



**Minutes of the**  
**City Commission for the City of Traverse City**  
**Regular Meeting**  
**June 2, 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 Pro Tem James Carruthers, Barbara D. Budros, Jeanine Easterday, Gary L Howe, Ross Richardson, Tim Werner.

The following Commissioner was absent: Mayor Michael Estes.

The Pledge of Allegiance was recited.

Mayor Pro Tem James Carruthers presided at the meeting.

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

**2. Consent Calendar**

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

- a. the minutes of the May 19, 2014, Regular Meeting, be approved.
- b. an amendment to the Traverse City Code of Ordinances, *Size and Area Requirements Building Height Ordinance Amendment*; Section 1368.01, Building Height; *Hotel Resort (HR) Building Height Ordinance Amendment*, Section 1338.06, Building Height, and Section 1338.09, Special Requirements; *Office Service (C1) District Residential Bonus Building Height Amendment*, Section 1340.06, Building Height, and Section 1340.09,

Special Requirements; *Community Center (C-3), Regional Center (C-4) and Development (D) Districts First Floor 15-Foot Requirement*, Community Center (C-3) Section 1344.09, Special Requirements; Regional Center (C-4) Section 1346.09, Special Requirements; and Development (D) Districts Section 1347.09, Special Requirements of the Zoning Code; *Neighborhood Center (C-2) District Residential Bonus Building Height Amendment*, Section 1342.06, Building Height, and Section 1342.09, Special Requirements; regarding increasing the building height in HR to 45-feet, increasing the residential bonus height in C-1 and C-2 to 45-feet and requiring a minimum 15-foot first floor height in HR, C-1, C-2, C-3, C-4 and D Districts, as recommended by the Planning Commission, be introduced and scheduled for possible enactment on June 12, 2014.

- c. the City Manager be authorized to issue a purchase order to Traverse Reproduction and Supply, Inc., for the purchase and delivery of an HP DesignJet T2300ps Large Format Plotter/Copier/Scanner in the amount of \$7,795.00, with funds available in the Water, Sewer and Street Funds.
- d. the City Manager be authorized to issue blanket purchase orders for the purchase and delivery of chemicals to: ChemTrade Chemicals, in the amount of \$0.1052 per pound for approximately 322,500 pounds, of liquid aluminum sulfate totaling approximately \$33,927, more or less, and JCI Jones Chemical, in the amount of \$0.09 per pound for approximately 300,000 pounds of sodium hypochlorite totaling approximately \$27,000.00, more or less, for use by the Water Plant, with funds available in the Water Fund.
- e. the City Manager be authorized to issue a purchase order to Smith Instruments, for the purchase and delivery of three (3) Ultrasonic Flow Meters, in the amount of \$14,001.00, with funds available in the Water Fund.
- f. the City Manager be authorized to issue a blanket purchase order to Crystal Flash Energy for the purchase and delivery of approximately 50,000 gallons, more or less, of unleaded mid-grade gasoline, not to exceed \$.115 cents above rack price per gallon, and approximately 25,000 gallons, more or less, of #2 diesel fuel, not to exceed \$.115 cents above rack price per gallon, for resale during the 2014 boating season, at the Duncan L. Clinch Marina with

funds available in the Marina Fund.

- g. the annual resolution designating bank depositories for city funds and authorizing the City Treasurer/Finance Director to make deposits and invest funds with such depositories, be adopted.
- h. an amendment to the Traverse City Code of Ordinances, *Transient Merchant License Application Requirements*, Section 863.06, which eliminates the requirement that transient merchants operating on private property submit a signed permission slip from the private property owner, be introduced and scheduled for possible enactment on June 16, 2014.
- i. Removed from the Consent Calendar.
- j. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$31,063.72 to Lemmen Oil Company for 10,002 gallons of dyed B5, #2 Biodiesel fuel without additives priced at \$3.10575 per gallon with funds available in the Garage Fund.
- k. a public hearing regarding year-end budget amendments for Fiscal Year 2013-2014 be scheduled for June 16, 2014.

CARRIED unanimously. (Estes absent)

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

a.

Consideration of authorizing a purchase order for the 2014 Street Crosswalk Replacement Project.

Moved by Howe, seconded by Budros, the competitive bidding policy be waived; and further that the City Manager be authorized to issue a purchase/service order to Flint Trading, Inc., for the materials required to place preformed thermoplastic pavement markings at the five intersections in Mr. Green's memo of May 22, 2014, in the amount not to exceed \$49,517.30, with funds available in the Capital Improvement Project Funds.

