



Notice

City Commission Regular Meeting

7:00 pm

Monday, June 2, 2014

Commission Chambers, Governmental Center

400 Boardman Avenue

Traverse City, Michigan 49684

Posted and Published 05-29-14

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.

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City Commission:
c/o Benjamin C. Marentette, CMC, City Clerk
(231) 922-4480
Email: tcclerk@traversecitymi.gov
Web: www.traversecitymi.gov
400 Boardman Avenue
Traverse City, MI 49684

The mission of the Traverse City City Commission is to guide the preservation and development of the City's infrastructure, services, and planning based on extensive participation by its citizens coupled with the expertise of the city's staff. The Commission will both lead and serve Traverse City in developing a vision for sustainability and the future that is rooted in the hopes and input of its citizens and organizations, as well as cooperation from surrounding units of government.

Welcome to the Traverse City Commission meeting!

Agenda

Any interested person or group may address the City Commission on any agenda item when recognized by the presiding officer or upon request of any Commissioner. Also, any interested person or group may address the City Commission on any matter of City concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.

Pledge of Allegiance

1. Roll Call

2. Consent Calendar

The purpose of the consent calendar is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff or the public may ask that any item on the consent calendar be removed therefrom and placed elsewhere on the agenda for full discussion and such requests will be automatically respected. If an item is not removed from the consent calendar, the action noted in parentheses on the agenda is approved by a single Commission action adopting the consent calendar.

- a. Consideration of approving minutes of the Regular Meeting of May 19, 2014. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)

- b. Consideration of enacting an amendment to the Traverse City Code of Ordinances which would increase the building height in the HR, C-1, and C-2 Districts from 40-50 feet, and require a minimum height for the first floor of 15 feet in the HR, C-1, C-2, C-3, C-4 and D Districts, as recommended by the City Planning Commission. (Enactment recommended) (Jered Ottenwess, Russell Soyring)
- c. Consideration of authorizing a purchase order for a large-format plotter/printer/scanner for use by the Department of Public Services. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- d. Consideration of authorizing a purchase order for chemicals for use at the Water Treatment Plant. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- e. Consideration of authorizing a purchase order for ultrasonic water flow meters. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- f. Consideration of authorizing a purchase order for fuel for resale at the Clinch Marina. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- g. Consideration of adopting 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. (Adoption recommended) (Jered Ottenwess, William Twietmeyer) (5 affirmative votes required)
- h. Consideration of introducing an amendment to the Traverse City Code of Ordinances which would no longer require transient merchants who operate on private property to submit a permission slip from the private property owner. (Introduction and schedule for possible enactment on June 16, 2014, recommended) (Jered Ottenwess, Benjamin Marentette)

- i. Consideration of authorizing a purchase order for the 2014 Street Crosswalk Replacement Project. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- j. Consideration of authorizing a confirming purchase order for diesel fuel for city operational use. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- k. Consideration of scheduling a public hearing regarding possible year-end budget amendments for June 16, 2014. (Schedule public hearing for June 16, 2014, recommended) (Jered Ottenwess, William Twietmeyer)

Items removed from the Consent Calendar

- a.
- b.
- c.

3. Old Business

- 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. (Mayor Pro Tem Jim Carruthers, Chair; Commissioner Barbara Budros; Commissioner Jeanine Easterday; Jered Ottenwess; and Benjamin Marentette)
- 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. (Jered Ottenwess) (5 affirmative votes required)

- c. Consideration of authorizing the collective bargaining agreement for the Police Captains Unit. (Jered Ottenwess) (5 affirmative votes required)
- d. Consideration of authorizing the collective bargaining agreement for the Police Patrol Unit. (Jered Ottenwess) (5 affirmative votes required)

4. New Business

None.

5. Appointments

None.

6. Reports, Announcements and Correspondence

Please note: For this section of the agenda, when an actual report is included or expected, the item will be underlined.

- a. Reports, announcements and correspondence from the City Manager.
 - 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

- a. Reserved.

None.

- b. General.

- c. Mayor and City Commissioners.

8. Adjournment



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: MINUTES

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

- May 19, 2014

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

that the minutes of the May 19, 2014, Regular Meeting, be approved.

JJO/kes

k:\tcclerk\city commission\minutes

Minutes of the
City Commission for the City of Traverse City
Regular Meeting
May 19, 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 Werner, that the following actions as recommended on the Consent Calendar portion of the Agenda be approved:

- a. the minutes of the May 5, 2014, Regular Meeting, the May 12, 2014, Special Meeting, and the May 12, 2014, Study Session, be approved.
- b. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$28,297.50 to Lemmen Oil Company for 10,000 gallons of unleaded gasoline priced at \$2.82978 per gallon with funds available in the Garage Fund.
- c. the Proposed Fiscal Year 2014/2015 Budget for the City of Traverse City and Charter Township of Garfield Recreational Authority, be approved as required by Recreational Authority Bylaws.

- d. the City Commission action of March 17, 2014, authorizing an agreement with the City Opera House Heritage Association to provide funds for the Opera House Dressing Room Project be rescinded and that the action authorizing the related budget amendment be rescinded; and that the Mayor and City Clerk execute an agreement with City Opera House Heritage Association for it to provide up to \$114,500 in funds to cover all costs associated with the Opera House Dressing Room Project, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney; and that the Opera House Fund Budget be amended by \$114,500 to reflect the receipt and expenditure of such funds; and further that the City Commission action of March 17, 2014, authorizing an agreement with Architecture Technology, P.C. for design, permitting, bidding and construction administration services in connection with the City Opera House Dressing Room Project be rescinded; and finally that the competitive bidding process be waived and the Mayor and City Clerk execute a consultant agreement with Quinn Evans Architects in the amount of \$15,500 for design, permitting, bidding and construction administration services in connection with the City Opera House Dressing Room Project, subject to receipt of funds by the City Opera House Heritage Association, with funds available in the Opera House Fund.
- e. the City Manager be authorized to issue a purchase order to Truck and Trailer Specialties of Boyne Falls, in the amount of \$107,208 for the purchase and installation of the required parts and equipment needed on the three (3) 2014 Ford F350 Truck Cab and Chassis and two (2) 2014 Ford F550 Truck Cab and Chassis as outlined in the May 12, 2014, communication from the Director of Public Services, with funds available in the Garage Fund.
- f. the Resolution Approving a Request from Georgina's, LLC (Gregory Anthony Craig) for a Redevelopment Project Area Liquor License with Class C Liquor License privileges to be operated at 236 East Front Street, be adopted and that the City Clerk be authorized to issue a Liquor License Registration to Georgina's, LLC to operate such license at 236 East Front Street.
- g. 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 2, 2014.

- h. the Mayor and City Clerk execute a unit prices contract with Northwest Michigan Contracting in the amount of \$176,695.10, at the unit prices indicated in its bid, for Phase 2 of the 2014 Alley Sanitary Sewer Replacement Project, with funds available in the Sanitary Sewer Fund, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.
- i. the competitive bidding process be waived; and that the Mayor and City Clerk execute a service agreement with Otwell Mawby in the amount of \$9,800 for geotechnical and environmental consulting services in connection with the Parking Lot D and Boardman River Launch Improvement Project, with funds available in the Capital Improvements Fund, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

CARRIED unanimously.

Items removed from the Consent Calendar

None.

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

Consideration of a report from the City Commission Ad Hoc Committee regarding a possible Brown Bridge Trust Fund ballot proposal and scheduling the proposal for the November 4, 2014, election ballot.

Moved by Budros, seconded by Carruthers, that the Resolution to Amend Section 129 of the City Charter of Traverse City, regarding a proposal to use principal in the Brown Bridge Trust Fund in excess of \$12 million for a five-year period, only if matching funds from non-city sources are obtained, following approval of the electorate, be adopted, which schedules the related ballot proposal for the November 4, 2014, election.

Jered Ottenwess, City Manager

Lauren Tribble-Laucht, City Attorney

Deni Scrudato, 422 East State Street, Brown Bridge Advisory Committee – expressed support

Rick Buckhalter, 932 Kelley Street – expressed support and opposition

Brian Haas, 227 East 10th Street – made general comments

Roll Call:

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

No - Howe.

CARRIED.

3(b).

Consideration of various actions in connection with the Fiscal Year 2014/2015 Budgets, including the City of Traverse City, Traverse City Light and Power and the Downtown Development Authority:

Mayor Michael Estes opened the floor for public comment on all items in connection with Old Business 3(b), and the following addressed the Commission:

Emily Mitchell, 3716 Jefferson, Garfield Township, Hickory Meadows Advisory Committee – expressed opposition to Agenda Item 3(b)(8)

Jennifer Jaffe, 1747 Wayne Street – made general comments

Eileen Ganter, 1615 Randolph Street, Garfield Township, city business owner – made general comments

Kira Ganter, 1615 Randolph Street, Garfield Township – made general comments

Nicolle Girard, 2973 Concord Street, Garfield Township, Hickory Meadows Advisory Committee – made general comments

Sandy Cartwright, 602 North Elmwood – expressed opposition to Agenda Item 3(b)(8)

Carl Ganter, 1615 Randolph Street, Garfield Township – made general comments

Rick Buckhalter, 932 Kelley Street – made general comments

Rick Venner, 1660 Wayne Street – expressed opposition to Agenda Item 3(b)(8)

Jamie Al-Shamma, 131 North Elmwood Avenue – made general comments

Willow Al-Shamma, 131 North Elmwood Avenue – expressed opposition to Agenda Item 3(b)(8)

Suzannah Tobin, 502 Fifth Street – made general comments

Barbara Solomonson, 119 North Madison Street – made general comments

Jan Doren, 119 North Madison Street – made general comments

Bob Beurle, 1827 Wayne Street – made general comments

Marci Cook Fine, 1307 Wayne Street - expressed opposition to Agenda Item 3(b)(8)

Steve Nance, 1701 Wayne Street – made general comments

Mike Gaines, 425 North Madison Street, city business owner – made general comments

Patty Olson, 1815 Wayne Street - expressed opposition to Agenda Item 3(b)(8)

Ann Couturier, 670 Old Incochee Trail - made general comments

Kima Kramer, 1120 West Front Street – made general comments

Doug McWaters, 431 North Cedar Street – made general comments

1.

Consideration of adopting a Resolution Waiving the Property Tax

Administration Fee for Fiscal Year 2014-2015.

Moved by Easterday, seconded by Budros, that the Resolution to Waive the Traverse City Property Tax Administration Fee for Fiscal Year 2014-2015, be adopted.

The following addressed the Commission:

Jered Ottenwess, City Manager

CARRIED unanimously.

2.

Consideration of adopting a Resolution Certifying the Tax Levy for the Downtown Development Authority for Fiscal Year 2014-2015.

Moved by Howe, seconded by Easterday, that the Resolution Certifying the Tax Levy for the Downtown Development Authority for Fiscal Year 2014-2015, be adopted.

CARRIED unanimously.

3.

Consideration of adopting a Resolution Adopting the Downtown Development Authority Budget for Fiscal Year 2014-2015.

Moved by Howe, seconded by Richardson, that the Resolution Adopting the Downtown Development Authority Budget for Fiscal Year 2014-2015, be adopted.

CARRIED unanimously.

4.

Consideration of adopting a Resolution Certifying the Tax Levy for the City of Traverse City for Fiscal Year 2014-2015.

Moved by Richardson, seconded by Budros, that the Resolution Certifying Tax Levy for The City of Traverse City for Fiscal Year 2014-2015, be adopted.

CARRIED unanimously.

5.

Consideration of adopting a Resolution Certifying the Tax Levy for Act 345 Police and Fire Pension System for Fiscal Year 2014-2015.

Moved by Carruthers, seconded by Werner, that the Resolution Certifying Tax Levy for Act 345 Police and Fire Pension System for Fiscal Year 2014-2015, be adopted.

