior." The proposed conditional rezoning request with an offer of building 4 single family detached dwellings is consistent with the Traverse City Master Plan.
- 3. Would the property size and environmental conditions accommodate the proposed use?** The property is flat with stable soils. Approximately 50% of the site is to be covered with grass turf or landscaping which will provide adequate areas for surface storm water retention. The development can be developed without adverse environmental concerns.
- 4. Are four modest sized single family detached 1 ½ story dwellings compatible with the surrounding uses?** The neighboring properties have larger lots and are less dense than would be the proposed development. Although, the density is higher, the mass and scaling of the modest sized homes make the proposed development compatible with the surrounding land uses.
- 5. Are there adequate utilities and capacity on the adjacent streets to serve a commercial building of this size?** There are adequate utilities and street capacity to serve the proposed development. Light and Power has requested a utility easement at the southwest corner of the site to provide electrical service. Access will be from North Madison Street which had a 24 hour traffic count of 1,372 vehicles on June 26, 2012.

6. **Are there sufficient demands for four single family detached dwellings?** Housing values are high, partly due to the high demand for in-town living. There is a low vacancy rate in the Slabtown neighborhood.

Based on the above analysis, staff recommends the request to rezone 101 North Madison Street from R-1b (Single Family Dwelling) to C-1 (Office Service) with the offers to limit the development of the property as described in the draft zoning agreement. If you are in agreement with the staff's recommendation, the following motion would be appropriate:

**I move that the request from, John Kerridge, Kerridge Architecture and Construction, Inc, representing Kermal Cinaroglu, to rezone the properties commonly known as 101 N Madison Street from R1-b (Single Family Dwelling District) to C-1 (Office Service District) with conditions as offered by the applicant dated March 26, 2014 be recommended and that the Conditional Rezoning Agreement be approved subject to approval as to form by the City Attorney, which Agreement shall include and incorporate the preliminary site plan dated March 26, 2014 and based on the submittals of the applicant and as outlined in the March 28, 2014 communication memo from Planning Director Russ Soyering be recommended for approval to the City Commission.**

RS

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. 990**

Effective date: June 4, 2014

TITLE: ZONING MAP AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Part 13, Planning and Zoning Code, Appendix I, Zoning Map Changes, shall be amended by adding the following change to read as follows:

Change No. 36

That the following described property shall hereafter be designated on the Zoning Map of the City of Traverse City as C-1 (Office Service District).

PRT OF NW 1/4 OF SE 1/4 SEC 4 T27N R11W DES AS COM AT NW COR MADISON & FRONT ST TH N 99 FT TH W 166 FT TH S 99 FT TH E 166 FT TO POB M & B

101 North Madison

A copy of this ordinance may be purchased or inspected at the Office of the City Clerk within the Governmental Center (231/922-4480).

I hereby certify that the above ordinance was introduced on April 15, 2014, at a regular meeting of the City Commission and was enacted at the regular meeting of the City Commission held on \_\_\_\_\_, by a vote of Yes: \_\_\_\_, No: \_\_\_\_, within the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, CMC, City Clerk

I hereby certify that the above ordinance was published in the Traverse City Record-Eagle, A daily newspaper in Traverse City on \_\_\_\_\_.

\_\_\_\_\_  
Benjamin C. Marentette, CMC, City Clerk



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER *SO/Bell*

SUBJECT: PROPOSED BUDGET – FISCAL YEAR 2014-2015

On Monday night, the proposed budget for Fiscal Year 2014/15 will be delivered to the City Commission. The proposed budget includes the operations undertaken by the city, Traverse City Light and Power, and the Downtown Development Authority.

A formal public hearing has been held by the Planning Commission, during which a review of both the City of Traverse City and Traverse City Light and Power's proposed Capital Improvements Plans was completed.

A public hearing regarding the budget will need to be scheduled for May 12, 2014, which will include the proposed millage rate. The adoption date of the budget is tentatively scheduled for May 19, 2014; however, the budget could be adopted as late as June 2, 2014, as required by the City Charter.

A copy of the budget will be available for review at the Traverse Area District Library, Fire Stations 1 and 2, the City Clerk's Office and the City Manager's Office.

I am happy to meet with you individually to discuss any questions you may have regarding the proposed budget.

I recommend the following motion:

**that the City Manager's Proposed Budget for Fiscal Year 2014-2015, including the six-year capital improvements plan, the proposed tax rate and the Traverse City Light and Power and Downtown Development Authority budgets be scheduled for public hearing on May 12, 2014.**

April 17, 2014

---

JJO/kjl  
e-copy

William Twietmeyer, City Treasurer/Finance Director  
Brian Postma, Deputy City Treasurer  
Russell Soyring, City Planning Director  
Tim Arends, Traverse City Light and Power Executive Director  
Rob Bacigalupi, Downtown Development Authority Director

k:\tcclerk\city commission\budget\budget\_20142015\_pubhrgsched.doc



# Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: BOARD OF ZONING APPEALS – TERM VACANCY

Attached is a memo from Deputy City Clerk Katie Lowran, regarding one unexpired term vacancy on the Board of Zoning Appeals for an Alternate Member. An ad hoc interview committee was appointed (Commissioner Easterday; Chair, Howe and Werner) and has made a recommendation.

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

The following motion would approve the committee's recommendation:

**that Bradley Matson be appointed as an Alternate Member to one unexpired three-year term expiring June 30, 2015, (seat previously held by Matt Hanley), on the Board of Zoning Appeals.**

JJO/kjl

k:\tcclerk\city commission\appointments\adhocbzaalt2014.doc

e-copy

Dave Weston, Zoning Administrator

---

# Memorandum

The City of Traverse City



TO: Jered Ottenwess, City Manager

COPY:

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

DATE: Wednesday, April 16, 2014

SUBJECT: BOARD OF ZONING APPEALS – ALTERNATE MEMBER TERM VACANCY

There is one alternate member vacancy on the Board of Zoning Appeals, expiring June 30, 2015, previously held by Matt Hanley. Mr. Hanley was recently appointed as a Regular Member on the Board of Zoning Appeals.

The Ad Hoc Interview Committee has met and (Commissioner Easterday; Chair, Howe and Werner) recommend; the appointment of Mr. Bradley Matson as an Alternate Member.

This is a City Commission appointment.

The following application is on file:  
Bradley Matson

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

RECEIVED

MAR 24 2014



City of Traverse City
Application to Become Involved

CITY OF TRAVERSE CITY
CITY CLERKS OFFICE

Board(s)/Committee(s) on which you are interested in serving: City Planning
/ Board of Zoning Appeals

(Please limit to three boards/committees)

Name: Bradley Matson E-Mail Address: bcmatson@gmail.com

Address: 309 E 8th St. Traverse City MI 49684
(Street) (City) (State) (Zip)

Occupation: Web Developer (if retired, please provide your career)

Home telephone number: (231) 342 8389 Work telephone number: ( ) same

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

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

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

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

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

Signature [Handwritten Signature]

3/19/14
Date

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

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

**Board of Zoning Appeals Application Letter**

**Why are you applying for a city board or committee seat?**

I'd love to see Traverse City become a sustainable example of livability, natural beauty, and forward thinking. This is the type of place I would want my children to grow up in and I think we each play a part in affecting the future of TC. In the short-term this means becoming an educated citizen on the many issues facing our community and also leading the community to discover forward thinking ideas that will benefit TC in the years to come.

**How do you believe your appointment would benefit the city?**

As a 29 year old raised in Traverse City, I believe that I would bring a unique perspective to the committee and help provide insight into the young professional perspective of the City. I believe that it is in TC's best interest to make the town attractive to young professionals and creative talent that may want to move to here.

**Any other helpful information relevant to your application.**

I grew up in Traverse City and attended Hope College in Holland, MI. In 2009, I met my wife, Kirsten, at the TCFF. Soon after, we moved to Tucson, AZ to work for a tech company. Upon returning to town in 2012, we founded CoWharf Coworking space on Front St. and have been involved in making Traverse City more livable for young professionals and creative talent with the newly founded ThinkTC group. My wife and I live on the corner of Cass and 10th St.

RECEIVED

MAR 24 2014

CITY OF TRAVERSE CITY  
CITY CLERKS OFFICE

### Board of Zoning Appeals

	<u>Initial Apt. Date</u>	<u>Termination</u>
Jeff Cockfield (Chairperson) 1621 Comanche St, TC, 49686 218-4986 (Cell)	12/16/02	06/30/16
Kathryn Henning-Callison 421 E. State St, Apt. 6, TC, 49686 409-5252 (Cell) <a href="mailto:khalbert.tc@gmail.com">khalbert.tc@gmail.com</a>	06/20/11 (Eff. 06/30/11)	06/30/14
Jennifer Jones 215 E. 11th St, TC, 49684 631-4348 (Res) 922-5651 (Bus) <a href="mailto:jennifer.jones@huntington.com">jennifer.jones@huntington.com</a>	11/01/10 (10/19/09 as an alternate member)	06/30/14
Douglas Donaldson 326 W. Seventh St, TC, 49684 929-9617 (Res) 256-9872 (Bus) <a href="mailto:ddonaldsonlaw@gmail.com">ddonaldsonlaw@gmail.com</a>	10/01/12 (02/19/08 as an alternate member)	06/30/14
Martin Lomasney 817 Webster St, TC, 49686 421-1702 (Res) 301-377-8386 (Cell) <a href="mailto:mjlomasney@verizon.net">mjlomasney@verizon.net</a>	12/17/12	06/30/15.
Margaret Szajner 647 W. Orchard Dr, TC, 49686 392-3933 (Res) 941-1986 (Bus) <a href="mailto:keendanlex@gmail.com">keendanlex@gmail.com</a>	01/03/11	06/30/15
Quinn Raffery 515 Monroe St, TC, 49684 649-7998 (Cell) <a href="mailto:quinraftery@gmail.com">quinraftery@gmail.com</a>	06/17/13 (Eff. 06/30/13)	06/30/16
Matt Hanley 515 W. 9th St, TC, 49684 218-3346 (Res) 929-0500 (Bus) <a href="mailto:mhanley@ddc-law.com">mhanley@ddc-law.com</a>	03/17/14 (08/05/13 as an alternate member)	06/30/15
Jody Bergman (Planning Commission Rep) 110 Boughey St, TC, 49684 947-6464 (Res) <a href="mailto:jbergman@comstockconstruction.com">jbergman@comstockconstruction.com</a>	01/07/14	06/30/16

Matt Hanley (Alternate Member) 08/05/13 06/30/15  
515 W. 9th St, TC, 49684  
218-3346 (Res) 929-0500 (Bus)  
mhanley@ddc-law.com  
~~-Appointed as a Regular Member March 17, 2014 / Bradley Matson Recommended-~~

James Wegener (Alternate Member) 08/20/12 06/30/15  
837 Rose St, TC, 49686  
947-5111 (Res)

Dave Weston (Zoning Administrator) - staff

This board consists of **9 members - at least one member shall also be member of the City Planning Commission. Appointments are made by City Commission.** The City Commission shall appoint 2 alternate members for 3-yr terms.