The following addressed the Commission:

Rick Buckhalter, 932 Kelley Street – expressed support

CARRIED unanimously. (Estes absent)

### **3. Old Business**

#### **3(a).**

Consideration of a report from the City Commission Ad Hoc Committee regarding Sidewalk Cafés including a proposal for platform cafés and introducing the related amendments to the Traverse City Code of Ordinances.

The following addressed the Commission:

Jered Ottenwess, City Manager  
Benjamin Marentette, City Clerk

Moved by Easterday, seconded by Howe, that an amendment to the Traverse City Code of Ordinances, *Outdoor Café Regulation Clarifications and Outdoor Cafés in Designated On-Street Parking Areas*, Sections 1020.07, 1020.08 and 1020.09, which would clarify the regulations for outdoor cafés and establish regulations to allow for outdoor cafés in designated on-street parking areas, be introduced and scheduled for possible enactment on June 16, 2014.

Colleen Paveglio, Downtown Development Authority Deputy Director  
Jim Moore, 246 Boughey, Disability Network Executive Director – made general comments  
Rick Buckhalter, 932 Kelley Street – made general comments

Roll Call:

Yes - Budros, Howe, Easterday, Werner.

No - Richardson, Carruthers.

CARRIED. (Estes absent)

**3(b).**

Consideration of authorizing the annual amendment to the agreement with CH2M HILL regarding operation, maintenance and management of the Wastewater Treatment Plant, authorizing the default increase to the city's base fee and the city's financial responsibility for the increase in the electricity rates.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Howe, seconded by Werner, that the Mayor and City Clerk execute Amendment No. 2 to the Agreement with CH2M HILL for Operations, Maintenance and Management Services, at the Waste Water Treatment Plant (originally authorized March 5, 2012) for the period of July 1, 2014, to June 30, 2015, which would increase the base fee by 1.35%, with the total payment to be \$2,408,403, such amendment subject to approval as to its substance by the City Manager and its form by the City Attorney.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously. (Estes absent)

**3(c).**

Consideration of authorizing the collective bargaining agreement for the Police Captains Unit.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Budros, that the Mayor and City Clerk execute a collective bargaining agreement with Teamsters State, County and Municipal Workers Local 214 (Police Captains' Unit) for the period July 1, 2014, through June 30, 2016, such agreement subject to approval as to its substance by

the City Manager.

CARRIED unanimously. (Estes absent)

**3(d).**

Consideration of authorizing the collective bargaining agreement for the Police Patrol Unit.

Moved by Budros, seconded by Richardson, that the Mayor and City Clerk execute a collective bargaining agreement with Police Officers Association of Michigan (Police Patrol Unit) for the period July 1, 2014, through June 30, 2016, such agreement subject to approval as to its substance by the City Manager.

CARRIED unanimously. (Estes absent)

**4. New Business**

None.

**5. Appointments**

None.

**6. Reports and Communications**

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
  - Communication from the City Manager regarding Summer 2014 Street Construction dated May 29, 2014.
- b. Announcements from the City Clerk.
  - Brief presentation from the City Clerk regarding event feedback feature on the city's website.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.

- d. Reports and correspondence from other City officials, boards and committees.
1. Reports from members of the Commission serving on boards.
  2. Report from the City Treasurer/Finance Director regarding affirmation of Standard & Poor's rating of the city.
  3. Minutes of the Act 345 Retirement System meeting of March 26, 2014.
  4. Minutes of the Parks and Recreation Commission meetings of April 3 and May 1, 2014.
  5. Minutes of the Traverse city Light and Power Board Human Resources Ad Hoc Committee meeting of April 11, 2014, and Traverse City Light and Power Board meeting of April 22, 2014.
  6. Memorandum from the City Engineer dated May 28, 2014, with the memorandum from the TC-TALUS Technical Committee regarding East-West Transportation Options dated May 1, 2014.
- e. Reports and correspondence from non-City officials.

None.

## **7. Public Comment**

The following addressed the Commission:

1. Reserved.  
None.
2. General.

3. Mayor and City Commissioners.

Commissioner Gary Howe

General public comment:

- Rick Buckhalter, 932 Kelley Street
- Tim Grey, 134 East Front Street, Idle No More Michigan
- Jesse Dittmer, 536 Bates Street, Idle No More Michigan
- Randy Day, 820 Boone Street
- Jasper Weese, 1600 Paul Place, Garfield Township
- Stan Verheul, 3400 North Timberwood Drive, Acme Township
- Lee Sprague, no address given
- Ellen Cook, 807 Chestnut, Cadillac
- Commissioner Jeanine Easterday

There being no objection, Mayor Pro Tem James Carruthers declared the meeting adjourned at 8:32 pm.

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Benjamin C. Marentette, CMC  
City Clerk

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