CARRIED unanimously.

6.

Consideration of adopting a Resolution Establishing Water and Sewer Rates and Water and Sewer Charges for Services.

Moved by Easterday, seconded by Budros, that the Resolution Establishing Water Rates, Water Service Charges and Sewer Rates be adopted, with the rates to be effective July 1, 2014.

CARRIED unanimously.

7.

Consideration of adopting a Resolution Approving the Traverse City Comprehensive Budget for Fiscal Year 2014-2015, including the Capital improvements Plan.

Moved by Budros, seconded by Easterday, that the Resolution Adopting The City of Traverse City Fiscal Year 2014-2015 Comprehensive Annual Budget Report, including the City's Capital Improvements Plan, be adopted.

Moved by Howe that the motion to adopt the Resolution Adopting the City

of Traverse City Fiscal Year 2014-2015 Comprehensive Annual Budget Report, including the City's Capital Improvement Plan, be amended to provide the creation of a capital fund for city parkland in an amount no less than \$300,000 with the funds for such capital fund to come from the General Fund and/or Economic Development Fund.

There being no second, the motion to amend the resolution did not come before the Commission; and Mayor Michael Estes announced the motion on the floor, which remained as the original motion made, which is as follows: "Moved by Budros, seconded by Easterday, that the Resolution Adopting The City of Traverse City Fiscal Year 2014-2015 Comprehensive Annual Budget Report, including the Capital Improvements Plan, be adopted."

CARRIED unanimously.

8(a).

Consideration of adopting a Resolution Approving the Traverse City Light and Power Budget for Fiscal Year 2014-2015.

Moved by Richardson, seconded by Budros, that the Resolution Adopting the Traverse City Light and Power Budget for Fiscal Year 2014-2015, be adopted.

The following addressed the Commission:

Jered Ottenwess, City Manager
Lauren Tribble-Laucht, City Attorney

CARRIED unanimously.

8(b).

Consideration of adopting a Resolution Approving the Traverse City Light and Power Capital Improvement Plan for Fiscal Year 2014-2015.

The following addressed the Commission:

Tim Arends, Traverse City Light and Power Executive Director

Lauren Tribble-Laucht, City Attorney

Moved by Carruthers, seconded by Richardson, that the Resolution Approving the Traverse City Light and Power Capital Improvement Plan, with removal of Traverse City Light and Power Capital Improvement Plan Project Line Item 820.

Roll Call:

Yes - Howe, Richardson, Carruthers.

No - Budros, Easterday, Werner, Estes.

FAILED.

Moved by Easterday, seconded by Budros, that the resolution approving the Traverse City Light and Power Capital Improvement Plan be adopted.

Roll Call:

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

No - Carruthers.

CARRIED.

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

4. New Business

4(a).

Consideration of a request from the City Opera House Heritage Association to attach a marquee to the City Opera House and authorizing the related agreement for the City Opera House Heritage Association to provide funds, subject to approval of the marquee by the Historic Districts Commission.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Budros, that that City staff be directed to prepare an encroachment application and to forward the proposed project to the Historic District Commission for its review.

Thomas Darga, 7534 East Sierra, Bingham Township - City Opera House Heritage – made general comments

Seamus Shinnors, 410 Seventh Street – made general comments

CARRIED unanimously.

5. Appointments

5(a).

Consideration of re-establishing the City Commission Ad Hoc Committee for Water Bottle Filling Stations.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Easterday, seconded by Budros, that a City Commission Water Bottle Filling Station Ad Hoc Committee be reestablished (originally established May 20, 2013, and re-established on November 18, 2013) to make recommendation regarding future water bottle filling stations; and that Commissioners Easterday, Carruthers and Mayor Estes, be reappointed to such committee, with Commissioner Easterday to serve as Chair, with the committee set to expire November 18, 2014.

CARRIED unanimously.

5(b).

Consideration of re-establishing the City Commission Ad Hoc Committee regarding the Parks and Public Land Use Policy and Noise Regulations to make a

recommendation regarding noise regulations for events held on city property.

Moved by Richardson, seconded by Budros, that a City Commission Parks and Public Land Use Policy and Noise Ad Hoc Committee be re-established (originally established on November 18, 2013), to make recommendation regarding noise regulations; and that Commissioners Budros, Howe and Richardson, be reappointed to such committee, with Commissioner Richardson to serve as Chair, with the committee set to expire November 18, 2014.

CARRIED unanimously.

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 1. Report from the Mayor serving on the Downtown Development Authority.
 2. Report from Commissioners serving on the Light and Power Board.
 3. Report from the Mayor and Commissioner serving on the Planning Commission.
 4. Capital Improvement Program Quarterly Project Update dated May 1, 2014, from the City Planning Director and City Engineer.
 5. Quarterly Financial Report from the City Treasurer/Finance Director for the second quarter which ended December 31, 2013.

6. Report from Commissioners serving on other boards.
 7. Minutes of the Traverse City Light and Power Board Meeting of April 8, 2014.
 8. Minutes of the Act 345 Retirement System Board Meeting of February 26, 2014.
 9. Minutes of the Board of Zoning Appeals meeting of April 8, 2014.
- e. Reports and correspondence from non-City officials.
1. Monthly Operations Report for the Wastewater Treatment Plant from CH2M HILL for April 2014.
 2. Fractile Emergency Response Report from North Flight for April 2014.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None.

2. General.

Rick Buckhalter, 932 Kelley Street
John DiGiacamo, 440 North Spruce Street

3. Mayor and City Commissioners.

Commissioner Gary Howe
Mayor Pro Tem James Carruthers
Commissioner Jeanine Easterday
Commissioner Barbara Budros
Mayor Michael Estes

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:35 pm.


Benjamin C. Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)

DRAFT



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: ZONING ORDINANCE AMENDMENTS—REQUIREMENTS
BUILDING HEIGHT

Attached is a previously submitted memo from City Planning Director Russell Soyring regarding zoning ordinance amendments for the purpose of allowing an increase in building height in the Hotel Resort (HR), Office Service (C-1) and Neighborhood Center (C-2) Districts, from 40 to 45 feet and requires a first floor building height of 15 feet in the Hotel Resort (HR), Office Service (C-1), Neighborhood Center (C-2), Community Center (C-3), Regional Center (C-4), and Development (D) Districts, as recommended by the City Planning Commission.

I recommend the following motion:

that 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

(Motion continued on page 2)

floor height in HR, C-1, C-2, C-3, C-4 and D Districts, as recommended by the Planning Commission, which was introduced on May 19, 2014 be enacted with an effective date of June 2, 2014.

JJO/kjl

k:\tcclerk\city commission\ordinance amendments\building height_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 

DATE: May 12, 2014

SUBJECT: ORDINANCE AMENDMENT TO INCREASE BUILDING HEIGHT IN THE HR, C-1 AND C-2 DISTRICTS AND REQUIRE A MINIMUM 15-FOOT FIRST FLOOR HEIGHT REQUIREMENT IN VARIOUS DISTRICTS

The Planning Commission previously discussed building heights as several study sessions last fall and more recently at the March 18, 2014 study session. Draft ordinance amendments were formally introduced at the April 1, 2014 Planning Commission meeting and were recommended for approval at the Planning Commission's May 6, 2014 meeting. There were 2 public comments made during the Public Hearing including 1 general comment and 1 in support.

The amendments allow for an increase in building height in the Hotel Resort (HR) District from 40 to 45 feet and allows for an increase to the residential bonus height in the Office Service (C-1) and Neighborhood Center (C-2) Districts from 40 to 45 feet. In addition, a requirement of a minimum 15-foot first floor height is being recommended in the HR, C-1, C-2, Community Center (C-3), Regional Center (C-4) and Development (D) Districts.

The following motion was made:

Motion by Commissioner Easterday, second by Commissioner Warren, that an amendment to the Traverse City Code of Ordinances Size and Area Requirements, Section 1368.01, *Building Height*; Hotel Resort (HR) District, Section 1338.06, *Building Height*, and Section 1338.09, *Special Requirements*; Office Service (C-1) District, Section 1340.06, *Building Height*, and Section 1340.09, *Special Requirements*; Neighborhood Center (C-2) District, Section 1342.06, *Building Height*, and Section 1342.09, *Special Requirements*; Community Center (C-3) District, Section 1344.09, *Special Requirements*; Regional Center (C-4) Districts, Section 1346.09, *Special Requirements*; and Development (D) Districts, Section 1347.09, *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 be recommended by the Planning Commission and such recommendation be forwarded to the City Commission for their consideration. Motion carried 9-0.

Please pass on the Planning Commission's recommendation to the City Commission regarding this Zoning Code amendment request.

RAS/ml

Attachment: Zoning Code Amendments

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: **SIZE AND AREA REQUIREMENTS BUILDING HEIGHT ORDINANCE
 AMENDMENT**

THE CITY OF TRAVERSE CITY ORDAINS:

That Size and Area Requirements Section 1368.01, *Building Height*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

- | | | | |
|---------|---|---------|---------------------|
| 1368.01 | Building height. | 1368.04 | Condominiums. |
| 1368.02 | Setbacks; yards. | 1368.05 | Compliance required |
| 1368.03 | Lot width, lot area, impervious surface and density requirements. | | |

1368.01 BUILDING HEIGHT.

- (a) **Purpose.** The height standards serve several purposes:
- (1) They promote a reasonable building scale and relationship of one building to another;
 - (2) They promote options for privacy for neighboring properties; and
 - (3) They reflect the general building scale and placement of buildings in the area.
- (b) All maximum heights below may be further limited to ensure the maximum safety in the use of the Cherry Capital Airport.
- (c) **Height requirements.** The maximum and minimum height requirements are indicated in the following chart:

District	Feet (max)
OS	45
RC	45
R-1a/ R-1b	35
R-2	35
R-9	40
R-15	40
R-29	40
HR	40 ^{5,8}

District	Feet (min-max)
C-4 ¹	a 30-45 ⁸
	b 30-60(68 ^{2,4,8})
	c 30-85 ^{2,5,8}
T	45
GP	25-90
I	60 (public utility buildings - 100')
NMC-1	45
NMC-2	90 (On Bay: 50')

C-1		30 ⁸ (405 ^{3,8})
C-2		30 ⁸ (405 ^{3,8})
C-3		45 ⁸
D	See D District chapter ⁸	

H-1		45
H-2	See H District Chapter	
PRD	See PR District chapter	

¹ Buildings in the C-4 District shall have a minimum height of thirty (30) feet, except an existing building may have an addition of no larger than the area of the first floor of that building as it existed on the effective date of Ordinance No. 467, which is July 16, 1999.

² Over sixty (60) feet in height may be allowed only by special land use permit or as part of a planned unit development and subject to the requirements listed above.

³ Fortyfive (405) feet in height is allowed if at least one floor is designed and used for residential uses.

⁴ Sixty-eight (68) feet in height is allowed if at least 20% of the building is designed and used for dwellings.

⁵ An additional fifteen (15) feet is allowed for rooftop mechanical equipment or elevator shafts, but not to exceed an overall height of one hundred (100) feet. Buildings over 60 feet tall shall have at least 20% of the building designed and used for dwellings.

⁶ Air traffic control towers are exempt from this height requirement.

⁷ All existing buildings may double their existing first floor area.

⁸ All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience. (Ord. 476. Passed 7-6-99. Ord. 491. Passed 4-17-00. Ord. 552. Passed 12-17-01. Ord. 628. Passed 3-15-04. Ord. 652. Passed 8-16-04. Ord. 705. Passed 7-17-06. Ord. 742. Passed 3-19-07.)