Members shall **not be in default** to the City, shall be **adults**, and shall be **residents of the City of Traverse City.**

(Policy on Appointments and Committees)

**Any vacancy on the Board of Zoning Appeals must be filled within one month.** (Effective July 1, 2006. 2006 PA 110, Section 601(9)).

All appointments are **3-year terms** expiring 6/30.

Creation provided for under 1921 PA 207 as amended MCL 125.585 et seq and TC Code §1254.

**Purpose:** "To hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, etc. made by the Building Official, Zoning Administrator, etc. in administering or enforcing the provision of Ordinance." "To interpret provisions of Ordinance." "To authorize variances and exceptions."

This Board also serves as the body which hears appeals made under the City's Rental Housing Code and State Housing Law (assumed the responsibilities of the Rental Housing Board of Appeals). Ordinance amendment 599, enacted April 21, 2003.

Meets the Second Tuesday of the month at 7:00 pm.



TRAVERSE CITY  
LIGHT & POWER

---

**To:** Jered Ottenwess, City Manager  
**Copy:** Benjamin Marentette, City Clerk  
**From:** Tim Arends, Executive Director   
**Date:** April 14, 2014  
**Subject:** Resolution of Certifying Coal Dock as Surplus

---

At its April 8, 2014 meeting the Traverse City Light & Power ("TCL&P") Board adopted a Resolution Certifying the Coal Dock to be surplus for the operation of TCL&P, and further authorized the execution of a quit claim deed of the property to the City of Traverse City.

Attached are the board memo, resolution, and deed. While the board approved the attached resolution, it will be considering possible deed restriction(s) at its April and May meetings. It was also understood by the board, based on comments of the Mayor, City Manager, and City Commissioner board members, that the City would conduct a public process in determining the future of the Coal Dock property inclusive of the Discovery Center/Rotary Charity's proposal prior to taking action of concurring with the surplus status or accepting the conveyance of the property.

Should the Board approve any deed restriction(s) at a future meeting I will communicate those to you.

Please place this item on an upcoming City Commission meeting agenda under reports and communications for their information.

Thank you.

FOR THE LIGHT & POWER BOARD MEETING OF APRIL 8, 2014



TRAVERSE CITY  
LIGHT & POWER

---

To: Light & Power Board  
From: W. Peter Doren, General Counsel  
Date: April 3, 2014  
Subject: Disposal of Coal Dock

---

Timothy Arends, Executive Director, has asked me to write the Memo to you explaining the process for turning over the Coal Dock property to the City of Traverse City. This process would consist of several documents which are:

1. Resolution Certifying Coal Dock to be Surplus for Operation of Traverse City Light and Power Department;
2. Quit Claim Deed to the City;
3. Assignment of Bottomlands Easement;
4. Assignment of Leases and Licenses that there are on the property such as the License with the Maritime Heritage Alliance and Traverse Tall Ship Company.

The Resolution and Quit Claim Deed are attached for your information. Should you adopt the Resolution, we will prepare the necessary Assignments.

To make this transfer, you need to decide that the Coal Dock property is surplus and not needed for the operation of the Traverse City Light and Power Department. This surplus status has to be confirmed by the City Commission and the City further has to accept the Deed and Assignments.

If you make these determinations, the following motion would be appropriate:

MOVED BY McGuire, SECONDED BY Budros  
TO ADOPT THE TRAVERSE CITY LIGHT AND POWER DEPARTMENT  
RESOLUTION CERTIFYING COAL DOCK TO BE SURPLUS FOR  
OPERATION OF THE TRAVERSE CITY LIGHT AND POWER  
DEPARTMENT AND TO FURTHER AUTHORIZE THE EXECUTIVE  
DIRECTOR TO SIGN ALL NECESSARY DOCUMENTS.

c via email:

Tim Arends  
Lauren Tribble-Laucht, Esq.

MOTION CARRIED: 5-1 (GEHT ABSENT)

TRAVERSE CITY LIGHT AND POWER DEPARTMENT  
RESOLUTION  
CERTIFYING COAL DOCK TO BE SURPLUS FOR  
OPERATION OF THE TRAVERSE CITY LIGHT AND POWER DEPARTMENT

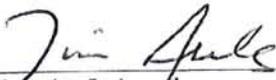
WHEREAS, the Traverse City Light and Power Department owns the Coal Dock and adjacent property in Elmwood Township, Leelanau County, described in Attachment A; and

WHEREAS, the Coal Dock is no longer necessary or advantageous for the operation of the Traverse City Light and Power Department;

NOW, THEREFORE, BE IT RESOLVED that the Coal Dock described in Attachment A, incorporated here by reference, is certified as not necessary for the operation of the Light and Power Department; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to execute a Quit Claim Deed to the City of Traverse City for the Coal Dock and an assignment to the City of all related leases, licenses and bottomlands easements, conditioned upon the surplus status of this property being confirmed by the Traverse City Commission pursuant to City Charter Section 179(b), and further conditioned upon acceptance by the City of the deed and assignments.

I hereby certify that the above Resolution was adopted on April 8, 2014, at the regular TCL&P Board meeting held in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

  
\_\_\_\_\_  
Timothy J. Arends  
Secretary  
Traverse City Light & Power Board

ATTACHMENT A

The following described premises situated in the Township of Elmwood, County of Leelanau, State of Michigan:

Parcel 1 That part of Sec. 33, T 28 N, R 11 W, described as follows: Commencing at the N ¼ post of said Sec. 33; th. E along the N Sec. line of Sec. 33, 1443.10 ft.; th. S 4°-24' E 1173.37 ft.; th. S 89°-41' E, 73.64 ft. to the POB; th. S 89°-50' E, 120.17 ft.; th. S 88°-59' E, 413.13 ft.; th. S 1°-14' W, 233.35 ft.; th. N 89°-28' W, 204.53 ft.; th. N 6°-16' W, 179.94 ft.; th. N 51°-22' W, 31.12 ft.; th. N 88°-22' W, 108 ft.; th. S 58°-21' W 36.48 ft.; th. S 3°-50' W 27 ft.; th. S 75°-24' W, 127.73 ft.; th. N 85°-48' W 19.3 ft.; th. N 2°-10' E 100 ft. to the POB, together with full riparian right and also including those riparian rights owned by Franklin C. Sears which are attached and appurtenant to his ownership of the shore front property South of the above described land as described in 5 certain deeds recorded in the office of the Register of Deeds for the County of Leelanau in Liber 67D, p 14; Liber 75D, p 45; Liber 82D, p 324; Liber 96, p 41; and Liber 67, p 78, but only insofar as such riparian rights may be necessary for the use, operation, maintenance, and replacement of the dock above described, and for the enlargement of said dock by extending it in a Southerly direction not in excess of 50 feet, nor in excess of the present width of said dock on its Southerly boundary.

Parcel 2 All that part of the parcel described in L 115, p 370, of the Leelanau County Register of Deeds office, lying W of State Highway M-22 and described as a part of Gov't Lot 1 of Sec. 33, T 28 N, R 11 W, more fully described as follows: Commencing on Grand Traverse Bay 403.5 ft. S of the E and W centerline of Gov't Lot 1 of Sec. 33; th. W to a street surveyed by Tuller in 1901; th. S 200 ft.; th. E to a point 300 ft. W of the centerline of State Highway M-22; th. N 60 ft.; th. E 300 ft. to said centerline; th. N 40 ft.; th. E to the shore of Grand Traverse Bay; th. N'ly along the shore of Grand Traverse Bay 100 ft. more or less to the Place of beginning covering entire Lots 13 and 14 of an unrecorded plat and the N 40 ft. of Lot 12 of an unrecorded plat lying W of the centerline of State Highway M-22, excepting parcel conveyed to John Akers and wife as recorded in L 70, p 597; and excepting parcel conveyed to State of Michigan, State Highway Commissioner Charles Ziegler, Nov. 30, 1949, described as commencing on Grand Traverse Bay 403.5 ft. S of E and W centerline of Lot 1; Sec. 33; th. W to a street surveyed by Tuller in 1901; th. S 200 ft.; th. E to a point 300 ft. W of the centerline of State Highway M-22; th. N 60 ft.; th. E 300 ft. to said centerline; th. N 40 ft.; th. E to shore of Grand Traverse Bay; th. N'ly along shore of Grand Traverse Bay 100 ft. more or less to the Place of beginning which lies E'ly of a line 43

ft. W'ly of and measured at Right angles and parallel to the centerline of M-22.

Parcel 3

That part of Gov't. Lots 1 and 2, Sec. 33, T 28 N, R 11 W, more fully described as: Commencing at the North  $\frac{1}{4}$  corner of said Sec. 33; th. East 1443.10 feet along the North line of said Sec. 33; th. South  $4^{\circ} 24'$  East, 1173.37 feet; th. South  $89^{\circ} 41'$  East, 73.64 feet; th. South  $2^{\circ} 10'$  West, 100.00 feet to the point of beginning; th. South  $85^{\circ} 48'$  East, 19.13 feet; th. North  $75^{\circ} 24'$  East, 127.73 feet; th. South  $3^{\circ} 50'$  West, 232.08 feet, along the face of a revetment for Grand Traverse Bay; th. North  $89^{\circ} 47'$  West, 134.61 feet to the Easterly right-of-way of State Highway M-22; th. North  $2^{\circ} 10'$  East, 200.37 feet, along said right-of-way to the point of beginning; together with all land between the side-lines of the above described property extended Easterly to the waters edge.

## QUIT CLAIM DEED

The Grantor, Traverse City Light and Power Department, a Michigan municipal electric utility, of 1131 Hastings Street, Traverse City, MI 49686, hereby conveys and quit claims to the Grantee, the City of Traverse City, a Michigan municipal corporation, of 400 Boardman Avenue, Traverse City, MI 49684, the following described premises situated in the Township of Elmwood, County of Leelanau, State of Michigan, to-wit:

Parcel 1 That part of Sec. 33, T 28 N, R 11 W, described as follows: Commencing at the N  $\frac{1}{4}$  post of said Sec. 33; th. E along the N Sec. line of Sec. 33, 1443.10 ft.; th. S  $4^{\circ}$ - $24'$  E 1173.37 ft.; th. S  $89^{\circ}$ - $41'$  E, 73.64 ft. to the POB; th. S  $89^{\circ}$ - $50'$  E, 120.17 ft.; th. S  $88^{\circ}$ - $59'$  E, 413.13 ft.; th. S  $1^{\circ}$ - $14'$  W, 233.35 ft.; th. N  $89^{\circ}$ - $28'$  W, 204.53 ft.; th. N  $6^{\circ}$ - $16'$  W, 179.94 ft.; th. N  $51^{\circ}$ - $22'$  W, 31.12 ft.; th. N  $88^{\circ}$ - $22'$  W, 108 ft.; th. S  $58^{\circ}$ - $21'$  W 36.48 ft.; th. S  $3^{\circ}$ - $50'$  W 27 ft.; th. S  $75^{\circ}$ - $24'$  W, 127.73 ft.; th. N  $85^{\circ}$ - $48'$  W 19.3 ft.; th. N  $2^{\circ}$ - $10'$  E 100 ft. to the POB, together with full riparian right and also including those riparian rights owned by Franklin C. Sears which are attached and appurtenant to his ownership of the shore front property South of the above described land as described in 5 certain deeds recorded in the office of the Register of Deeds for the County of Leelanau in Liber 67D, p 14; Liber 75D, p 45; Liber 82D, p 324; Liber 96, p 41; and Liber 67, p 78, but only insofar as such riparian rights may be necessary for the use, operation, maintenance, and replacement of the dock above described, and for the enlargement of said dock by extending it in a Southerly direction not in excess of 50 feet, nor in excess of the present width of said dock on its Southerly boundary.