1368.02 SETBACKS; YARDS.

(a) Purpose. The setback regulations for buildings serve several purposes:

- (1) They maintain light, air, separation for fire protection, and access for firefighting;
- (2) They reflect the general building scale and placement of buildings in the City's neighborhoods;
- (3) They promote a reasonable physical relationship between buildings; and
- (4) They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity.

(b) Setbacks required. Unless a stated specific setback is established by this Code, the minimum setbacks, the distance between a property line and a building wall, are required as indicated in each district's chapter in this Code and on the following chart:

District	Front	Side setbacks		Rear	Setback from water
		One Side	Aggregate		
OS	Average setback of buildings	10	20	30	50' from ordinary high

District	Front	Side setbacks		Rear	Setback from water
		One Side	Aggregate		
	within 200' on either side or 30' if there are no buildings				water mark of Grand Traverse Bay and Boardman Lake and 25' from ordinary high water mark of Boardman River or any dock line established by City ordinance (exceptions in OS District for certain buildings).
RC	Average setback of buildings within 200' on either side or 25' if there are no buildings	10 (None if adjacent to an RC district.)	20 (None if adjacent to an RC District)	30	
R-1a	25' minimum	8 ²	20 ²	30	50' from ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25' from ordinary high water mark of Boardman River or any dock line established by City ordinance (exceptions in OS District for certain buildings).
R-1b	Within 4' of the average setback of principal buildings on the same face block; no closer than 6' from the front property line.	6 ²	14 ²	25	
R-2	A	6 ²	14	25	
R-9	A	6	14 ¹	25	
R-15	A	6	14 ¹	25	
R-29	A	6	14 ¹	25	
HR	Within 4' of the average setback of principal buildings on the same face block; no closer than 8' from the front property line.	None, except a minimum 10-foot side setback is required on the side adjoining a residential district.		5 feet, except a minimum 20-foot rear setback is required if adjacent to or across an alley from a residential district.	50' from ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25' from ordinary high water mark of Boardman River or any dock line established by City ordinance (exceptions in OS District for certain buildings).
C-1	The lesser of 8' or the average setback of			5 feet, except 20' on any portion abutting or across	

District	Front	Side setbacks		Rear	Setback from water
		One Side	Aggregate		
	principal buildings on the same face block.	None, except a minimum 10-foot side setback on any side adjoining an R-District.		an alley from an R-District	Build to edge of a public easement; if no public easement, 10' from high water mark or dockline established by City ordinance
C-2	A Maximum 25'			5 feet, except 20 feet if adjoining an R-District.	
C-3	Bldg 25' max Bldg 8' min			5', except 20' on any portion abutting or across an alley from an R-District.	
C-4	2.5 ³ minimum, 15' maximum.				
	Buildings shall be set back a minimum of 25' from any bridge abutment unless otherwise approved by the City Engineer if he or she determines that the building will not interfere with the maintenance or reconstruction of the bridge and that utilities will not be adversely impacted.				
D	See Chapter 1347 for requirements				
T	25'	0	0	None, except 25' if abutting or adjacent to an R-district	N/A
GP	25' minimum, or as shown on the approved Master Site and Facilities Plan allowing a lessor setback.	None, except 25' if abutting or adjacent to an R-District.	N/A	25 feet	25' inland from the ordinary high water mark or any dockline established by City ordinance
I	25'	0	0	15' minimum	N/A
NMC-1 & NMC-2	100' or as shown on approved Master Site & Facilities Plan.	0	0	5 feet, except 20' if abutting or adjacent to an R-district.	50' from ordinary high water mark of Grand Traverse Bay
H-1	The lessor of 8 feet or the average setback of principal buildings on the	5 feet, except a 10' setback is required on a side adjoining an R-District.			N/A

District	Front	Side setbacks		Rear	Setback from water
		One Side	Aggregate		
	same face block.				
H-2	25 feet or as shown on the approved Master Site and Facilities Plan allowing a lessor setback.				

¹ For structures above grade on lots or tracts of land on Grand Traverse Bay, the setback is the greater of 30% of the lot width or the number listed on the chart above.

² 35% of a building wall may be located no closer than 4' from the property line.

³ Existing buildings closer than 2.5 feet that have been damaged by fire, explosion, act of God or similar causes and located closer than 2.5 feet may be restored or rebuilt at the same location using the same foundation unless located in the right-of-way.

- (c) **Encroachments into the setbacks.** No encroachments into the setbacks are allowed except those indicated in each district chapter and except barrier free ramps as approved by the Planning Director and except in the C-4 district, a building, balcony, porch or deck may project no more than five feet into a rear setback provided these projections are not less than 15 feet above grade and provided they do not project into any public right of way and except eaves, chimneys, sills, belt courses, cornices and ornamental features not to exceed two and a half feet are permitted to extend within the front or rear setbacks.
- (d) **Storage in an R-district yard.** In an R-district, no yard, except the rear yard, shall be used for the location of a swimming pool or for the storage of a boat, motor home, camper, utility trailer or other recreational vehicle or equipment. For the purposes of this Code, storage shall mean parking the vehicle or equipment in an area unused for the purpose for which it was designed for a period of thirty consecutive days or more.
- (e) **Contiguous lots.** Two or more parcels, lots of record or platted lots, when contiguous and when held in common ownership, shall be treated together as a single lot for the purposes of this Zoning Code, provided such lots are located in the same zoning district.
- (f) **Corner lots.** On corner lots, the location of the required rear setback will be determined by the Planning Director, who will use the following guidelines in reaching a decision:
- (1) The required rear setback is commonly located opposite the street frontage having the lessor dimension.
 - (2) The required rear setback is opposite the street upon which the address has been assigned.
 - (3) The required rear setback commonly abuts a public alley.
 - (4) The required rear setback is commonly located to conform to the established development pattern of adjacent properties on the face block.

- (g) **Nonconforming lots.**
- (1) When a lot of record as of the effective date of this ordinance has less area or width than herein required in the district in which it is located, and the owner of such lot does not own any other parcel adjacent thereto, such lot may nonetheless be used for the construction of a dwelling and for normal accessory uses subject to the standards of this Code.
- (2) Where two or more abutting lots of record, which individually provide less area or width than herein required, are owned by the same party and such lots together create a parcel which complies with the area or width standards of this Zoning Code, such lots shall not thereafter be divided for the purpose of creating another buildable lot or parcel, except in accordance with the requirements of this Code.
- (h) **Compliance Required.** No setback area or lot existing at the time of adoption of this Zoning Code shall be reduced in dimensions or area below the minimum requirements set forth herein except as a result of government action. Setbacks or lots created after the effective date of this Zoning Code shall meet at least the minimum requirements established herein.
- (i) **Street-specific setbacks.** The following setbacks are specific to the streets indicated:
[reserved]
- (Ord. 476. Passed 7-6-99. Ord. 490. Passed 4-17-00. Ord. 510. Passed 9-18-00. Ord. 576. Passed 10-7-02. Ord. 625. Passed 3-15-04. Ord. 653. Passed 8-16-04.)

1368.03 LOT WIDTH, LOT AREA, IMPERVIOUS SURFACE AND DENSITY REQUIREMENTS.

- (a) **Density.** Density standards serve several purposes. They match housing density with the availability of public services and with the carrying capacity of the land. For example, more housing can be allowed on flat areas than on steep, slide-prone zones. At the same time, density standards promote development opportunities for housing and promote urban densities in less developed areas. The density regulations are a tool to judge equivalent density when comparing standard and nonstandard land divisions (such as Planned Unit Developments).
- (b) **Lot size.** In standard land divisions, lot size limits help to preserve the overall character of developed neighborhoods by assuring that new houses will generally have the same size lots as the surrounding built-up area. They also assure that development on a lot will, in most cases, be able to comply with all applicable development standards.
- (c) **Compliance Required.** Every single family dwelling and every two family dwelling erected or structurally altered after the effective date of this Zoning Code in the R-1a, R-1b, and R-2 districts shall be located on a lot.
- (d) **Impervious Surface.** Surface parking areas shall not exceed the total floor areas of all buildings on the lot in the C-4 and GP districts. In the NMC-1 and NMC-2 districts, the surface parking area shall not exceed fifteen percent (15%) of the total area of any lot over ten acres.

SIZE AND AREA REQUIREMENTS

(e) **Table.** The lot width, lot area and impervious surface and density requirements for each district shall be as indicated in each district and as on the following chart:

District	Minimum Lot Width (feet) ¹	Minimum Lot Area (square feet)	Maximum Density (dwelling units per acre)	Maximum Impervious Surface %
OS	20	None	N/A	20
RC	20	None	4.4	20
R-1a	90	9,000	Not applicable	30
R-1b	35/45 ⁶	5,000	Not applicable	45
R-2	50 or 35 for a single family dwelling	8,000 per two family dwelling or 4,000 per single family dwelling	Not applicable	45
R-9	50	7,500	9 (18 ⁴)	35 (45 ⁵)
R-15	50	7,500	15 (30 ⁴)	40 (50 ⁵)
R-29	50	7,500	29 (58 ⁴)	50 (68 ⁵)
HR	50	7,500	29; 44 rooms/acre	70
C-1	20	3,750	N/A	60
C-2	20	3,750	N/A	70
C-3	20	3,750	N/A	80
C-4	None	None	N/A	100 ³
D	See Chapter 1347 for requirements			
T	20	None	None	70
GP	20	None	None	70 ²
I	100	None	None	80
PRD	See Chapter 1352 for requirements			
NMC-1	20	None	15	30 ²
NMC-2	20	None	29	50 ²
H-1	20	None	29	70
H-2	20	None	29	60

¹ See access control restrictions, Traverse City Code, Section 1374.04.

² The surface parking area shall not exceed fifteen percent (15%) of the total area of any lot over ten acres.

³ The surface parking area shall not exceed the total floor area of all buildings on the lot.

SIZE AND AREA REQUIREMENTS

⁴ A density bonus shall be provided equal to one market-rate unit for each affordable housing unit provided according to the requirements of *Chapter 1376*. Density shall not exceed the maximum density specified.

⁵ The maximum impervious surface percentage may be increased by up to 10 percentage points for projects that include affordable housing units that meet the standards of Chapter 1376, as authorized by the Planning Director, if the modification is necessary to reasonably achieve the permitted density, including the bonus units; or to achieve a greater number of affordable housing units than the defined affordable housing incentives.

⁶ The minimum lot width for parcels located north or east of the US31/M-72, east of Milliken Drive and south of Eastern Ave are 45 feet.

(Ord. 476. Passed 7-6-99. Ord. 489. Passed 4-17-00. Ord. 534. Passed 6-4-01. Ord. 551. Passed 12-3-01. Ord. 555. Passed 2-4-02. Ord. 568. Passed 7-11-02. Ord. 624. Passed 3-15-04. Ord. 654. Passed 8-16-04. Ord. 829. Passed 3-16-09. Ord. 832. Passed 5-4-09. Ord. 890. Passed 11-1-10. Ord. 917. Passed 6-6-11. Ord. 956. Passed 1-7-13)

1368.04 CONDOMINIUMS.

Dimensional requirements for commercial and multi-family condominiums shall be computed on the basis of the entire condominium project land. Dimensional requirements for residential, single and two-family condominiums shall be computed based on the lot lines as established in the condominium documents, or, if none, based on each separate structure and a hypothetical lot line as approved by the Planning Director after considering common elements, limited common elements, and private elements. The area of streets to be used by more than one separate condominium building shall not be included in lot area computations. (Ord. 476. Passed 7-6-99.)

1368.05 COMPLIANCE REQUIRED.

Any building or structure erected, converted, enlarged, reconstructed or structurally altered shall conform with the height, yard, bulk and other dimensional limits herein established for the district in which located. No portion of one lot, once established and/or improved with a building or structure shall be created unless each lot resulting from each such reduction, division or sale shall conform with all of the requirements established herein.

(Ord. 476. Passed 7-6-99.)

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

I hereby certify the above ordinance amendment was introduced on _____, 2014, at a regular meeting of the City Commission and was enacted on _____, 2014, at a regular meeting of the City Commission by a vote of Yes: ___ No: ___ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above

SIZE AND AREA REQUIREMENTS

ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on _____.

Benjamin C. Marentette, City Clerk

DRAFT

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: HOTEL RESORT (HR) BUILDING HEIGHT ORDINANCE AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Hotel Resort (HR) District Section 1338.06, *Building Height*, and Section 1338.09, *Special Requirements*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

The Hotel Resort (HR) District is for the purpose of accommodating tourist-related land uses along the major routes near tourist attractions. It is important that motor vehicle access be limited and land uses are compatible with peak traffic flows. Uses for these zones include multi-family housing, lodging facilities, accessory offices, and limited uses that are functionally integrated as part of the development.

(Ord. 782. Passed 2-4-08.)

CROSS REFERENCES

Zoning and planning in home rules cities - MCL 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCL 125.581

Regulation of buildings; authority to zone - MCL 125.582

Regulation of congested areas - MCL 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCL 125.583a

Motels - See BR & T Chapter 836

1338.01	Uses allowed.	1338.06	Building height.
1338.02	Uses allowed by special land use permit.	1338.07	Accessory buildings.
1338.03	Lot, density and impervious surface provisions.	1338.08	Parking, loading and driveways.
1338.04	Setbacks.	1338.09	Special requirements.
1338.05	Encroachments into the setbacks.		

1338.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in the Hotel Resort District:

- R-29 District uses;
- Lodging facilities;
- Offices, and retail shops provided the total floor area of the business or business within a building does not exceed 6,000 square feet in gross floor area on one level;
- Restaurants, family or fine, banquet or meeting rooms, but not drive-ins or drive-throughs

and not exceeding 6,000 square feet in gross floor area.

- Drinking places without entertainment, up to 6,000 square feet gross floor area;
- Drinking places with entertainment if not adjacent to, abutting or across an alley from a residential district.
- Vacation Home Rentals maintaining a City Vacation Home Rental license.
- Veterinary Services, without outdoor runs.

(Ord. 476. Passed 7-6-99. Ord. 492. Passed 4-17-00. Ord. 623. Passed 3-15-04. Ord. 782. Passed 2-4-08. Ord. 788. Passed 3-17-08. Ord. 844. Passed 8-3-09.)

1338.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in the Hotel Resort District if a special land use permit is issued according to the standards of this Code:

- Essential services buildings
- Residential care and treatment facilities
- Transitional housing
- Communication towers
- Wind Energy Building-Mount

(Ord. 476. Passed 7-6-99. Ord. 709. Passed 10-2-06. Ord. 938. Passed 4-2-12)

1338.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
50 feet	7,500 sq. feet	44/rooms/acre	70% maximum

(Ord. 476. Passed 7-6-99. Ord. 489. Passed 4-17-00. Ord. 624. Passed 3-15-04. Ord. 885. Passed 11-1-10.)

1338.04 SETBACKS.

(a) **Front setbacks:**

Building: The minimum setback is the lesser of 8 feet or the average setback of principal buildings on the same face block on the same side of the street. The maximum setback is 25 feet.

Parking area: To the side or rear of the principal building and set back a distance at least equal to the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) **Side setbacks (minimum):**

Building: None, except a minimum 10-foot side setback is required on the side adjoining a residential district. For structures above grade on lots or tracts of land on Grand Traverse Bay, the setback is the greater of 30% of the lot width or the number listed above.

Parking area: Minimum of 10 feet if adjacent to an R-district. Otherwise, 5 feet. If shared parking is developed, these setbacks would affect only the perimeter of the combined parcels.

(c) **Rear setbacks:**

Building: 5 feet, except a minimum 20-foot rear setback is required if adjacent to or across an alley from a residential district.

Parking area: 5 feet. 20 feet if abutting, adjacent to or across an alley from an R-District.

(d) **Corner lots and through lots** shall have a front setback on both streets.

(e) **Water setbacks:** 50 feet inland from the ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25 feet from the ordinary high water mark of Boardman River. Where the dock line is established by City ordinance, it shall be measured inland from the dock line.

(Ord. 476. Passed 7-6-99. Ord 490. Passed 4-17-00. Ord. 625. Passed 3-15-04. Ord. 716. Passed 1-2-07.)

1338.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into the required setbacks are allowed except:

(a) **Eaves, chimneys, sills, belt courses, cornices and ornamental features** not to exceed 18 inches are permitted to extend within the setbacks.

(b) **Terraces, patios, decks, uncovered and unenclosed porches** and other ornamental features which do not extend more than 30 inches above grade at the nearest side property line may project into a required side setback provided these projections are no closer than 2 feet from the subject side property line.

(Ord. 476. Passed 7-6-99. Ord. 626. Passed 3-15-04.)

1338.06 BUILDING HEIGHT.

(a) **Building height:** Maximum 405 feet.

(b) **Exceptions:**

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

1338.07 ACCESSORY BUILDINGS.

Accessory buildings shall:

(a) Only be permitted in the rear yard, except a pool equipment structure may be located in a front or side yard, and except accessory buildings may be located streetward on lots on navigable water and may be located streetward of the principal building on the less traveled street on through lots;

(b) Be located no closer than 5 feet to any side or rear property line. A boat house up to 250 sq. ft. gross floor area may be built to the water's edge.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1338.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for

every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.

Any residential building or driveway constructed after the effective date of this zoning code which has access to a maintained alley shall not have access to a street nor shall a parking area be located in the front yard.

For parcels having alley access, the parking of a boat, motor home, camper, utility trailer or other recreational vehicle is limited to the rear yard.

(Ord. 476. Passed 7-6-99. Ord. 762. Passed 7-2-07.)

1338.09 SPECIAL REQUIREMENTS.

The following are additional requirements for hotel, motel and restaurant uses:

- (a) Mechanical equipment shall be screened from public view using the same materials used for the building walls or material which is approved by the Planning Director as visually compatible with the building.
- (b) The main entry door of the principal building must face the street.
- (c) Window openings in the principal building must constitute a minimum of 40 percent of the area of the first story street wall facing any public street unless the building is solely for residential use.
- (d) Window glazing shall be recessed from the outside of all walls.
- (e) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street-facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements, however, offsets in any wall shall not be less than eight inches from the subject plane.
- (f) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.

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

I hereby certify the above ordinance amendment was introduced on _____, 2014, at a regular meeting of the City Commission and was enacted on _____, 2014, at a regular meeting of the City Commission by a vote of Yes: ____ No: ____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on

Benjamin C. Marentette, City Clerk

DRAFT

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: OFFICE SERVICE (C-1) DISTRICT RESIDENTIAL BONUS BUILDING HEIGHT AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 1340.06, *Building Height*, and Section 1340.09, *Special Requirements*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

The Office Service (C-1) District is for the purpose of accommodating residentially scaled commercial buildings. A variety of low intensity uses designed to integrate with adjacent residential areas. Uses permitted generally generate low to moderate trips. Existing residential structures are intended to be preserved and adaptively reused without substantially altering the appearance of building exteriors. New structures, signs and lighting should be sensitive and respectful to adjacent residential properties.

1340.01	Uses allowed.	1340.06	Building height.
1340.02	Uses allowed by special land use permit.	1340.07	Accessory buildings.
1340.03	Lot, density and impervious surface provisions.	1340.08	Parking, loading and driveways.
1340.04	Setbacks.	1340.09	Special requirements.
1340.05	Encroachments into the setbacks.		

CROSS REFERENCES

Zoning and planning in home rules cities - MCLA 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581

Regulation of buildings; authority to zone - MCLA 125.582

Regulation of congested areas - MCLA 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a

Signs - B & H Chapter 1476

1340.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in the Office Service District:

- R-29 District uses;
- Art galleries;
- Business services;
- Educational services, except schools;
- Engineering, accounting, research, management & related services except testing and laboratory services;

- Finance, insurance and real estate services;
- Funeral services, excepting crematories;
- Health services except hospitals, sales and rentals;
- Legal services;
- Mailing services;
- Membership organizations;
- Offices;
- Personal services, including walk-in laundry and dry cleaning pick-up stations, but laundry cleaning and garment services are not allowed and without drive-throughs;
- Places of worship;
- Public administration, except correctional institutions;
- Repair services - watch, clock and jewelry;
- Repair services - reupholstery and furniture;
- Security services exclusive of sales and installation;
- Social services;
- Vacation Home Rentals maintaining a City Vacation Home Rental license;
- Veterinary Services, without outdoor runs.

(Ord. 788. Passed 3-17-08. Ord. 844. Passed 8-3-09. Ord. 954. Passed 10-1-12)

1340.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

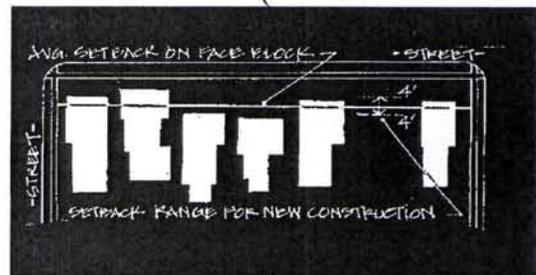
The following uses of land and buildings, together with Accessory Uses, are allowed in the Office Service District if a Special Land Use Permit is issued according to the standards of this Code:

- Communication towers
- Essential services buildings
- Residential care and treatment facilities
- Schools
- Transitional housing
- Wind Energy Building-Mount

(Ord. 938. Passed 4-2-12)

1340.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width(min.)</u>	<u>Lot area(min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	3,750 sq. ft.	N/A	60% maximum



6

. Passed 11-1-10.)

1340.04 SETBACKS.

(a) **Front setbacks:**

Building: The lesser of 8 feet or the average setback of principal buildings on the same face block.

Parking area: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) **Side setbacks:**

Building:

Each side: None, except a minimum 10-foot side setback is required on any side adjoining an R- District.

Parking area: 5 feet, except a 10-foot side setback is required on any side adjoining an R-District.

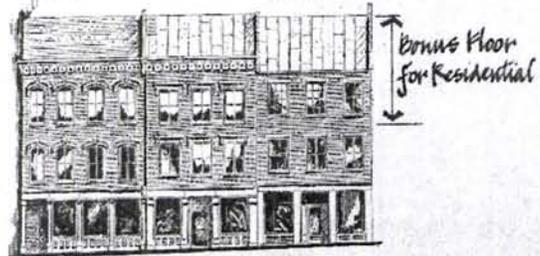
(c) **Rear setbacks:**

Building: 5 feet, except a 20 foot rear setback is required on portion abutting or across an alley from an R-district.

Parking area: 5 feet, except a 20 foot rear setback is required for any parking area abutting, adjacent to or across an alley from an R-district.

(d) **Corner lots and through lots** shall have a front setback on each street.

(e) **Water setbacks:** 50 feet inland from the ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25 feet from the ordinary high water mark of Boardman River. Where the dock line is established by City ordinance, it shall be measured inland from the dock line.



1340.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into the required setbacks are allowed except:

- (a) **Eaves, chimneys, sills, belt courses, cornices and ornamental features** not to exceed 18 inches are permitted to extend within the setbacks.
- (b) **An unenclosed balcony, porch or deck** may project into a rear setback for a distance not exceeding 10 feet.

1340.06 BUILDING HEIGHT.

(a) **Building height:**

Maximum 30 feet or with a floor designed and used for residential purposes: maximum 405 feet

(b) **Exceptions:**

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen a building's rooftop mechanical equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 730. Passed 3-19-07.)