Parcel 2 All that part of the parcel described in L 115, p 370, of the Leelanau County Register of Deeds office, lying W of State Highway M-22 and described as a part of Gov't Lot 1 of Sec. 33, T 28 N, R 11 W, more fully described as follows: Commencing on Grand Traverse Bay 403.5 ft. S of the E and W centerline of Gov't Lot 1 of Sec. 33; th. W to a street surveyed by Tuller in 1901; th. S 200 ft.; th. E to a point 300 ft. W of the centerline of State Highway M-22; th. N 60 ft.; th. E 300 ft. to said centerline; th. N 40 ft.; th. E to the shore of Grand Traverse Bay; th. N'ly along the shore of Grand Traverse Bay 100 ft. more or less to the Place of

beginning covering entire Lots 13 and 14 of an unrecorded plat and the N 40 ft. of Lot 12 of an unrecorded plat lying W of the centerline of State Highway M-22, excepting parcel conveyed to John Akers and wife as recorded in L 70, p 597; and excepting parcel conveyed to State of Michigan, State Highway Commissioner Charles Ziegler, Nov. 30, 1949, described as commencing on Grand Traverse Bay 403.5 ft. S of E and W centerline of Lot 1; Sec. 33; th. W to a street surveyed by Tuller in 1901; th. S 200 ft.; th. E to a point 300 ft. W of the centerline of State Highway M-22; th. N 60 ft.; th. E 300 ft. to said centerline; th. N 40 ft.; th. E to shore of Grand Traverse Bay; th. N'y along shore of Grand Traverse Bay 100 ft. more or less to the Place of beginning which lies E'y of a line 43 ft. W'y of and measured at Right angles and parallel to the centerline of M-22.

Parcel 3 That part of Gov't. Lots 1 and 2, Sec. 33, T 28 N, R 11 W, more fully described as: Commencing at the North  $\frac{1}{4}$  corner of said Sec. 33; th. East 1443.10 feet along the North line of said Sec. 33; th. South  $4^{\circ} 24'$  East, 1173.37 feet; th. South  $89^{\circ} 41'$  East, 73.64 feet; th. South  $2^{\circ} 10'$  West, 100.00 feet to the point of beginning; th. South  $85^{\circ} 48'$  East, 19.13 feet; th. North  $75^{\circ} 24'$  East, 127.73 feet; th. South  $3^{\circ} 50'$  West, 232.08 feet, along the face of a revetment for Grand Traverse Bay; th. North  $89^{\circ} 47'$  West, 134.61 feet to the Easterly right-of-way of State Highway M-22; th. North  $2^{\circ} 10'$  East, 200.37 feet, along said right-of-way to the point of beginning; together with all land between the side-lines of the above described property extended Easterly to the waters edge.

This conveyance is for the sum of ONE DOLLAR (\$1.00).

This property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The Grantor grants to the Grantee the right to make all division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967.

Dated: \_\_\_\_\_, 2014

\_\_\_\_\_  
Traverse City Light and Power Department  
By: Timothy Arends  
Its: Executive Director

STATE OF MICHIGAN )  
 ):ss.  
COUNTY OF GRAND TRAVERSE)

On the \_\_\_\_\_ day of \_\_\_\_\_, 2014, personally appeared before me Timothy Arends, Executive Director, Traverse City Light and Power Department, signor of the within instrument, who duly acknowledged to me that he executed the same.

\_\_\_\_\_  
, Notary Public  
County, Michigan

My commission expires:  
Acting in the County of Grand Traverse

This instrument is exempt from transfer taxes pursuant to MCL 207.526(h)(i) and MCL 207.505(h)(i).

The above legal description was furnished by the Grantor, and drafter has not examined and makes no representations respecting title or description.

Prepared by and  
Send Recorded Document to:

Send Subsequent Tax Bills To:

W. Peter Doren (P23637)  
Sondce, Racine & Doren, PLC  
310 W. Front Street, Suite 300  
Traverse City, MI 49684  
(231) 947-0400

Grantee

Tax Parcel #

Recording fee: \$

Transfer Tax: \$0



The City of Traverse City

## Communication to the City Commission

---

TO: CITY COMMISSIONERS

DATE: APRIL 14, 2014

FROM: JO JERED OTTENWESS, CITY MANAGER

SUBJECT: PD REPORT ON DRUG ACTIVITY

I have asked Police Chief Warren to provide me with a report on recent drug activity within the City and the Police Department's response. The report is attached for your reference.

I am confident that the Police Department in cooperation with the Traverse Narcotics Team is doing everything they can with existing resources to deal with the increase in drug activity that they observe. Note that there have been several very successful enforcement actions recently.

TRAVERSE CITY POLICE DEPARTMENT

OFFICE MEMORANDUM

TO: JERED OTTENWESS, CITY MANAGER  
FROM: MICHAEL WARREN, CHIEF OF POLICE  
SUBJECT: DRUG ACTIVITY SYNOPSIS  
DATE: APRIL 4, 2014

---

At your request we have been researching and discussing the significant escalation of narcotics usage in our City.

In a concerted effort to understand why we are seeing this rapid escalation in drug usage. We contacted the Lieutenant in charge of the North and South TNT teams. It is his opinion as follows:

Methamphetamines will be the most significant issue facing Northern Michigan in the upcoming years. This drug has become very prevalent in Wexford and Benzie counties. Meth is very easy to make using ingredients available at any local drug store. It is highly addictive. In Traverse City alone TNT has recently made three significant Meth cases which involved the actual "cooking" or making of the drug.

Heroin is growing in popularity and has become more prevalent lately. Heroin can be purchased for about \$5 per use in Detroit; however, here in Traverse City it sells for \$20 per use. Drug Dealers who specialize in selling Heroin have realized it is profitable to travel to cities like Traverse City to sell their drugs. Additionally, Opiates such as Morphine and Oxycontin have for many years been widely prescribed for legal medical purposes. Prescription medications such as Oxycontin have a street value of as much as \$80 per pill. Individuals who are addicted to Opiates commonly substitute Heroin for the prescription Opiate medication because Heroin is substantially less expensive. Heroin is widely available in Detroit and Flint making it readily available for a trip up North.

As the Lieutenant stressed the TNT Team is working to do everything it can for the jurisdictions it serves. Our partnership with TNT has always been vital, but as we are seeing and experiencing there is more work that needs to be done to combat this growing and serious drug issue.

**Jered Ottenwess, City Manager**  
**Page Two**  
**April 4, 2014**

**With reference to the Traverse City Police Department and the City of Traverse City we personally have experienced a 59% increase in drug related complaints from 2012 to 2013.**

**I have attached a brief description of the major drug crimes of 2013. It should be noted that all of these crimes have not been adjudicated.**

**During the first quarter of 2014 our Department handled the following:**

- 14 drug related complaints**
- 5 major complaints resulting in:  
10 felony arrests, 31 charges, and the closure of 2 major drug houses located within the City of Traverse City. This was achieved through our partnership with Traverse Narcotics Team (TNT).**

**Our Department and TNT are aggressively pursuing known drug houses and top level dealers operating within our City limits.**

**Bob Cooney, Prosecuting Attorney-Grand Traverse County, is fully on board with our approach to fighting these drug crimes and has vowed to aggressively prosecute all drug cases.**

**I am hopeful this addresses your concerns and answers the questions many of us are asking.**

**cc: Captain Ayling (205)**  
**Captain O'Brien (206)**  
**File**

## GRAND TRAVERSE COUNTY

### **METH INVESTIGATIONS:**

The Traverse City Police and Fire Department were called to a Traverse City Motel on a report of strong chemical smells coming from within a rented room. Upon arrival, responding officers had to force entry into the room after no one answered the door. Upon entry, officers discovered some meth components sitting on the floor in the bathroom. Upon searching the room, additional evidence was observed indicating that the persons who had been in the room were actively cooking methamphetamine. The Meth Response Team was called in to dismantle the lab and process the scene. Suspects were developed and the prosecutor issued multiple felony warrants. One suspect went to trial, was convicted by the jury and subsequently received a lengthy prison sentence. Of special interest is the fact that this was the second meth lab that had been discovered in this particular motel. The previous case was also handled by the Meth Response Team in conjunction with TNT.

### **BATH SALTS INVESTIGATION:**

TNT detectives assisted ICE agents from Sault Ste. Marie on a reverse delivery of a kilo of a substance known as 4-MEC. 4-MEC is an analogue drug which will test positive for meth or crystal meth. ICE agents intercepted a package at the JFK airport in New York City that had been sent from China bound for a Head Shop business in Traverse City. The case originated in the Alpena area, and the ICE agents there were assisted by the HUNT team in delivering the package to a subject in Alpena for delivery to the Traverse City store. Arrangements were made for the delivery after which the suspect was detained and questioned by ICE agents. The case is being reviewed by the U. S. Attorney's Office in Bay City for federal charges. This was the second such assist that TNT has made to ICE in regards to these same suspects. TNT assisted in executing a federal search warrant at another business in Traverse City earlier in the spring where evidence was obtained by federal agents linking the same business owner to importing the product. The business was a front for the illegal importation of chemicals used in the manufacturing of bath salts or the drug known as molly. The investigation is continuing with the ICE agency.

### **HEROIN INVESTIGATION:**

In the early part of November 2013, TNT detectives initiated an undercover controlled purchase of heroin from a black male suspect known only as "E". Officers with TNT were able to identify the suspect and his residence and continued their street purchases of both heroin and cocaine. Officers subsequently set up the street purchase near the Civic Center in Traverse City, and was able to purchase approximately \$1,000.00 worth of cocaine and heroin at which time the suspect was arrested. A search warrant was executed at his residence where an additional four black males were identified and three were identified as being involved with the illegal distribution of heroin and cocaine. All three suspects have since pled and have been sentenced to MDOC for lengthy prison sentences.