1340.07 ACCESSORY BUILDINGS.

An accessory building shall:

- (a) Only be permitted in the rear yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.
- (b) Be located no closer than 4 feet to any side or rear property line. A boat house up to 250 square feet gross floor area may be built to the water=s edge.
- (c) Be constructed using materials and features similar to the principal building if the accessory building exceeds 500 square feet in gross floor area.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1340.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed. Additional parking is not required for upper story dwellings above a first floor commercial or office use if the commercial or office use is in compliance with the parking requirements of this Code. Any residential building or driveway constructed after the effective date of this zoning code which has access to a maintained alley shall not have access to a street nor shall a parking area be located in the front yard. For parcels having alley access, the parking of a boat, motor home, camper, utility trailer or other recreational vehicle is limited to the rear yard.

(Ord. 763. Passed 7-2-07.)

1340.09 SPECIAL REQUIREMENTS.

The following are additional requirements for hotel, motel and restaurant uses:

To preserve and reinforce the context of historic buildings and land to establish development patterns of the Office Service district, all new buildings and additions to existing buildings are to be designed, constructed and used in accordance with the following standards:

- (a) Except for buildings located on Garfield Avenue, no building shall have a gross floor area of more than 4,500 square feet on one level, and no more than 9,000 square feet gross floor area total, except a third floor and an additional 4,500 square feet are allowed if such floor is designed and used for residential purposes.
- (b) No use shall be open to the public between the hours of 10:00 p.m. and 6:00 a.m.
- (c) The predominant building wall and entryway shall face the street.
- (d) Unless determined to be impractical by the Planning Director, the building width shall not be less than 80 percent of the property width at the street.
- (e) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or

other permanent architectural elements, however, offsets in any wall shall not be less than eight inches from the subject plane.

- (f) Window glazing shall be recessed from the outside of all building walls.
- (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
- (h) Street-facing building facades shall incorporate permanent architectural elements which create shadow patterns and surface textures which, in turn, enhance visual interest.
- (i) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and interior circulation and windows with views into any designated street level use.
- (j) For each 90 feet of linear building frontage, pedestrian entrances will be required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must set back a minimum four feet from the facade.
- (k) The spacing and shape of windows and openings on the building shall closely reflect the fenestration of any adjacent historic buildings. Brick, stone, wood or a combination thereof, compatible with adjacent historic buildings, shall be used.
- (l) Fenestration, cornices and other primarily horizontal architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.
- (m) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
- (n) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.

(Ord. 476. Passed 7-6-99. Ord 503. Passed 5-15-00. Ord. 547. Passed 10-15-01. Ord. 559. Passed 3-18-02 Ord. 955. Passed 10-1-12).

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

I hereby certify the above ordinance amendment was introduced on _____, 2014, at a regular meeting of the City Commission and was enacted on _____, 2014, at a regular meeting of the City Commission by a vote of Yes: ____ No: ____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on

Benjamin C. Marentette, City Clerk

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: COMMUNITY CENTER (C-3), REGIONAL CENTER (C-4), AND DEVELOPMENT (D) DISTRICTS FIRST FLOOR 15-FOOT REQUIREMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Community Center (C-3) District Section 1344.09, Special Requirements, Regional Center (C-4) Districts 1346.09, Special Requirements, and Development (D) Districts Section 1347.09, Special Requirements, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

The Community Center (C-3) district is for the purpose of accommodating a wide range of retail goods and services available to the community. These uses are intended to be developed compactly and have coordinated access, preferably with limited driveways and shared parking facilities. More intense uses such as twenty-four-hour stores and drive-through establishments are appropriate.

1344.01	Uses allowed.	1344.05	Encroachments into the setbacks.
1344.02	Uses allowed by special land use permit.	1344.06	Building height.
1344.03	Lot, density and impervious surface provisions.	1344.07	Accessory buildings.
1344.04	Setbacks.	1344.08	Parking, loading and driveways.

1344.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in the Community Center district:

- HR District uses;
- C-2 District uses;
- Amusement and recreation services (see mechanical amusement arcades below);
- Communication establishments;
- Contractors, with no outside storage;
- Drinking places with entertainment;
- Equipment rental and leasing;
- Finance services, including those having drive throughs subject to the standards of Section 1374.06, Drive-throughs;
- Kennels, provided no that no building, open kennel or exercise runway is closer than 200 feet from a Residential District;
- Mechanical amusement arcades subject to the following:
 - (1) All necessary licenses are obtained and maintained.
 - (2) There is in physical attendance at all times of operation a minimum of one adult

employee whose sole responsibility is to supervise the conduct of patrons on or near the premises.

- (3) Suitable ventilation, fire protection measures and adequate lighting inside and outside the premises are provided for the safety of patrons and the public as required by the Fire Marshal.
 - (4) One bicycle rack per mechanical amusement device is provided on-site and located subject to the approval of the Planning Director.
 - (5) There is not more than one arcade in a face block, and in no case shall an arcade be located closer than 600 feet to any existing arcade or amusement park.
- Medical Marihuana Collective meeting the following requirements:
 - (1) Use and transfer of Medical Marihuana shall comply at all times with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
 - (2) Transfer of Medical Marihuana shall be only allowed to a Qualifying Patient directly in person by his or her Registered Primary Caregiver or by another Qualifying Patient as allowed by the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
 - (3) The Collective shall not be in operation between the hours of 10:00 p.m. and 7:00 a.m.
 - (4) No Medical Marihuana Cultivation shall occur on the parcel.
 - (5) Except for parents or guardians of a Qualifying Patient and the Owner or staff of the facility, persons other than a Qualifying Patient or Primary Caregiver shall be not permitted within the Collective when Medical Marihuana is being transferred or used.
 - (6) A Qualifying Patient under the age of 18 shall be accompanied by a parent or guardian and notice of such shall be conspicuously posted.
 - (7) A Medical Marihuana Collective shall not be located within a 1,000 foot radius from any existing School.
 - (8) A Medical Marihuana Collective shall not be located within 1000 feet from another existing Collective.
 - (9) An Owner or Operator of a Medical Marihuana Collective shall not have been convicted of a felony involving controlled substances.
 - (10) The name and address of all persons with an ownership interest in the Medical Marihuana Collective and all Operators of the Medical Marihuana Collective shall be provided to the Zoning Administrator at least ten (10) business days prior to opening the Medical Marihuana Collective and least ten (10) business days prior to when a new person owns or operates the Medical Marihuana Collective.
 - Microbrewery
 - Motorized vehicle dealers, mobile home dealers, watercraft dealers and recreational vehicle dealers subject to the following conditions:
 - (1) All outdoor display and storage in front or on the side of a building shall meet landscape requirements for parking areas.
 - (2) Outdoor display areas shall be differentiated from parking areas using contrasting surface material and shall be designated on a site plan.

- (3) Any display platforms shall not be elevated more than three feet higher than the adjacent public right of way.
- Personal services, including those having drive-throughs subject to the standards of Section 1374.06, *Drive-throughs*;
 - Pet boarding or pet grooming services, provided that no building, open kennel or exercise runway is closer than 200 feet from an R-District.
 - Printing (commercial);
 - Repair services, miscellaneous;
 - Restaurants, family, fine and fast, including drive-ins and drive-throughs accessory to an on-site, indoor, full service restaurant and including the parking requirements of Chapter 1372, *Landscaping* and Section 1374.06, *Drive-throughs*;
 - Retail trade;
 - Service stations and repair shops (except tire retreading) with or without fuel dispensing;
 - Theaters, except outdoor;
 - Vehicle wash facilities subject to the following standards:
 - (1) Customer stacking space shall be provided at a rate of three spaces per bay or wash area for a stationary-type (coin-operated) system, and eight spaces per bay for an automatic system.
 - (2) Customer stacking spaces shall be located and arranged to preclude obstruction of traffic flow on the public right-of-way or overhang and the public sidewalk.
 - (3) Grates the full width of the driveway shall be provided at the exits to intercept and collect excess water and prevent its spread onto the public right of way.
 - (4) A 35 foot setback is required from the property line where the primary exit for the vehicle wash facility is made. All other setbacks shall conform to the district requirements.
 - (5) All operations connected with this facility shall be conducted within the buildings, except for vacuuming, so as to minimize the effect of noise and moisture on surrounding areas.
 - (6) Where an auto wash is adjoining residential property or is separated from such property by a public alley, there shall be provided a continuous decorative screenwall of not less than five feet or more than six feet in height.
 - (7) Ingress and egress shall be on an arterial or collector street, except where the Planning Commission determines public welfare or safety would be best served by allowing other means of ingress or egress.
 - Veterinary services, provided that no building, open kennel or exercise runway is closer than 200 feet from a R-District;
 - Warehousing.

(Ord. 778. Passed 1-7-08. Ord. 878. Passed 8-16-10. Ord. 903. Passed 2-7-11.)

1344.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in the Community Center district if a special land use permit is issued according to the standards of this Code:

- Communication towers;
- Essential services buildings;

C-4 REGIONAL CENTER DISTRICTS

- Residential care and treatment facilities;
- Schools;
- Transitional housing
- Wind Energy Pole/Tower-Mount
- Wind Energy Building-Mount

(Ord. 476. Passed 7-6-99. Ord. 938. Passed 4-2-12)

1344.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	3,750 sq. ft	N/A	80% maximum

(Ord. 476. Passed 7-6-99. Ord. 888. Passed 11-1-10.)

1344.04 SETBACKS.

(A) **Front setbacks:**

Building: 25' maximum; 8' minimum

Parking area: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(B) **Side setbacks (minimum):**

Building:

One side/Aggregate:

None, except a 10-foot side setback is required on the side adjoining an R-District.

Parking area: 5 feet, except a 10-foot setback is required on any portion abutting an R-District.

(C) **Rear setbacks:**

Building: 5 feet, except 20 feet is required on any portion abutting or across an alley from an R- district.

Parking area: 5 feet, except 20 feet is required on any portion abutting, adjacent to or across an alley from an R-district.

(D) **Corner lots and through lots** shall have a front setback on each street.

(E) **Water setbacks:** 50 feet inland from the ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25 feet from the ordinary high water mark of the Boardman River.

Where the dock line is established by City ordinance, it shall be measured from the dock line.

(Ord. 476. Passed 7-6-99.)

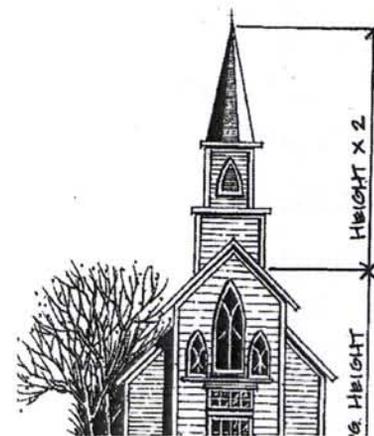
1344.05 ENCROACHMENTS INTO THE SETBACK.

No encroachments into the required setbacks are allowed except:

(A) **Eaves, chimneys, sills, belt courses, cornices and ornamental features** not to exceed 18 inches are permitted to extend within the setbacks.

(B) **An unenclosed balcony, porch or deck** may project into a rear setback for a distance not exceeding 10 feet.

(Ord. 476. Passed 7-6-99.)



1344.06 BUILDING HEIGHT.

(a) **Building height:**

Maximum 45 feet

(b) **Exceptions:**

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476. Passed 7-6-99. Ord. 732. Passed 3-19-07)

1344.07 ACCESSORY BUILDINGS.

An accessory building shall:

(a) Only be permitted in the rear yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.

(b) Be located no closer than 5 feet to any side or rear property line. A boat house, up to 250 sq. feet gross floor area, may be built to the water's edge.

(c) Be constructed using materials and features similar to the principal building if the accessory building exceeds 500 square feet in gross floor area.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1344.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year.

When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.

Parking is not required for upper story dwellings above a first floor commercial or office use.