### **HEROIN INVESTIGATION:**

After approximately one year, TNT detectives were finally able to secure a search warrant for a residence in the Traverse City area that had been a local hangout for heroin addicts. The search warrant and subsequent arrest of a major heroin supplier has caused some of the area's downstate dealers that have been utilizing the residence as their base of operation to leave the area. This particular home has

been the location of at least two heroin overdoses. A second search warrant was also executed at another residence in Traverse City where many of the same people were also involved in the use and distribution of heroin. Officers seized additional heroin and cocaine from that residence. This has eliminated two very well known drug houses in the area, and has had a significant affect in reducing the source of both heroin and cocaine in the Traverse City area.

**MINUTES**  
**TRAVERSE CITY BOARD OF ZONING APPEALS**  
**REGULAR MEETING**  
**TUESDAY, FEBRUARY 11, 2014**  
**7:00 P.M.**  
**Committee Room, Governmental Center, 2<sup>nd</sup> Floor**  
**Governmental Center**  
**400 Boardman Avenue**  
**Traverse City, Michigan 49684**  
**231-922-4464**

**PRESENT:** Members Bergman, Wegener, Jones, Szajner, Raftery, Donaldson (7:05),  
Lomasney, Hanley and Chairperson Cockfield.

**ABSENT:** Member Callison

**1. CALL MEETING TO ORDER**

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

**2. APPROVAL OF MINUTES-** Approval of the August 13, 2013 regular meeting minutes.

*Motion by Member Wegener, seconded by Member Lomasney to approve the August 13, 2013 regular meeting minutes as presented. Upon vote the motion carried 8-0.*

**3. REQUEST 13-BZA-16 – A REQUEST FROM STEVEN URSELL, 303 WEST SIXTEENTH STREET, TRAVERSE CITY, MICHIGAN, for:**

A dimensional variance to allow for a new driveway to be constructed on Pine Street and not the alley located at the property mentioned.

*Robert McKenzie, Contractor for Steve Ursell, 1375 Fairwood Dr. Traverse City, Michigan, presented drawings and answered questions from the Board. Motion by Member Lomasney, seconded by Member Raftery to grant a dimensional variance to allow for a new driveway to be constructed on Pine Street located at the property commonly known as 303 West Sixteenth Street, Traverse City, Michigan, based on the Statement of Conclusions and Finding of Fact contained in the Order Granting for Variance No. 13-BZA-16. Upon vote the motion carried 9-0.*

4. **REQUEST 13-BZA-17 – A REQUEST CHRIS FIFAREK, 13046 CENTER ROAD, TRAVERSE CITY, MICHIGAN, for:**

A dimensional variance of 2 feet to allow for the construction of a new 400 square foot (20' x 20') detached garage to be 2 feet from the rear (west) property line located at the property commonly known as 410 Wadsworth Street, Traverse City, Michigan.

*Chris Fifarek presented drawings and answered questions from the Board. Motion by Member Raftery, seconded by Member Wegener to grant a dimensional variance of 2 feet to allow for the construction of a new 400 square foot (20' x 20') detached garage to be 2 feet from the rear (west) property line located at the property commonly known as 410 Wadsworth Street, Traverse City, Michigan, based on the Statement of Conclusions and Finding of Fact contained in the Order Granting for Variance No. 13-BZA-17. Upon vote the motion carried 7-1 with Member Cockfield voting in opposition. Member Donaldson abstained from the vote.*

5. **REQUEST 14-BZA-01 – A REQUEST FROM TODD AND CHRISTINE ELSENHIMER, 819 RANDOLPH STREET, TRAVERSE CITY, MICHIGAN, for:**

A dimensional variance for a rear addition to the home located at the property mentioned to be in the required 8 foot side yard setback (east side) by 1.58 feet.

*Bob Cornwell, Architect, 401 East Front Street, Traverse City, Michigan, presented drawings and answered questions from the Board. Todd and Christine Elsenhimer, 819 Randolph Street, answered questions from the Board. Motion by Member Donaldson, seconded by member Jones to grant a dimensional variance for a rear addition to the home located at the property commonly known as 819 Randolph Street, Traverse City, Michigan, to be in the required 8 foot side yard setback (east side) by 1.58 feet based on the Statement of Conclusions and Finding of Fact contained in the Order Granting for Variance No. 14-BZA-01. Upon vote the motion carried 9-0.*

6. **CONSIDERATION OF ADOPTING RULES AND PROCEDURES FOR THE CITY OF TRAVERSE CITY BOARD OF ZONING APPEALS.**

*Staff did not include this material in the Board's Packet. It will be placed on the next regular meeting.*

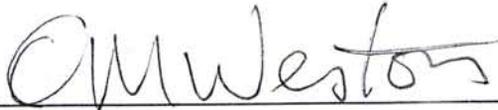
7. **PUBLIC COMMENT**

*None.*

8. ADJOURNMENT

*The meeting was adjourned at 7:50 p.m.*

Respectfully submitted,



David Weston, Planning and Zoning Administrator

Date: 4-8-14

**CITY OF TRAVERSE CITY  
ORDER AUTHORIZING  
VARIANCE NO. 13-BZA-16**

Pursuant to the City of Traverse City Code of Ordinances § 1324.05(d), Variances, the Board of Zoning Appeals hereby authorizes a dimensional variance for the following:

Street Address: 330 West Sixteenth Street, Traverse City, Michigan  
Property Description: THT PRT OF LOT 8 SEC 10 T27N R11W DES AS COM 50 FT  
W OF SW COR OF BLK 2 2ND FERNWOOD ADD TH W 50 FT  
TH N 165 FT TH E 50 FT TH S 165 FT TO POB  
Variance Granted: A dimensional variance to allow for a new driveway to be  
constructed on Pine Street  
Applicant: Steven Ursell, 303 West Sixteenth Street, Traverse City,  
Michigan

It is determined that the Applicant has demonstrated a hardship as well as showing of good and sufficient cause authorizing a variance by the City of Traverse City Code of Ordinances. The findings of fact and reasons upon which this determination is based are as follows:

1. The attached Statement of Conclusions and Finding of Fact are incorporated herein by reference.
2. The procedures and requirements for variance decisions by law and ordinance have been followed.

This Order shall not be deemed to be City approval for anything other than the variance authorized by this order and shall not relieve the owner or occupier of the land from obtaining any other license, permit or approval required by law or ordinance.

I hereby certify that the above Order was adopted on April 8, 2014, at a regular meeting of the Board of Zoning Appeals for the City of Traverse City at the County Committee Room, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Date: 4-8-14

  
David Weston, Planning and Zoning  
Administrator

**Note:** 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 by the Board of Zoning Appeals may appeal to the Circuit Court, if made to the Court within twenty-eight (28) days after rendering the final decision or upon grant by the Court of leave to appeal. Codified Ordinances of Traverse City Michigan §1324.07(a).

## STATEMENT OF CONCLUSION AND FINDINGS OF FACTS 13-BZA-16

The following are the Statements of Conclusions supported by evidence submitted to the Board of Zoning Appeals in connection with a request for a dimensional variance, Request No. 13-BZA-16, for the property commonly known as **303 West Sixteenth Street**, Traverse City, Michigan, from Steven Ursell.

1. Practical Difficulty. There are exceptional or extraordinary circumstances or physical conditions that do not generally apply to other properties or used in the same district.
2. In granting the variance, the spirit of the Zoning Code is observed, public safety is secured and substantial justice is done.
3. No substantial adverse effect on property values in the immediate vicinity or in the district where the property is located will occur as a result of granting this variance.
4. The difficulty presented by the applicant in support of the request for a variance is not so general or recurrent in nature that a formulation of a general regulation for such condition is preferable.
5. The practical difficulty is unique to the property and not to the general neighborhood and shall apply only to property under control of the applicant.
6. Granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
7. The difficulty is not solely economic and is based on the reasonable use of a particular parcel of land.
8. The difficulty was not the result of an act of the applicant or a person in privity or concert with the applicant.

**The foregoing Statement of Conclusions are supported by the following Findings of Fact No 13-BZA-16:**

1. The parcel is a corner lot and has an existing attached garage with a driveway on Sixteenth Street.
2. There is an existing swimming pool and pool house in the rear which would need to be removed if a detached garage is constructed in the rear yard with alley access.
3. The existing driveway on Sixteenth Street crosses a sidewalk and is close to the intersection on Pine Street.
4. There is no sidewalk on Pine Street and the proposed driveway will be further away from the intersection at Sixteenth Street.

**CITY OF TRAVERSE CITY  
ORDER AUTHORIZING  
VARIANCE NO. 13-BZA-17**

Pursuant to the City of Traverse City Code of Ordinances § 1324.05(d), Variances, the Board of Zoning Appeals hereby authorizes a dimensional variance for the following:

Street Address: 410 Wadsworth Street, Traverse City, Michigan  
Property Description: 2830 N 40 FT OF S 80 FT OF LOTS 17-18-19-20-21 & W 13 FT OF S 40 FT OF LOT 17, BLOCK 7 HANNAH LAY & CO'S 6TH ADD.  
Variance Granted: A dimensional variance of 2 feet to allow for the construction of a new 400 square foot (20' x 20') detached garage to be 2 feet from the rear (west) property line  
Applicant: Chris Fifarek, 13046 Center Road, Traverse City, Michigan

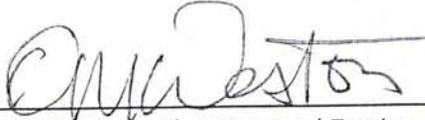
It is determined that the Applicant has demonstrated a hardship as well as showing of good and sufficient cause authorizing a variance by the City of Traverse City Code of Ordinances. The findings of fact and reasons upon which this determination is based are as follows:

1. The attached Statement of Conclusions and Finding of Fact are incorporated herein by reference.
2. The procedures and requirements for variance decisions by law and ordinance have been followed.

This Order shall not be deemed to be City approval for anything other than the variance authorized by this order and shall not relieve the owner or occupier of the land from obtaining any other license, permit or approval required by law or ordinance.

I hereby certify that the above Order was adopted on APRIL 3<sup>RD</sup>, 2014 at a regular meeting of the Board of Zoning Appeals for the City of Traverse City at the County Committee Room, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Date: 4/3/14

  
David Weston, Planning and Zoning  
Administrator

**Note:** 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 by the Board of Zoning Appeals may appeal to the Circuit Court, if made to the Court within twenty-eight (28) days after rendering the final decision or upon grant by the Court of leave to appeal. Codified Ordinances of Traverse City Michigan §1324.07(a).

## STATEMENT OF CONCLUSION AND FINDINGS OF FACTS 13-BZA-17

The following are the Statements of Conclusions supported by evidence submitted to the Board of Zoning Appeals in connection with a request for a dimensional variance, Request No. 13-BZA-17, for the property commonly known as **410 Wadsworth Street**, Traverse City, Michigan, from Chris Fifarek.

1. Practical Difficulty. There are exceptional or extraordinary circumstances or physical conditions that do not generally apply to other properties or used in the same district.
2. In granting the variance, the spirit of the Zoning Code is observed, public safety is secured and substantial justice is done.
3. No substantial adverse effect on property values in the immediate vicinity or in the district where the property is located will occur as a result of granting this variance.
4. The difficulty presented by the applicant in support of the request for a variance is not so general or recurrent in nature that a formulation of a general regulation for such condition is preferable.
5. The practical difficulty is unique to the property and not to the general neighborhood and shall apply only to property under control of the applicant.
6. Granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
7. The difficulty is not solely economic and is based on the reasonable use of a particular parcel of land.
8. The difficulty was not the result of an act of the applicant or a person in privity or concert with the applicant.

**The foregoing Statement of Conclusions are supported by the following Findings of Fact No 13-BZA-17:**

1. The parcel is irregularly shaped with a 13 foot by 40 foot driveway accessing the alley.
2. The 13 foot by 40 foot area that accesses the alley is lined with detached garages and fences making it difficult to access a garage meeting the rear yard setback of 4 feet.
3. There is an existing detached garage which is 2 feet from the rear (west) property line.
4. There is a 20 foot public utility easement that runs from the alley north through the applicant's parcel between the existing detached garage and the home.
5. City Engineering will not permit any additional encroachments in the public utility easement.
6. The proposed garage was approved by the Historic Districts Commission on October 25, 2013.

**CITY OF TRAVERSE CITY  
ORDER AUTHORIZING  
VARIANCE NO. 14-BZA-01**

Pursuant to the City of Traverse City Code of Ordinances § 1324.05(d), Variances, the Board of Zoning Appeals hereby authorizes a dimensional variance for the following:

Street Address: 819 Randolph Street, Traverse City, Michigan  
Property Description: W 33 1/3 FT OF LOT 5, BLOCK 3 HANNAH LAY & CO'S 3RD ADD.  
Variance Granted: A dimensional variance for a rear addition to the home located at the property mentioned to be in the required 8 foot side yard setback (east side) by 1.58 feet.  
Applicant: Todd and Christine Elsenhimer, 819 Randolph Street, Traverse City, Michigan

It is determined that the Applicant has demonstrated a hardship as well as showing of good and sufficient cause authorizing a variance by the City of Traverse City Code of Ordinances. The findings of fact and reasons upon which this determination is based are as follows:

3. The attached Statement of Conclusions and Finding of Fact are incorporated herein by reference.
4. The procedures and requirements for variance decisions by law and ordinance have been followed.

This Order shall not be deemed to be City approval for anything other than the variance authorized by this order and shall not relieve the owner or occupier of the land from obtaining any other license, permit or approval required by law or ordinance.

I hereby certify that the above Order was adopted on April 8, 2014 at a regular meeting of the Board of Zoning Appeals for the City of Traverse City at the County Committee Room, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Date: 4/8/14

DM Weston  
David Weston, Planning and Zoning  
Administrator

**Note:** 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 by the Board of Zoning Appeals may appeal to the Circuit Court, if made to the Court within twenty-eight (28) days after rendering the final decision or upon grant by the Court of leave to appeal. Codified Ordinances of Traverse City Michigan §1324.07(a).

## STATEMENT OF CONCLUSION AND FINDINGS OF FACTS 14-BZA-01

The following are the Statements of Conclusions supported by evidence submitted to the Board of Zoning Appeals in connection with a request for a dimensional variance, Request No. 14-BZA-01, for the property commonly known as **819 Randolph Street**, Traverse City, Michigan, from Todd and Christine Elsenhimer.

1. Practical Difficulty. There are exceptional or extraordinary circumstances or physical conditions that do not generally apply to other properties or used in the same district.
2. In granting the variance, the spirit of the Zoning Code is observed, public safety is secured and substantial justice is done.
3. No substantial adverse effect on property values in the immediate vicinity or in the district where the property is located will occur as a result of granting this variance.
4. The difficulty presented by the applicant in support of the request for a variance is not so general or recurrent in nature that a formulation of a general regulation for such condition is preferable.
5. The practical difficulty is unique to the property and not to the general neighborhood and shall apply only to property under control of the applicant.
6. Granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
7. The difficulty is not solely economic and is based on the reasonable use of a particular parcel of land.
8. The difficulty was not the result of an act of the applicant or a person in privity or concert with the applicant.

**The foregoing Statement of Conclusions are supported by the following Findings of Fact No 14-BZA-01:**

1. The parcel is a nonconforming lot with a width of 33.33 feet.
2. The existing rear portion of the home is 1 foot, 3 inches from the east property line.
3. The proposed addition will be 6 feet, 5 inches from the east property line.
4. The existing rear portion of the home which will be demolished is 2 feet wider than what is being proposed to be reconstructed.
5. Section 1374.02(a)(4) of the Zoning Code allows staff to approve an extension of an existing side wall that encroaches in the side yard setback.
6. Assuming the conditions of Section 1374.02(a)(4) were met , the applicant could remove the existing rear portion of the home and reconstruct it in the same location 1 foot, 3 inches from the east property line without a variance from the Board of Zoning Appeals.

**TRAVERSE CITY  
LIGHT AND POWER BOARD**

Minutes of Regular Meeting  
Held at 5:15 p.m., Commission Chambers, Governmental Center  
Tuesday, March 25, 2014

**Board Members -**

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

**Ex Officio Member -**

Present: Jered Ottenwess, City Manager

**Others:** Tim Arends, W. Peter Doren, Scott Menhart, Tom Olney, Stephanie Tvardek, 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**

None.

**Item 3 on the Agenda being Unfinished Business**

None.

**Item 4 on the Agenda being New Business**

**4(a).** Consideration of approving minutes of the Study Session of February 18 and Regular Meeting of February 25, 2014.

Moved by Carruthers, seconded by Budros, that the Board approves the minutes of the Study Session of February 18 and Regular Meeting of February 25, 2014.

CARRIED unanimously.

**4(b).** Consideration of a Social Media Policy.

The following individuals addressed the Board:

Jessica Wheaton, Marketing and Communications Coordinator  
Tim Arends, Executive Director

Budros proposed the first word of sections 4k, 4l and 4m of the Policy be changed to "Content". And further, that the following section proposed by Chairman McGuire be added to the Policy:

**7. Reporting**

Periodically, but no less than annually, the Executive Director will make a report to the Board identifying the social media utilized by TCL&P since the last such report, summarizing data supporting usage and effectiveness, and a statement certifying compliance with the SOCIAL MEDIA POLICY.

Moved by Budros, seconded by Taylor, that the Board adopts the Social Media Policy as amended.

CARRIED unanimously.

**4(c). Consideration of MPPA Energy Services Agreement.**

The following individuals addressed the Board:

Tim Arends, Executive Director  
Bob Dyer, RTD Consulting

Moved by Spence, seconded by Geht, that the Board authorizes the Chairman and Secretary to execute the Energy Services Agreement with MPPA, and further names the Executive Director as the member authorized representative relative to the Agreement; subject to approval as to substance by the Executive Director and as to form by General Counsel.

CARRIED unanimously.

**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. Tim Arends spoke regarding the recently DDA approved WiFi Project.

The following individuals addressed the Board:

Jim Selby, President, Aspen Wireless Technologies, Inc.  
W. Peter Doren, General Counsel

2. Mark Beauchamp, Utility Financial Solutions, and Bob Dyer, RTD Consulting, presented the Cost of Service Study and Energy Supply Presentation #5.

The following individuals addressed the Board:

Tim Arends, Executive Director

7:00 p.m. W. Peter Doren departed the meeting.

3. Tim Arends spoke regarding the recent APPA webinar on transmission and the upcoming webinar on distribution.

C. From Board.

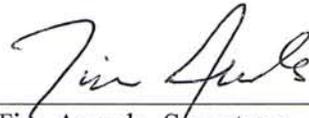
1. Jeff Palisin spoke regarding the benefits of the APPA transmission webinar.

2. Chairman McGuire congratulated Jan Geht on his reappointment to the board and announced the next Regular Meeting will be an organizational meeting.

**Item 7 on the Agenda being Public Comment**

Tim Maylone, General Manager, Cherry Capital Connection, non-ratepayer

There being no objection, Chairman McGuire declared the meeting adjourned at 7:34 p.m.



---

Tim Arends, Secretary  
LIGHT AND POWER BOARD

/st

**MINUTES**  
**TRAVERSE CITY PLANNING COMMISSION**

TUESDAY, March 4, 2014

7:00 P.M.

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

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Jeanine Easterday, Janet Fleshman, Cecil McNally, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren (arrived at 7:35 p.m.) and Tim Werner

**ABSENT:** None.

**STAFF PRESENT:** Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant; Jered Ottenwess, City Manager; Tim Lodge, City Engineer; Jessica Cichowski, Engineering Technician

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

2. **ROLL CALL**

3. **ANNOUNCEMENTS-** Mr. Soyring announced that the final Bayshore Corridor Strategy meeting will take place on Wednesday, March 26, 2014 at 5:30 p.m. in the Training Room and all of the partnering Planning Commissions are encouraged to attend.

4. **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 be placed elsewhere on the agenda for full discussion. Such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

- A. February 4, 2014 Regular Meeting and February 19, 2014 Special Meeting minutes (Approval recommended)
- B. Consideration of an amendment to the Planning Commission Bylaws revised February 21, 2014 to change the Planning Commission meeting time from 7:00 p.m. to 7:30 p.m. (For introduction and possible action on March 18, 2014)
- C. Consideration of the City of Traverse City Six-Year Capital Improvement Program 2014-2020. The Capital Improvement Program is a multi-year schedule for capital expenditures that includes costs, priorities, and identified funding for the next six years (For introduction and possibly schedule a Public Hearing for April 1, 2014)

Motion by Commissioner Easterday, second by Commissioner McNally, that the Consent Calendar be approved as presented.

Motion carried 8-0 (Commissioner Warren absent.)

**5. OLD BUSINESS**

- A. Consideration of a conditional rezoning request initiated by John Kerridge, Kerridge Architecture + Construction, Inc. of 400 West Front Street, to rezone the property located at 101 N. Madison Street from R1-b (Single Family Dwelling District) to C-1 (Office Service District) with conditions (For introduction and possibly schedule a Public Hearing for April 1, 2014)

Mr. Soyring discussed his February 26, 2014 memo to the Commission on the topic. Mr. Soyring made a correction to his memo related to the rezoning consideration #6 that read, "Are there sufficient demands for a financial institution?" He asked that the Commission strike the words "a financial institution" and replace them with "four single family detached dwellings".

Commission discussion.