Any residential building or driveway constructed after the effective date of this zoning code which has access to a maintained alley shall not have access to a street nor shall a parking area be located in the front yard. For parcels having alley access, the parking of a boat, motor home, camper, utility trailer or other recreational vehicle is limited to the rear yard.

(Ord. 476. Passed 7-6-99. Ord. 765. Passed 7-2-07.)

COMMUNITY CENTER (C-3) DISTRICT

1344.09 SPECIAL REQUIREMENTS.

To establish land development patterns of the district, all new buildings and additions to existing buildings are to be designed and constructed in accordance with the following standards:

(a) The predominant building wall and entryway shall face the public or private street.

(b) Unless determined to be impractical, by the Planning Director, the building width shall not be less than 60 percent of the property width at the street.

- (c) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements; however, offsets in any wall shall not be less than eight inches from the subject plane.
 - (d) Horizontal building modulation shall be used to reduce the perceived mass of a large building. Horizontal awnings, balconies, and roof features should be incorporated into new developments provided that their appearance varies through the use of color, materials, size and location.
 - (e) Except for buildings that are solely residential, windows or street level activities are required on 40 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and interior circulation and windows with views into any designated street level use.
 - (f) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
 - (g) Street-facing building facades shall incorporate permanent architectural elements which create shadow patterns and surface textures which, in turn, enhance visual interest.
 - (h) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
 - (i) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.
- (Ord. 619. Passed 2-2-04.)

C-4 Regional Center Districts

The Regional Center Districts are for the purpose of accommodating a broad variety of retail, office and residential uses integrated with hotels, convention centers, and integrated common parking facilities. Internal linkage between stores is encouraged. It is extremely important that new development be integrated with historically significant buildings. The first floors of buildings are primarily for retail, financial services and restaurants. Dominant and striking visual features of the central area of the City should be maintained and enhanced. The upper stories of buildings are generally to be occupied by offices, services and residences. High density housing is also appropriate.

It is the intent of these districts to create streets which encourage pedestrian activity. Buildings along Boardman River should be designed to integrate with both the sidewalk and riverwalk systems. Driveways crossing sidewalks should be limited to public parking areas.

CROSS REFERENCES

Zoning and planning in home rules cities - MCLA 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581

Regulation of buildings; authority to zone - MCLA 125.582

Regulation of congested areas - MCLA 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a

Signs - B & H Chapter 1476

1346.01	Uses allowed.	1346.06	Building height.
1346.02	Uses allowed by special land use permit.	1346.07	Accessory buildings.
1346.03	Lot, density and impervious surface provisions.	1346.08	Parking, loading and driveways.
1346.04	Setbacks.	1346.09	Special requirements.
1346.05	Encroachments into the setbacks.		

1346.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in these districts:

- GP district uses;
- C-3 district uses, except the following: drive-ins, drive-throughs, sexually-oriented businesses, vehicle wash facilities, veterinary services and kennels;
- Boat liveryes;
- Convention centers;
- Drinking places with or without entertainment;
- Markets, public or municipal;
- Parking areas, private, for dwelling units (limited to one per dwelling unit); subject to Chapter 1374.
- Parking areas, private, interior, subject to the following standards:
 - (1) Parking area is accessed from the alley,
 - (2) Parking area is fully enclosed within a building,
 - (3) Parking surface is on average, at least four feet below the street elevation or is fronted with habitable space.
- Parking areas, private, subject to the following standards:
 - (1) Access shall be limited to one driveway per public street or two driveways per site, whichever is less.
 - (2) The parking is accessory to an allowed use.
 - (3) There can be demonstrated a need for private parking which will not be satisfied by existing public parking within 500 feet of the proposed use, except for private parking areas for dwelling units or interior private parking areas;
 - (4) All requirements of Chapter 1374, *Circulation and Parking*, are met, except Section 1374.03(d), *Parking Space Requirements*.
 - (5) All requirements of Sections 1372.04, *Screening Requirements for Parking Areas*, and 1372.05, *Landscape Development Internal to a Parking Area* are met.
 - (6) Pedestrian travel routes within the parking area shall be provided, clearly defined

and approved by the Planning Director.

- Parking areas, public, subject to the following standards:
 - (1) Access shall be limited to one driveway per public street or two driveways per site, whichever is less.
 - (2) All parking areas which abut a public street shall be set back a minimum distance of eight feet from the property line along said street and shall provide in this setback area appropriate screening with plant materials or a combination of plant materials, berming and decorative screenwalls to a minimum height of three feet.
 - (3) Pedestrian travel routes within the parking area shall be provided, clearly defined and approved by the Planning Director.
 - (4) Unless herein varied, the Landscaping and Site Development Chapter shall apply.
- Parking structures, public or private, subject to the following standards:
 - (1) Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. Ramping shall be concealed from public view to the greatest degree possible.
 - (2) Openings shall not exceed 60% of the total wall surface. Openings shall be vertical or square.
 - (3) Sloped roofs are not required for parking decks, however:
 - A. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.
 - B. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the language of historical buildings may be employed.
 - (4) The design of parking decks shall be consistent with the design of historical buildings in the area.

- Theaters, live and performance art centers.

(Ord. 476. Passed 7-6-99. Ord. 677. Passed 5-2-05. Ord. 782. Passed 2-4-08. Ord. 825. Passed 2-2-09.)

1346.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in these districts if a special land use permit is issued according to the standards of this Code:

- Communication towers;
- Drive-throughs for finance services;
- Essential services buildings;
- Parking areas, private, if public parking is available within 500 feet of the allowed use;
- Taller buildings in the C4-b or C4-c district;
- Transit centers.

(Ord. 476. Passed 7-6-99. Ord. 610. Passed 9-2-03. Ord. 677. Passed 05-02-05. Ord. 779. Passed 1-7-08.)

1346.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
No minimum.	No minimum.	N/A	100% maximum.

The surface parking area shall not exceed the total floor area of all buildings on the lot.
(Ord. 476. Passed 7-6-99. Ord. 684. Passed 10-03-05.)

1346.04 SETBACKS

(a) Front setbacks:

Building: 2.5 feet minimum, except existing buildings that have been damaged by fire, explosion, act of God or similar causes and located closer than 2.5 feet may be restored or rebuilt at the same location using the same foundation unless the foundation is located in the right-of-way. 8 feet maximum.

Private parking area: Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) Side setbacks (minimum):

Building:

One side/Aggregate: None, except 10-foot side setback is required on any side abutting or across an alley from an R-district.

Private parking area: 5 feet, except a 10-foot setback is required on any side abutting an R-district.

(c) Rear setbacks:

None, except a 5 foot setback if abutting an alley. A 20-foot setback is required if abutting or across an alley from an R-district.

(d) Corner lots and through lots shall have a front setback on each street.

(e) Water setbacks:

May build to the edge of a public easement; if no public easement, then 10 feet inland from the ordinary high water mark or any dockline established by City ordinance.

(f) Bridge setbacks:

Buildings shall be set back a distance of 25 feet from any bridge abutment unless otherwise approved by the City Engineer if he or she determines that the building will not interfere with the maintenance or reconstruction of the bridge and that utilities will not be adversely impacted.

(Ord. 476. Passed 7-6-99. Ord. 512. Passed 9-18-00. Ord. 576. Passed 10-7-02. Ord. 685. Passed 10-03-05. Ord. 818. Passed 1-5-09.)

1346.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into setbacks are allowed except a building, balcony, porch or deck may project no more than five feet into a rear setback provided these projections are not less than 15

feet above grade and provided they do not project into any public right of way and except eaves, chimneys, sills, belt courses, cornices and ornamental features not to exceed two and a half feet are permitted to extend within the front or rear setbacks.

(Ord. 476. Passed 7-6-99. Ord. 511. Passed 9-18-00. Ord. 577. Passed 10-7-02.)

1346.06 BUILDING HEIGHT.

- (a) **Building Height:** Buildings in the C-4 District shall have a minimum height of thirty (30) feet and a maximum building height as listed below. An existing building may have a one-story addition of no larger than the area of the first floor of that building as it existed on the effective date of Ordinance No. 467, which is July 16, 1999. More than sixty (60) feet in height may be allowed only by special land use permit or as part of a planned unit development and subject to the requirements listed below.

C-4a: 45 feet maximum.

C-4b: 60 feet maximum. Sixty-eight (68) feet in height is allowed if at least 20% of the building is designed and used for dwellings.

C-4c: 85 feet maximum. An additional 15 feet shall be allowed for permitted uses that are designed and positioned in a manner that will effectively shield rooftop mechanical equipment or elevator shafts, but not to exceed an overall height of 100 feet. Buildings over 60 feet tall shall have at least 20% of the building designed and used for dwellings. That portion of the building with a finish floor elevation of 45 feet or greater must be recessed at least 10 feet from the first floor building facade.

- (b) **Exceptions:** The following are exceptions to the above height restrictions:

(1) **Steeple and clock towers** may be erected in a C-4a district up to a height not exceeding 60 feet.

(2) **Parapet walls** may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 476. Passed 7-6-99. Ord. 528. Passed 3-19-01. Ord. 548. Passed 12-17-01. Ord. 561. Passed 4-1-02. Ord. 631. Passed 4-19-04. Ord. 686. Passed 10-03-05. Ord. 692. Passed 12-05-05. Ord. 733. Passed 3-19-07.)

1346.07 ACCESSORY BUILDINGS.

An accessory building shall:

(a) Only be permitted in the rear yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.

(b) Be located no closer than 4 feet to any side or rear property line. A boat house up to 250 sq. feet gross floor area may be built to the water's edge.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1346.08 PARKING, LOADING AND DRIVEWAYS.

No parking is required in this district, however, if parking is provided, it must meet the standards contained in Chapter 1374, *Circulation and Parking* and restrictions of this chapter.

(Ord. 476. Passed 7-6-99.)

REGIONAL CENTER (C-4) DISTRICTS

1346.09 SPECIAL REQUIREMENTS.

To preserve and reinforce the context of historic buildings and land to establish development patterns of the Regional Center district, all new buildings and additions to existing buildings are to be designed and constructed in accordance with the following standards:

- (a) The predominant building wall and entryway shall face the public or private street.
- (b) Unless determined to be impractical by the Planning Director, the building width shall not be less than 90 percent of the property width at the street.
- (c) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements; however, offsets in any wall shall not be less than eight inches from the subject plane.
- (d) Horizontal building modulation, like awnings, balconies and roof features shall be used to reduce the perceived mass of a large building.
- (e) Fenestration, cornices and other architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.
- (f) Window glass planes shall be recessed at least four inches from the outside of all building walls to create a shadow line except in bay windows and to other projecting window elements.
- (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
- (h) New buildings and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials of traditional brick and stone used in the Regional Center District or constructed of materials of comparable aesthetic value.
- (i) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
- (j) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and exterior circulation.
- (k) For each 90 feet of linear building frontage, pedestrian entrances are required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must set back a minimum four feet from the property line.
- (l) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted

merely granting an advantage or convenience.

(Ord. 476. Passed 7-6-99. Ord. 545. Passed 10-15-01. Ord. 631. Passed 4-19-04; but with no changes to existing ordinance. Ord. 684. Passed 10-03-05. Ord. 687. Passed 10-03-05.)

CHAPTER 1347 Development Districts

The Development Districts are for the purpose of accommodating a mixture of land uses in areas traditionally known as the “Traverse City Ironworks” area, the “Depot” area and the “Red Mill” area. Residential uses are to be combined with shopping, restaurant, office and entertainment uses to create a village-like atmosphere. Compact, pedestrian-friendly developments which integrate well with adjacent properties are characteristic of these projects.