John Kerridge of 8140 Bel Cherrie Dr (and business owner at 400 W Front) explained the conditional rezoning request on behalf of the property owner, Kemel Cinaroglu, for the parcel located at 101 N. Madison and the voluntary conditions to the Commission. The request is the conditionally rezone the property from R1b to C-1 and restrict the development to 4 single family homes to be built substantially in conformance with the concepts provided with the application which includes 2-story homes, traditional styling, front porches, garages on the north side of houses serviced by a shared driveway. Mr. Kerridge explained that the project conforms to the City Master Plan and is less intense than the recommendation in the Corridors Master Plan.

Commission discussion.

At 7:35 p.m., Commissioner Warren joined the meeting.

Commission discussion.

The following members of the public made comment on the subject:

- Mary Conlen, 111 N. Madison, opposes the request
- Janet Ready, 224 N. Madison, opposes the request

- Allen Krous, 10333 Sloven, made general comments
- Denise VanWagner, 110 N. Madison, opposes the request. Ms. VanWagner also read a letter from Kima Kraimer, 1120 W. Front, who opposes the request.
- Al Cabinaw, 115 N. Madison, opposes the request.

Commission discussion.

Mr. Lodge discussed the West Front Street reconstruction project planned for 2014.

Motion by Commissioner Werner, second by Commissioner McNally that the request by John Kerridge, Kerridge Architecture and Construction, Inc., of 400 West Front Street, to conditional rezone the property located at 101 N Madison Street from R1-b (Single Family Dwelling District) to C-1 (Office Service District) with conditions be introduced and scheduled for a public hearing on April 1, 2014.

Motion carried 9-0.

Commission discussion.

- B. Consideration of a rezoning request initiated by the Planning Department to rezone the property located 10597 East Traverse Highway from R-9 (A) (Multiple Family Dwelling Districts) to MU (Mixed Use PUD Morgan Farm) (Action requested)

Mr. Soyring discussed his February 26, 2014 memo to the Commission on the topic.

Commission discussion.

Motion by Commissioner Warren, second by Commissioner Easterday, that the zoning change request initiated by the Planning Department to rezone the property located 10597 East Traverse Highway from R-9 (A) (Multiple Family Dwelling Districts) to R1-b MU (Mixed Use PUD Morgan Farm) be recommended for approval and such recommendation be forwarded to the City Commission for their consideration.

Motion carried 9-0.

## 6. NEW BUSINESS

- A. Lot D Boardman River Boatlaunch Project review for consistency with Master Plan (Action requested)

Mr. Soyring stated that the Commission's review of projects is pursuant to the Michigan Planning Enabling Act to determine if the following projects are consistent with the Traverse City Master Plan in terms of location, extent and character. In addition to the packet details, additional handouts were distributed including a March 4, 2014 memo from Mr. Soyring and a March 4, 2014 letter from the Watershed Center.

Mr. Lodge updated the Commission on the project details as outlined in his February 26, 2014 communication that was included in the packet.

Commission discussion included concerns related to the elimination of rain gardens in the project.

Mr. Lodge explained the project and site constraints.

The following members of the public made comment on the subject:

- TJ Andrews, representing The Watershed Center of 13272 S. West Bayshore Drive, Elmwood Township, made general comments
- Tyler Spauling, 1747 Heeley Lane, made general comments

Commission discussion included concerns regarding managing stormwater on the project. The consensus was that the project will be brought back to the Commission for action at the March 18, 2014 meeting for action.

**B. West Front Street Bridge Project review for consistency with Master Plan (Action requested)**

Mr. Soyring explained the details of his March 4, 2014 memo to the Commission as well as mentioned that there were additional handouts distributed this evening from Mr. Lodge and Gary Howe.

Mr. Lodge explained the additional handouts related to the project as well as the project materials included in the packet. The design elements include a compromise among travel modes within the right-of-way. The bridge aesthetic elements will mimic the existing arch façade. The bridge railing assembly requirements pose some additional challenges on the project to meet crash test ratings. The project includes a boardwalk under the bridge as well as West Front Street streetscape improvements perhaps extending as far as Maple Street or as far as funds will allow.

Commission discussion included concern about 4.5-foot bike lanes and wanted to explore offering viewshed opportunities on the bridge to enjoy the Boardman River.

Mr. Lodge responded to Commission questions.

Commission discussion.

The following members of the public made comment on the subject:

- Gary Howe, 926 Lincoln Street, made general comments
- Julie Clark, 604 W 12<sup>th</sup> Street, made general comments

Commission discussion.

Ms. Cichowski addressed the Commission.

Commission discussion.

Motion by Commissioner Twietmeyer, second by Commissioner Easterday, that the West Front Street Bridge Project is found to be consistent with the City Master Plan in terms of location, extent and character.

Motion failed 3-6 (Commissioners Dow, Fleshman, McNally, Serratelli, Warren and Werner were opposed).

Commission discussion.

Motion by Commissioner McNally, second by Commissioner Werner, that the West Front Bridge Project have 10-foot travel lanes and 5-foot bicycle lanes and all other elements the same as proposed.

Motion carried 7-2 (Commissioner Bergman and Twietmeyer opposed).

C. Eighth Street Bridge Project review for consistency with Master Plan (Action requested)

Mr. Lodge explained that an additional handout distributed this evening is a change to the memo from Jessica Cichowski dated February 26, 2014. Please remove page 3 of the memo from the packet and replace it with the one on your desk that depicts a buffered bicycle lane. Mr. Lodge also explained the additional handouts distributed.

Commission discussion.

Motion by Commissioner Easterday, second by Commissioner Dow, that the Eighth Street Bridge Project is found to be consistent with the City Master Plan in terms of location, extent and character.

Motion carried 9-0.

The following members of the public made comment on the subject:

- Richard Kuchell, 500 Webster Street, made general comments

- D. Pine Street Pedestrian Way Project review for consistency with Master Plan (Action requested)

Mr. Lodge explained the project as well as the additional handout distributed that depicts possible clear-span bridge options.

Commission discussion.

Motion by Commissioner Warren, second by Commissioner McNally, that the Pine Street Pedestrian Way Project is found to be consistent with the City Master Plan in terms of location, extent and character.

Motion carried 9-0.

- E. Homeless Shelter Regulations (Discussion)

Mr. Soyering explained his February 24, 2014 memo to the Commission.

Commission discussion.

Commission consensus was that the Housing and Building Committee would discuss the topic further and make a recommendation to the Planning Commission at a future meeting.

The following members of the public made comment on the subject:

- Richard Kuchell, 500 Webster Street, made general comments

**7. CORRESPONDENCE – None.**

**8. REPORTS**

- A. City Commission- Commissioners Easterday and Werner reported.  
B. Board of Zoning Appeals- Commissioner Bergman reported.

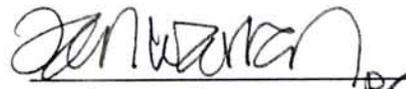
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
MARCH 4, 2014  
Page 7

---

- C. Grand Traverse Commons Joint Planning Commission- Commissioner Warren reported.
  - D. Planning Commission
    - 1. Housing Building Committee— Commissioner Serratelli reported.
    - 2. Active Transportation Committee—Commissioner Werner reported.
    - 3. Master Plan Review Committee—Mr. Soyring reported.
  - E. Planning Department—Mr. Soyring announced Code Enforcement Officer Loyd Morris' upcoming retirement and that the Planning Department would be filling the position.
    - 1. Capital Improvement Program—Chairperson Serratelli reported.
9. PUBLIC COMMENT- None.
10. ADJOURNMENT- Meeting was adjourned at 10:04 p.m.

Respectfully submitted,

Date: April 1, 2014

  
\_\_\_\_\_  
Jan Warren, Secretary PS

# SPECIAL MEETING MINUTES TRAVERSE CITY PLANNING COMMISSION

TUESDAY, MARCH 18, 2014

7:00 P.M.

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

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Janet Fleshman, Chairperson John Serratelli, Bill Twietmeyer, Janice Warren and Tim Werner

**ABSENT:** Commissioners Jeanine Easterday and Cecil McNally

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

1. **CALL MEETING TO ORDER-** The meeting was called to order by Chairperson Serratelli at 7:00 p.m.
2. **ROLL CALL**
3. **ANNOUNCEMENTS-** None.
4. **LOT D BOARDMAN RIVER BOATLAUNCH PROJECT REVIEW FOR CONSISTENCY WITH MASTER PLAN (ACTION REQUESTED)**

Mr. Soyring explained that when the Planning Commission reviewed this project two weeks ago, there were concerns related to stormwater management and the removal of rain gardens from the project scope. Since that meeting, Mr. Lodge met with The Watershed Center and they agreed that rain gardens are not appropriate for the site.

Commission discussion.

Mr. Soyring and Mr. Lodge addressed the Commission.

Commission discussion.

Mr. Lodge addressed the Commission.

Commission discussion.

Mr. Lodge and Mr. Soyring addressed the Commission.

**PLANNING COMMISSION**

**SPECIAL MEETING**

**March 18, 2014**

**Page 2**

---

Commission discussion.

Mr. Lodge addressed the Commission.

Motion by Commissioner Bergman, second by Commissioner Warren, that the Lot D Boardman River Boatlaunch Project is found to be consistent with the City Master Plan in terms of location, extent and character.

Motion carried 7-0 (Commissioners Easterday and McNally absent.)

**5. WEST FRONT STREET BRIDGE PROJECT REVIEW FOR CONSISTENCY WITH MASTER PLAN (ACTION REQUESTED)**

Chairperson Serratelli explained that while the Commission voted on this project at our last meeting, the wording of the actual motion did not make reference to the project being "found consistent with the City Master Plan in terms of location, extent and character," so the Commission is being asked to consider the project again and give reference to the Master Plan in the motion.

Mr. Soyring explained the details of his memo dated 3/13/14 to the Commission.

Commission discussion.

Mr. Soyring addressed the Commission.

Commission discussion.

Mr. Soyring and Mr. Lodge addressed the Commission.

Motion by Commissioner Warren, second by Commissioner Bergman that the West Front Street Bridge Project is found to be consistent with the City Master Plan in terms of location, extent and character.

Commission discussion.

Chairperson Serratelli explained that the action at tonight's meeting will supersede the action taken at the meeting on March 4, 2014 related to this project.

Commission discussion.

Mr. Lodge and Mr. Soyring addressed the Commission.

**PLANNING COMMISSION**

**SPECIAL MEETING**

**March 18, 2014**

**Page 3**

---

Commission discussion.

Mr. Soyring addressed the Commission.

Motion carried 7-0 (Commissioners Easterday and McNally absent.)

**6. CONSIDERATION OF AN AMENDMENT TO THE PLANNING COMMISSION BYLAWS REVISED FEBRUARY 21, 2014 TO CHANGE THE PLANNING COMMISSION MEETING TIME FROM 7:00 P.M. TO 7:30 P.M. (ACTION REQUESTED)**

Mr. Soyring explained the amendment which will result in changing the meeting time from 7:00 p.m. to 7:30 p.m.

Motion by Commissioner Warren, second by Commissioner Twietmeyer that the Planning Commission Bylaws be amended as proposed in the February 21, 2014 revision, to change the Planning Commission meeting time from 7:00 p.m. to 7:30 p.m.

Motion carried 7-0 (Commissioners Easterday and McNally absent.)

**7. A BUILDING HEIGHTS (DISCUSSION)**

Mr. Soyring explained that the Commission discussed this topic at several previous study sessions last fall. Staff worked with Mike Wills to draft a proposed amendment to adjust the building height in the Hotel Resort (HR) District from 40 feet to 45 feet and extending the residential bonus building height allowance from 40 feet to 45 feet in the Office Service (C-1) District and Neighborhood Center (C-2) District. In addition, the amendment also suggests a requirement of a minimum height of 15 feet for the first floor of a building, with exceptions for parking structures and exclusively residential developments in the HR, C-1, C-2, Community Center (C-3) District, Regional Center (C-4) Districts and Development (D) Districts.

Mr. Soyring also read suggested language to provide exemptions to the 15-foot rule when it can be clearly demonstrated that such provision is unnecessary or that such requirement would create a practical difficulty.

Commission discussion.

The following made public comment on the subject:

- John Dancer, 12180 Peninsula Drive, and City business and property owner, made comments in support of the amendment
- Mike Wills, 110 Fairway Hills Dr, made comments in support of the amendment

Commission discussion.

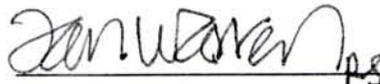
Commission consensus was to prepare a full amendment for introduction at the April 1, 2014 meeting.

8. PUBLIC COMMENT
9. ADJOURNMENT- Meeting adjourned at 7:51 p.m.

Respectfully submitted,

Date: \_\_\_\_\_

April 1, 2014



Jan Warren, Secretary

1/21 CC Report 1



## MINUTES

A REGULAR MEETING OF THE CITY PARKS AND RECREATION COMMISSION  
HELD THURSDAY, MARCH 6, 2014 AT 6:30 P.M.  
IN THE COMMISSION CHAMBERS, 2<sup>ND</sup> FLOOR, 400 BOARDMAN AVENUE  
TRAVERSE CITY, MICHIGAN 49684

**COMMISSIONERS PRESENT:** Brian Haas, Danielle Rearick, Margaret Szajner, Brook DiGiacomo,  
Gary Howe, Seamus Shinnars

**COMMISSIONERS ABSENT:** Arianne Whittaker

**ALSO PRESENT:** Lauren Vaughn, Sheila Dodge

Chairperson Brian Haas Presiding

1. **ITEM ON THE AGENDA BEING CONSENT CALENDAR**

a. Consideration of minutes of the February 6, 2014 Regular Meeting.

Motion by Howe, seconded by DiGiacomo, that the following action as recommended on the Consent Calendar portion of the Agenda be approved.

**ROLL CALL**

Shinnars – No  
Rearick – Yes  
DiGiacomo – Yes  
Howe – Yes  
Haas – Yes  
Szajner - Yes

**CARRIED 5 – 0 (Corrected to read) CARRIED 5 - 1**

2. **NEW BUSINESS**

a. Superintendent Vaughn spoke regarding the Michigan Recreation Passport grant program for the Clancy Park improvement project.

Motion by Howe, seconded by Rearick to endorse an application to the Michigan Recreation Passport Grant Program for the Clancy park improvement project.

**PUBLIC COMMENT**

None

**CARRIED 6 - 0**

**3. OLD BUSINESS**

- a. Discussion took place regarding the proposal for Community Gardens and the process to move forward with the concept.
- b. Stan Simon, Vice Chairman of the Coast Guard City Committee gave an update regarding the proposed placement of their commemorative sculpture and the process going forward.

Motion by Howe, seconded by DiGiacomo to volunteer Commissioner Szajner and Chairperson Haas to work with the Coast Guard City Committee.

**PUBLIC COMMENT**

Javane Clarke, 664 Clyde Lee Dr., T.C.

**CARRIED 6 - 0**

- c. Commissioner Howe, discussed the Parks and Recreation Commission goal setting ranking results.

**PUBLIC COMMENT**

None

- d. Chairperson Haas gave an update regarding the Brown Bridge Trust Fund proposal process. Commissioner Howe spoke regarding the City Commission Brown Bridge Trust Fund Ad Hoc Committee.
- e. Superintendent Vaughn discussed the Hickory Hills Master Plan Public Input Session and the most recent survey.

**4. PUBLIC COMMENT**

Seamus Shinnors, 410 Seventh St., T.C. 49684  
Larry Gerschbacher, 925 Kelley St., T.C. 49686

Page three

Parks and Recreation Commission Regular Meeting March 6, 2014

5. **COMMISSION REPORTS AND CORRESPONDENCE**

- a. Commissioner's verbal reports on the MRPA Conference
- b. Superintendent's Report
- c. Schedule of Upcoming Events

There being no objection, Chairperson Haas declared the meeting adjourned at 7:37 p.m.

Parks and Recreation Commission approved: 5-1 on April 3, 2014.

---

Lauren A. Vaughn  
Parks and Recreation Superintendent



**CH2MHILL**

## **MONTHLY OPERATING REPORT**

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

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

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

**DATE:** April 14, 2014

**SUBJECT:** Monthly Operations Report for March 2014

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

The data sheet showing flows and loadings from the Townships, the City, and the Septage Plant for March is attached to this report. Also attached is financial information as of the last Friday in March.

## **TRAVERSE CITY**

### **OPERATIONS AND PROJECTS**

The treatment plant continued to be in compliance for March 2014.

Gram Positive bacteria levels continue to remain low and are being monitored. The diversion pipe is not in use at this time.

We are preparing to drain and inspect the north aeration basin. We will be checking diffusers, pumps, and structure.

### **Maintenance**

Quiet month without any major maintenance items. We wrapped up many small work orders.

### **IPP**

A Notice of Violation (NOV) was issued to Brewery Ferment for failure to respond to our requirement to install the Inspection Manhole. In response, Svec Construction has submitted their signed quote and they have been given a deadline of May 31<sup>st</sup> to complete the installation.

A NOV was issued to Campus Plaza for grease in their Inspection Manhole. In response, The Omlette Shoppe is installing a grease interceptor for their suite.

Monthly Operations Report  
April 14, 2014  
Page 2

CRM, INC missed their deadline to submit their semi-annual self-monitoring report by 51 days. This constituted Significant Non-Compliance, for which they received an NOV and publication in the Record-Eagle.

#### **OTHER**

Reconstruction of the Woodmere Liftstation has begun. The project is scheduled through June 10<sup>th</sup>.

### **GRAND TRAVERSE SEPTAGE FACILITY**

#### **OPERATIONS AND PROJECTS**

Total flow from the Septage Facility to the Regional Plant was 299,900 gallons with an average of 5.59 lbs/day BOD in April.

Windemuller began the planning process for the SCADA upgrade design.

**Michigan Department of Environmental Quality Monthly Discharge Monitoring Report (DMR)**

DISTRICT: Cadillac  
COUNTY: Grand Traverse

PERMIT NUMBER: MI0027481  
MONITORING POINT: 001A

PERMITTEE NAME: Traverse City WWTP  
MAILING ADDRESS: 606 Franklin Street  
Traverse City, MI 49684  
FACILITY: Traverse City WWTP  
LOCATION: 606 Hannah  
Traverse City, MI 49686

NO DISCHARGE FROM SITE: ( )

Monitoring Period: 2014-03-01 To: 2014-03-31

Parameter	Quantity or Loading		Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type
	Average	Maximum	Minimum	Average				
Flow	4.546	6.156	*****	*****		0	Daily	Report Total Daily Flow
PARAM CODE: 50050 Mon. Site No.: 001A Stage Code: 1	(report) Maximum Monthly Average	(report) Maximum Daily	*****	*****	MGD		Daily	Report Total Daily Flow
Total Suspended Solids	0.00	0.00	*****	0.00		0	3X Weekly	24-Hr Composite
PARAM CODE: 00530 Mon. Site No.: 001A Stage Code: 1	2100 Maximum Monthly Average	3200 Maximum 7-Day Average	*****	30 Maximum Monthly Average	mg/l		3X Weekly	24-Hr Composite
Carbonaceous Biochemical Oxygen Demand (CBOD5)	0.00	0.00	*****	0.00		0	3X Weekly	24-Hr Composite
PARAM CODE: 80082 Mon. Site No.: 001A Stage Code: 1	1800 Maximum Monthly Average	2800 Maximum 7-Day Average	*****	25 Maximum Monthly Average	mg/l		3X Weekly	24-Hr Composite
Total Phosphorus (as P)	14	*****	*****	0.38		0	3X Weekly	24-Hr Composite
PARAM CODE: 00665 Mon. Site No.: 001A Stage Code: 1	36 Maximum Monthly Average	*****	*****	0.5 Maximum Monthly Average	mg/l		3X Weekly	24-Hr Composite
Total Copper	*****	*****	*****	*G		0	Quarterly	24-Hr Composite
PARAM CODE: 01042 Mon. Site No.: 001A Stage Code: 1	*****	*****	*****	(report) Maximum Monthly Average	ug/l		Quarterly	24-Hr Composite
Total Mercury	*****	*****	*****	*G		0	Quarterly	Grab
PARAM CODE: 71900 Mon. Site No.: 001A Stage Code: 1	*****	*****	*****	(report) Maximum Monthly Average	ng/l		Quarterly	24-Hr Composite
Fecal Coliform	*****	*****	*****	0.00		0	3X Weekly	Grab
PARAM CODE: 74055 Mon. Site No.: 001A Stage Code: 1	*****	*****	*****	200 Max Monthly Geometric Mean	cts/100 ml		3X Weekly	Grab
<p><b>Name/Title of Principal Executive Officer Or Authorized Agent</b> Casey Rose/Project Manager</p> <p><b>Signature of Principal Executive Officer Or Authorized Agent</b> Elizabeth Hart</p> <p><b>Telephone No</b> 231-922-4922</p> <p><b>Date (MM/DD/YY)</b> 2014-04-11</p>								

When completed mail this report to: PCS-Data Entry, MDEQ-WD, P.O. Box 30273, Lansing, MI, 48909-7773

Page 1

**Michigan Department of Environmental Quality Discharge Monitoring Report (DMR)**

DISTRICT: Cadillac

PERMIT NUMBER: MI0027481

PERMITTEE NAME: Traverse City WWTP

MAILING ADDRESS: 606 Franklin Street  
 Traverse City, MI 49684  
 Traverse City WWTP  
 606 Hannah  
 Traverse City, MI 49686

MONITORING GROUP: 001A

COUNTY: Grand Traverse

Monitoring Period: 2014-03-01 To: 2014-03-31

NO DISCHARGE FROM SITE: ( )