CROSS REFERENCES

- Zoning and planning in home rules cities - MCLA 117.4i
- Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581
- Regulation of buildings; authority to zone - MCLA 125.582
- Regulation of congested areas - MCLA 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a
- Signs - B & H Chapter 1476

1347.01	Uses allowed.	1347.06	Building height.
1347.02	Uses allowed by special land use permit.	1347.07	Accessory buildings.
1347.03	Lot, density and impervious surface provisions.	1347.08	Parking, loading and driveways.
1347.04	Setbacks.	1347.09	Special requirements.
1347.05	Encroachments into the setbacks.		

1347.01 USES ALLOWED.

No use shall be open to the public between the hours of 2:00 a.m. and 6:00 a.m.

The following uses of land and buildings, together with accessory uses, are allowed:

Ironworks (D-1), Depot (D-2) and Red Mill (D-3) areas:

- C-2 uses without drive-throughs
- Banquet halls or conference rooms
- Communication establishments
- Contractors’ offices with no outside storage
- Lodging facilities
- Markets, public or municipal
- Parking structures, public or private, subject to the following standards:
 - (1) Parking structures shall be designed to have horizontal versus stepped or sloping levels at areas of public view. Ramping shall be concealed from public view to the greatest degree possible.

- (2) Openings shall not exceed 60% of the total wall surface. Openings shall be vertical or square.
- (3) Sloped roofs are not required for parking decks, however:
 - A. The upper and lowest level of parking shall incorporate sufficient screening to shield cars from public view.
 - B. Parapet treatment is required to terminate the deck and give proper architectural finish to the structure. Cornices, overhangs and other devices which are consistent with the language of historical buildings may be employed.
- (4) The design of parking decks shall be consistent with the design of historical buildings in the area.
 - Stores, retail, no larger than 8,000 square feet per floor per single retailer.
 - Theaters, except outdoor theaters

(Ord. 496. Passed 7-6-99. Ord. 748. Passed 5-21-07. Ord. 782. Passed 2-4-08. Ord. 803. Passed 6-16-08. Ord. 936 Passed 4-2-2012)

1347.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed if a special land use permit is issued according to the standards of this Code:

- Communication towers;
- Convention centers;
- Essential services buildings;
- Finance services with drive-throughs;
- Stores, retail, over 8,000 square feet per floor;
- Taller buildings (buildings taller than 60 feet or over 4 stories),
- Transit centers in the D-2 and D-3 District.
- Wind Energy Building-Mount

(Ord. 476. Passed 7-6-99. Ord. 610. Passed 9-2-03. Ord. 938. Passed 4-2-12)

1347.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

	<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
Depot:	--		N/A	70%
Ironworks:	--		N/A	80%
Red Mill:	--		N/A	80%

(Ord. 476. Passed 7-6-99. Ord. 889. Passed 11-1-10.)

1347.04 SETBACKS.

(a) **Front setbacks:**

Building:

- D-1 - Ironworks: 3 feet
- D-2 - Depot: 3 feet
- D-3 - Red Mill: 3 feet, except 8 feet from Grandview Parkway and 20 feet from Gillis Street.

Parking areas: Behind or to the side of the principal building and set back a distance equal

to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) **Side setbacks (minimum):**

Building:

D-1 - Ironworks: None

D-2 - Depot: None

D-3 - Red Mill: None

Parking areas: 5 feet, except a minimum 10-foot side setback is required on any side adjoining an R-district.

(c) **Rear setbacks:**

Building:

D-1 - Ironworks: None

D-2 - Depot: None

D-3 - Red Mill: None

Parking areas: 5 feet, except a 20-foot setback is required for any parking area abutting, adjacent to or across a public alley from an R-District

(d) **Corner and through lots** shall have a front setback on each street.

(e) **Water setbacks:**

Ironworks: 25 feet from dock line established by City ordinance.

(f) **Bridge setbacks:** Buildings shall be set back a distance of 25 feet from any bridge abutment.

1347.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into required setbacks are allowed except eaves, chimneys, sills, belt course, cornices and ornamental features not to exceed 18 inches are permitted to extend within the setbacks.

1347.06 BUILDING HEIGHT.

(a) **Building height:**

(1) **D-1 - Ironworks:**

Along 8th Street (west of Lake Street within 100 feet of the right-of-way): 45 feet maximum.

Remaining area: 45 feet. An additional 15 feet is allowed if 25% of the project is designed and used for residential uses and the building is no taller than 60 feet.

An additional 15 feet is allowed if 25% of the project is designed and used for dwellings and 75 feet is not exceeded. The fifth story requires a special land use permit or planned unit development.

That portion of a building above 60 feet shall be recessed a minimum of 10 feet from the facade facing a public street.

(2) **D-2 - Depot:**

Along 8th Street (within 100 feet of the right-of-way): 45 feet maximum.

Remaining Area: 45 feet. An additional 15 feet is allowed if 25% of the project is designed and used for dwellings and the building is no taller than 60 feet. Another 15 feet is allowed by a special land use permit or planned unit development if 25% of the project is designed and used for residential uses and 75 feet is not exceeded.

That portion of a building taller than 60 feet shall be recessed a minimum of 10 feet from the facade facing the public street.

(3) **D-3 - Red Mill:**

That portion of a building within 100 feet from the property line along east Gillis Street (extended to Grandview Parkway) is limited to 45 feet.

Buildings within 100 feet of Grandview Parkway shall not exceed a building height of 45 feet.

Remaining Area: 45 feet. An additional 15 feet is allowed if 25% of the project is designed and used for residential uses and the building is no taller than 60 feet. Another 15 feet is allowed by a special land use permit or planned unit development if 25% of the project is designed and used for dwellings and 75 feet is not exceeded.

That portion of a building taller than 60 feet shall be recessed a minimum of 10 feet from the facade facing the public street.

Any existing five (5) story building in the D-3 District, constructed prior to 2005 within thirty (30) feet from the right-of-way line of Grandview Parkway, is exempt from minimum residential requirements, provided that it shall comply with all other underlying zoning requirements.

(b) **Exceptions:**

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates exterior building materials similar to those of the main building.

(Ord. 699. Passed 3-20-06. Ord. 734. Passed 3-19-07. Ord. 940. Passed 4-7-12)

1347.07 ACCESSORY BUILDINGS.

An accessory building shall be constructed using materials and features similar to the principal building if the accessory building exceeds 500 square feet in gross floor area.

1347.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1372.

DEVELOPMENT (D) DISTRICTS

1347.09 SPECIAL REQUIREMENTS:

Ironworks (D-1), Depot (D-2) and Red Mill (D-3) areas. To preserve and reinforce the context of historic buildings and to establish land development patterns of the development districts, all new buildings and additions to existing buildings are to be designed and constructed in accordance with the following standards:

- (a) The predominant building wall and entryway shall face the public or private street.
- (b) Unless determined to be impractical, by the Planning Director, the building width shall not be less than 90 percent of the property width at the street.
- (c) Vertical building modulation shall be used to add variety and interest and to make a large building appear to be an aggregation of smaller units. Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements; however, offsets in any wall shall not be less than eight inches from the subject plane.
- (d) Horizontal building modulation like awnings, balconies and roof features shall be used to reduce the perceived mass of a large building.
- (e) Fenestration, cornices and other primarily horizontal architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.
- (f) Window glass planes shall be recessed at least four inches from the outside of all building walls to create a shadow line except in bay windows and to other projecting window elements.
- (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
- (h) New buildings and additions to existing buildings, including parking structures, shall be constructed of durable materials utilizing the predominant building materials used in the district and every building facade shall be constructed of materials comparable in aesthetic value.
- (i) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
- (j) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and exterior circulation.
- (k) For each 90 feet of linear building frontage, pedestrian entrances are required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must be set back a minimum of four feet from the property line.
- (l) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted

merely granting an advantage or convenience.

(m)

(Ord. 698 Passed 3-20-06.)

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

I hereby certify the above ordinance amendment was introduced on _____, 2014, at a regular meeting of the City Commission and was enacted on _____, 2014, at a regular meeting of the City Commission by a vote of Yes: ____ No: ____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on _____.

Benjamin C. Marentette, City Clerk

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: NEIGHBORHOOD CENTER (C-2) DISTRICT RESIDENTIAL BONUS BUILDING HEIGHT AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 1342.06, *Building Height*, and Section 1342.09, *Special Requirements*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

The Neighborhood Center district is for the purpose of accommodating small businesses primarily serving adjacent neighborhoods with day-to-day retail goods and services. These small centers are comprised of residentially-scaled buildings with limited parking areas and a strong pedestrian orientation. Existing buildings and quality vegetation should be retained. New buildings are to be designed to reflect a residential flavor and minimize impacts (e.g., noise, light, traffic) on neighborhood residences. Overall density of up to 29 dwellings per acre is allowed.

CROSS REFERENCES

Zoning and planning in home rules cities - MCLA 117.4i

Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581

Regulation of buildings; authority to zone - MCLA 125.582

Regulation of congested areas - MCLA 125.583

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a

Signs - B & H Chapter 1476

1342.01	Uses allowed.	1342.06	Building height.
1342.02	Uses allowed by special land use permit.	1342.07	Accessory buildings.
1342.03	Lot, density and impervious surface provisions.	1342.08	Parking, loading and driveways.
1342.04	Setbacks.	1342.09	Special requirements.
1342.05	Encroachments into the setbacks.		

1342.01 USES ALLOWED.

The following uses of land and buildings, together with accessory uses, are allowed in the Neighborhood Center district.

- C-1 District uses except drive-throughs;
- Boat liveries;
- Brew pubs;
- Convenience stores;
- Day care facilities;

- Drinking places without entertainment;
 - Drinking places with entertainment if the use is not likely to create a noise disturbance under City ordinances and if the building is provided with a central air conditioning system.
 - Florists;
 - Fruit and vegetable markets, but not public or municipal markets;
 - Grocery stores;
 - Hardware stores;
 - Laundromats;
 - Marinas;
 - Movie rental stores;
 - News dealers and news stands;
 - Parcel packing services;
 - Pet grooming services without outdoor runs or kennels;
 - Preschools;
 - Radio, television and consumer electronics stores;
 - Restaurants, family, fine and fast (except drive-through and drive-ins);
 - Service stations and repair stations with no more than two bays; with or without fuel dispensing;
 - Stores, retail, miscellaneous;
 - Theatrical producers, entertainers, bands and orchestras;
 - Parking areas, public, subject to the following standards:
 - (1) Access shall be limited to one driveway per public street or two driveways per site, whichever is less.
 - (2) All parking areas which abut a public street shall be set back a minimum distance of eight feet from the property line along said street and shall provide in this setback area appropriate screening with plant materials or a combination of plant materials, berming and decorative screenwalls to a minimum height of three feet.
 - (3) Pedestrian travel routes within the parking area shall be provided, clearly defined and approved by the Planning Director.
 - (4) Unless herein varied, the Landscaping and Site Development Chapter shall apply.
- (Ord. 747. Passed 5-21-07. Ord. 867. Passed 6-7-10.)

1342.02 USES ALLOWED BY SPECIAL LAND USE PERMIT.

The following uses of land and buildings, together with accessory uses, are allowed in the Neighborhood Center District if a special land use permit is issued according to the standards of this Code:

- Residential care & treatment facilities;
- Schools.
- Wind Energy Building-mount.

(Ord. 938. Passed 4-2-12)

1342.03 LOT, DENSITY AND IMPERVIOUS SURFACE PROVISIONS.

<u>Lot width (min.)</u>	<u>Lot area (min.)</u>	<u>Density (maximum)</u>	<u>Impervious surface</u>
20 feet	3,750 sq. ft. min.	NA	70% maximum

(Ord. 887. Passed 11-1-10.)