Parameter	Quantity or Loading		Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type	
	Average	Maximum	Minimum	Average					Maximum
pH	*****	*****	6.8	*****		0	3X Weekly	Grab	
PARAM CODE: 00400 Mon. Site No.: 001A Stage Code: 1	*****	*****	6.0 Minimum Daily	***** Maximum Daily	S.U.		3X Weekly	Grab	
Dissolved Oxygen	*****	*****	9.7	*****		0	3X Weekly	Grab	
PARAM CODE: 00300 Mon. Site No.: 001A Stage Code: 1	*****	*****	4.0 Minimum Daily	*****	mg/l		3X Weekly	Grab	
CBOD5 Minimum % Removal	*****	*****	98.1	*****		0	Monthly	Calculation	
PARAM CODE: 80091 Mon. Site No.: 001A Stage Code: K	*****	*****	85 Minimum Monthly % Removal	*****	%		Monthly	Calculation	
Total Suspended Solids Minimum % Removal	*****	*****	99.5	*****		0	Monthly	Calculation	
PARAM CODE: 81011 Mon. Site No.: 001A Stage Code: K	*****	*****	85 Minimum Monthly % Removal	*****	%		Monthly	Calculation	
Name/Title of Principal Executive Officer Or Authorized Agent						Signature of Principal Executive Officer Or Authorized Agent		Telephone No	Date (MM/DD/YY)
Casey Rose/Project Manager						Elizabeth Hart		231-922-4922	2014-04-11

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

When completed mail this report to: PCS-Data Entry, MDEQ-WD, P.O. Box 30273, Lansing, MI, 48909-7773

### TOWNSHIP AND CITY BOD CONCENTRATIONS LOADINGS AND FLOWS 2013-2014

	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Average
													to date
Blair Twp	249	268	228	237	231	255	270	273	265	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Garfield Twp	381	543	253	230	209	238	273	247	184	0	0	0	233
Elmwood Twp	277	323	433	437	237	276	237	258	229	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
East Bay Twp	251	402	211	189	162	164	191	207	144	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Acme Twp	151	146	140	139	158	161	167	161	111	0	0	0	121
Peninsula Twp	289	201	207	196	205	215	217	223	188	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
City	469	184	36	81	1114	214	1104	121	76	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Septage													

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

	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Average
													to date
Blair	68	51	45	42	36	35	39	38	37	0	0	0	39
Garfield Twp	2991	2776	2533	2604	2437	2623	3151	2858	2942	0	0	0	2492
Elmwood Twp	668	736	306	290	322	286	348	270	221	0	0	0	345
East Bay Twp	984	1184	878	809	657	446	418	414	389	0	0	0	618
Acme Twp	1045	228	481	397	298	293	392	390	288	0	0	0	380
Peninsula Twp	71	57	61	60	68	71	81	65	51	0	0	0	59
Septage	118	43	7	19	199	21	74	8	6	0	0	0	50
City	5031	5142	4945	4388	4561	4710	4013	4442	4027	0	0	0	4126
<b>Total</b>	<b>10975</b>	<b>10217</b>	<b>9256</b>	<b>8610</b>	<b>8579</b>	<b>8486</b>	<b>8517</b>	<b>8475</b>	<b>7962</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8108</b>
Blair	0.029	0.025	0.024	0.023	0.020	0.018	0.020	0.019	0.021	0.000	0.000	0.000	0.020
Garfield Twp	1.378	1.188	1.285	1.265	1.222	1.204	1.374	1.230	1.299	0.000	0.000	0.000	1.145
Elmwood Twp	0.210	0.163	0.145	0.151	0.185	0.144	0.153	0.131	0.144	0.000	0.000	0.000	0.143
East Bay Twp	0.426	0.439	0.243	0.222	0.333	0.194	0.212	0.193	0.204	0.000	0.000	0.000	0.247
Acme Twp	0.499	0.068	0.273	0.252	0.220	0.214	0.247	0.220	0.240	0.000	0.000	0.000	0.223
Peninsula Twp	0.056	0.047	0.052	0.052	0.052	0.053	0.058	0.048	0.055	0.000	0.000	0.000	0.047
Septage	0.030	0.028	0.023	0.028	0.021	0.012	0.008	0.008	0.009	0.000	0.000	0.000	0.017
City	2.088	3.064	2.866	2.678	2.665	2.623	2.220	2.386	2.573	0.000	0.000	0.000	2.316
<b>Total</b>	<b>4.717</b>	<b>5.021</b>	<b>4.911</b>	<b>4.671</b>	<b>4.718</b>	<b>4.463</b>	<b>4.291</b>	<b>4.234</b>	<b>4.546</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>4.157</b>

BOD Loadings in  
pounds per day

Average Daily  
Flows, MGD

Traverse City Regional Wastewater Treatment Plant 2013-2014

	March			Year-to-date	
	Budget	Actual	Variance	Total Budget	Total Actual
CHEMICALS	15,583	11,841	3,741	140,243	138,414
DUES AND SUBSCRIPTIONS	40	0	40	362	389
EDUCATION, TRAINING, MEETINGS	465	248	217	4,186	6,199
ELECTRICITY	33,170	39,715	-6,545	298,530	325,736
EMPLOYEE EXPENSE	602	535	67	5,415	11,199
INSURANCE	2,534	2,653	-119	22,803	23,874
LABOR	71,464	58,870	12,594	631,652	652,784
OPERATING EXPENSES	19,578	9,437	10,141	175,703	233,674
OUTSIDE SERVICES	2,458	4,206	-1,747	22,125	56,096
SOLIDS HANDLING	460	41,853	-41,393	100,740	92,505
SUPPLIES	1,417	1,641	-224	12,750	5,720
TELECOMMUNICATIONS	739	816	-77	6,653	5,844
TRAVEL COSTS	1,725	252	1,473	15,527	30,735
UTILITIES-OPERATIONS	1,713	4,920	-3,208	15,413	13,131
<b>Total Cost</b>	<b>151,947</b>	<b>176,988</b>	<b>-25,041</b>	<b>1,452,099</b>	<b>1,596,301</b>
REPAIRS (included in the above)	9,167	1,967	7,200	82,500	89,066
					-6,566

# Grand Traverse County Septage Treatment Facility 2013-2014

	March			Year-to-date		
	Budget	Actual	Variance	Total Budget	Total Actual	Total Variance
CHEMICALS	494	0	494	4,446	0	4,446
DUES AND SUBSCRIPTIONS	15	0	15	134	0	134
EDUCATION, TRAINING, MEETINGS	49	0	49	443	0	443
ELECTRICITY	12,500	28,030	-15,530	112,500	130,371	-17,871
EMPLOYEE EXPENSE	56	0	56	500	11	489
INSURANCE	443	323	121	3,990	2,349	1,640
LABOR	8,779	5,568	3,211	77,598	61,388	16,210
OPERATING EXPENSES	2,065	2,744	-679	18,526	53,844	-35,319
OUTSIDE SERVICES	2,121	0	2,121	19,087	1,060	18,028
SOLIDS HANDLING	2,421	504	1,917	21,792	21,054	738
SUPPLIES	17	0	17	150	31	119
TELECOMMUNICATIONS	123	96	28	1,110	796	314
TRAVEL COSTS	327	73	254	2,943	966	1,977
UTILITIES-OPERATIONS	300	1,350	-1,050	2,700	2,409	291
<b>Total Cost</b>	<b>29,711</b>	<b>38,688</b>	<b>-8,978</b>	<b>265,918</b>	<b>274,279</b>	<b>-8,361</b>

REPAIRS (included in the above) 7,497      14,918      -7,421



The City of Traverse City

## Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF APRIL 21, 2014

DATE: APRIL 17, 2014

FROM: JERED OTTENWESS, CITY MANAGER *SO/BLL*

SUBJECT: PUBLIC COMMENT REQUEST – MICHAEL WILLS –  
DISCOVERY CENTER GREAT LAKES

Attached is a reserved public comment request from Michael Wills, representing the Discovery Center Great Lakes, to address the Commission regarding the Center's interest in the Traverse City Light and Power Coal Dock Property.

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

JJO/bcm

e-copy: Michael Wills – [president@discoverygreatlakes.org](mailto:president@discoverygreatlakes.org)

k:\tcclerk\city commission\public comment\reserved\_wills

---

The City of Traverse City

Office of the City Clerk

GOVERNMENTAL CENTER

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



---

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

*Please Print or Type*

I, Michael W Wills, representing Discovery Center~Great Lakes  
pursuant to City Commission Rule 13 (see reverse side), request to be placed under  
"Public Comment - Reserved" on the Agenda of the Regular Meeting scheduled for  
Monday, April 21, 2014.

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

I wish to address the Commission regarding the following matter:

Discovery Center Proposal for A Community Pier, Harbor and Marina  
at the former TCLP Coal Dock and disposition of said surplus property.

April 5, 2014

Date

231-922-3000

Daytime Phone

president@discoverygreatlakes.org

E-mail

A handwritten signature in black ink that reads "Michael Wills".

Digitally signed by Michael Wills  
DN: cn=Michael Wills, o=Harbor  
West Building Condo Assoc,  
ou=Discovery Center Great Lakes,  
email=treasurer@discoverygreatlake  
s.org, c=US  
Date: 2014.04.05 15:47:51 -04'00'

Signature

110 Fairway Hills Dr

Address

Traverse City, MI 49684

City/Township

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

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

# City Commission Rules

## Excerpt

### Rule 13

- (b). **Public Comment during the designated Public Comment Section - Reserved.** Any interested person or any special interest group wishing to address the City Commission for a reserved time shall submit a written request to the City Clerk no later than 5:00 p.m. of the Monday immediately preceding the date of said Regular Meeting. The communication shall (1) identify the writer's name and address and (2) identify with reasonable specificity the subject matter. The same shall appear on the written agenda under the designated "Public Comment" section for said Regular Meeting as made available to the news media and released for delivery to the members of the City Commission. All persons must identify themselves and their address and direct their comments to the Commission. The comment of any member of the public or special interest group may be limited in time to 15 minutes except as provided in subsection (e). Questions posed may be answered at the meeting or may be referred to staff for response at a later time.

Such requests shall be limited to one (1) per meeting and shall appear on the written agenda. A city resident request shall take precedence over a non-city resident request. In such case, the non-city resident request shall be postponed and placed on the written agenda of a future regular meeting as selected by the non-city resident. In no case shall the non-city resident request be postponed more than one time.

### Rule 13

- (e). **Order and Duration of any Public Comment.** The presiding officer shall control the order and duration of any public comment subject to appeal. The presiding officer shall have the authority to limit and terminate any public comment that becomes disruptive, unduly repetitive, or impedes the orderly progress of the meeting. Items not appearing on the agenda will not be acted upon by the City Commission except in accordance with these rules.