1342.04 SETBACKS.

(a) Front setbacks:

- (1) **Building:** The minimum setback is the lesser of 8 feet or the average setback of principal buildings on the same face block on the same side of the street. The maximum setback is 25 feet.
- (2) **Parking area:** Behind or to the side of the principal building and set back a distance equal to the setback of the principal building or 25 feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than 25 feet from the front property line.

(b) Side setbacks:

- (1) **Building:**
- (2) **One side/Aggregate:** None, except a minimum 10-foot side setback is required on a side adjoining an R- District.
- (3) **Parking area:** 5 feet, except a minimum 10-foot side setback is required on any side adjoining an R District

(c) Rear setbacks:

- (1) **Building:** 5 feet, except 20 feet if adjoining an R-District.
- (2) **Parking area:** 5 feet, except a 20-foot setback is required for any parking area abutting, adjacent to or across a public alley from an R-District.
- (3) **Parking area:** 5 feet, except a 20-foot setback is required for any parking area abutting, adjacent to or across a public alley from an R-District.

(d) Corner lots and through lots shall have a front setback on each street.

(e) Water setbacks: 50 feet inland from the ordinary high water mark of Grand Traverse Bay and Boardman Lake and 25 feet from the ordinary high water mark of Boardman River. Where the dock line is established by City ordinance, it shall be measured inland from the dock line.

1342.05 ENCROACHMENTS INTO THE SETBACKS.

No encroachments into the required setbacks are allowed except:

- (a) **Eaves, chimneys, sills, belt courses, cornices and ornamental features** not to exceed 18 inches are permitted to extend within the setbacks.
- (b) **An unenclosed balcony, porch or deck** may project into a rear setback for a distance not exceeding 10 feet.

1342.06 BUILDING HEIGHT.

(a) Building height: Maximum 30 feet or with a floor designed and used for residential uses: maximum 405 feet.

(b) Exceptions:

Steeple and clock towers may be erected to a height not exceeding twice the height of the attached building.

Parapet walls may be erected as necessary to screen rooftop equipment if the wall extends around the perimeter of the building and incorporates the exterior building

materials similar to those of the main building.
(Ord. 731. Passed 3-19-07.)

1342.07 ACCESSORY BUILDINGS.

An accessory building shall:

- (a) Only be permitted in the rear yard, except accessory buildings may be located streetward of the principal building on the less traveled street on through lots.
- (b) Be located no closer than 4 feet to any side or rear property line. A boat house up to 242 square feet gross floor area may be built to the water's edge.
- (c) Be constructed using materials and features similar to the principal building if the accessory building exceeds 500 square feet in gross floor area.

(Ord. 476. Passed 7-6-99. Ord. 554. Passed 2-4-02.)

1342.08 PARKING, LOADING AND DRIVEWAYS.

Requirements for parking, loading and driveways are contained in Chapter 1374. In addition, athletic fields may provide up to 50% of the required number of organized parking on an area developed in turf grasses. Grassed parking areas are considered as providing one parking space for every 350 square feet of continuous turf-covered area. All grassed parking areas shall be maintained in a healthy, vigorous growing condition and shall not be used more than 12 times per calendar year. When use requires more frequent parking, an impervious surface or approved pervious hard surface parking area shall be developed.

Parking is not required for upper story dwellings above a first floor commercial or office use.

Any residential building or driveway constructed after the effective date of this zoning code which has access to a maintained alley shall not have access to a street nor shall a parking area be located in the front yard.

For parcels having alley access, the parking of a boat, motor home, camper, utility trailer or other recreational vehicle is limited to the rear yard.

(Ord. 764. Passed 7-2-07.)

1342.09 SPECIAL REQUIREMENTS.

To preserve and reinforce the context of historic buildings and to establish land development patterns of the Neighborhood Center district, all new buildings and additions to existing buildings are to be designed, constructed and used in accordance with the following standards:

- (a) No building shall have a gross floor area of more than 6,000 square feet on one level, and no more than 12,000 square feet gross floor area total, except a third floor and an additional 6,000 square feet are allowed if such floor is designed and used for residential purposes.
- (b) No use shall be open to the public between the hours of 2:00 a.m. and 6:00 a.m.
- (c) The predominant building wall and entryway shall face the street.
- (d) Unless determine to be impractical by the Planning Director, the building width shall not be less than 80 percent of the property width at the street.
- (e) Vertical building modulation shall be used to add variety and interest and to make a large

building appear to be an aggregation of smaller units Relief from a continuous street facing wall may be achieved with wall offsets in combination with pilasters, corbeling or other permanent architectural elements, however, offsets in any wall shall not be less than eight inches from the subject plane.

- (f) Window glazing shall be recessed from the outside of all building walls.
- (g) Clear or lightly tinted transparent glass shall be used for all windows facing a public street. Decorative stained glass may be used for accents. Mirrored, smoked and darkly tinted glass is prohibited.
- (h) Street-facing building facades shall incorporate permanent architectural elements which create shadow patterns and surface textures which, in turn, enhance visual interest.
- (i) Except for buildings that are solely residential, windows or street level activities are required on 50 percent of the first story street wall facing any public street. Street level activities include public display space, public atriums, pedestrian entrances and interior circulation and windows with views into any designated street level use.
- (j) For each 90 feet of linear building frontage, pedestrian entrances will be required. Pedestrian entrances may open onto the sidewalk or mid-block passages or walkways leading to the public right-of-way. Entries must be prominently identified and must not interfere with safe pedestrian passage along walkways. Primary entries must set back a minimum four feet from the facade.
- (k) The spacing and shape of windows and openings on the building shall closely reflect the fenestration of any adjacent historic buildings. Brick, stone, wood or a combination thereof, compatible with adjacent historic buildings, shall be used.
- (l) Fenestration, cornices and other primarily horizontal architectural elements incorporated in new buildings or additions to existing buildings shall be in context with historic buildings in the area.
- (m) Any rooftop equipment shall be enclosed or screened from street level view using the same materials used for the building walls or a material which is approved by the Planning Director as visually compatible with the building.
- (n) All buildings that front the street, except for parking structures, accessory and utility buildings and buildings that are intended and designed to be exclusively developed for residential use shall have a minimum height of 15 feet measured from the street level entrance level to the next finished level or roof structure. The Planning Director may grant a first floor building height exception if it has been clearly demonstrated that such provision is unnecessary or that such requirements would create a practical difficulty, as contrasted merely granting an advantage or convenience.

(Ord. 476. Passed 7-6-99. Ord. 546. Passed 10-15-01. Ord. 957. Passed 1-7-13)

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

I hereby certify the above ordinance amendment was introduced on _____, 2014, at a regular meeting of the City Commission and was enacted on _____, 2014, at a regular meeting of the City Commission by a vote of Yes: ___ No: ___ at the Commission Chambers, Governmental Center, 400 Boardman

Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on

Benjamin C. Marentette, City Clerk



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ^{SD} JERED OTTENWESS, CITY MANAGER

SUBJECT: PLOTTER/COPIER/SCANNER PURCHASE

Attached are memos from Dave Green, DPS Director, and Larry LaCross, Asset Management/GIS Analyst, requesting a purchase order for a large format plotter/copier/scanner for the DPS Department.

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

that 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.

JO/jd

cc: Dave Green, DPS Director
Larry LaCross, Asset Management/GIS Analyst

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: May 22, 2014
SUBJECT: Large Format Plotter/Copier/Scanner Purchase

Attached is a memorandum from Larry LaCross, Asset Management/GIS Analyst, explaining our Department's need for a large format plotter/copier/scanner and detailing the bid process we followed in order to receive competitive bids required to purchase this important piece of equipment.

As we continue to move our department forward by using available technology that allows us to become more efficient and focused on the overlapping tasks we do on a day to day basis the ability to produce planning/construction documents in a large (24"x36") format for staff discussion and evaluation is critical. As they say, a picture is worth a thousand words.

Please request that the City Commission approve a purchase order to Traverse Reproduction and Supply, Inc. in the amount of \$7,795.00 for a HP DesignJet T2300ps Large Format Plotter/Copier/Scanner with funds available in the Water, Sewer and Street Funds.

Memorandum

The City of Traverse City
Department of Public Services



TO: Dave Green, DPS Director
FROM: Larry LaCross, Asset Management/GIS Analyst
DATE: May 12, 2014
SUBJECT: Large Format Plotter/Copier/Scanner

The Department of Public Services have multiple projects that have increased the demand for a large format plotter/copier/scanner. For example, as we expand our use of asset management into the water plant, the water distributions system, the sewer collection system, and the streets system the need to visualize and overlay information becomes crucial to making an educated decision. There are many different ways to collect, store and share information and the large format plotter/copier/scanner is the tool that can fulfill the day to day demands. The demands consists of digitally documenting historic data, printing plans/maps for field work, copying plans/maps for digitizing into the current geographic information systems (GIS), printing plans/maps for meetings, and communicating through e-mail with outside consultants. A large format plotter/copier/scanner will increase efficiency for the Department and will help fulfill the rising demands suggested above for current and future projects.

We received four bids from three vendors for this equipment:

Vendor	Large Format Plotter/Copier/Scanner	Bid
Applied Imaging	Canon IPF 825 MFP M40	\$11,516.00
Engineering Supply and Imaging	Canon IPF 825 MFP M40	\$9,399.00
Engineering Supply and Imaging	HP T1200 HD-MFP	\$16,480.00
Traverse Reproduction & Supply Co., Inc.	HP DesignJet T2300ps	\$7,795.00

After review of the bids, we feel Traverse Reproduction & Supply not only meets our specifications, but also is the lowest price.

Please request of the City Commission permission to issue a purchase order in the amount of \$7,795.00 to Traverse Reproduction & Supply Co., Inc. of Traverse City, Michigan for the above large format plotter/copier/scanner.

This purchase will come from the Water fund with other funds contributing to the purchase.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ^{SD} JERED OTTENWESS, CITY MANAGER

SUBJECT: WATER PLANT CHEMICAL PURCHASES

Attached are memos from Dave Green, DPS Director, and Art Krueger, Water Treatment Plant Superintendent, outlining the bids received for various chemicals for water treatment.

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

that 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 \$33,927.00, 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.

JO/jd

cc: Dave Green, DPS Director
Art Krueger, Water Plant Superintendent

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director *DG*
DATE: May 23, 2014
SUBJECT: 2014 Water Treatment Plant Chemical Supplies

Attached is a memorandum from Art Krueger, Water Treatment Plant Superintendent, requesting that annual purchase orders be issued to suppliers for chemicals to be used at the Water Treatment Plant.

Please request City Commission approval for two blanket purchase orders as follows:

- Aluminum Sulfate (Alum), Chemtrade Chemicals, \$0.1052/Lb.
- Sodium Hypochlorite (Chlorine), JCI Jones Chemicals, Inc., \$0.09/Lb.

with required funds available in the Water Fund.

Memorandum

City of Traverse City
Water Treatment Plant

TO: Dave Green, DPS Director

FROM: Art Krueger, WTP Superintendent



DATE: May 23, 2014

SUBJECT: Chemical Bids for Alum and Chlorine

We received the following bids for our annual chemical supply of Alum and Chlorine used to treat City drinking water. The bid results along with my recommendations are summarized below:

ALUM:

One year supply of liquid Alum used as a coagulant to remove dirt, algae, and suspended material from drinking water.

Chemtrade Chemicals	\$0.1052/Lb
USALCO	\$0.1098/Lb.
PVS Nolwood Chemicals	\$0.1250/Lb.
Alexander Chemical	\$0.145/Lb.
Thatcher Co. of Montana	\$0.1951/Lb.
Rowell Chemical Corp.	No Bid

Recommend awarding to low bidder of Chemtrade Chemicals at \$0.1052/Lb.

CHLORINE:

One year supply of liquid chlorine to disinfect drinking water and control Zebra Mussels.

JCI Jones Chemicals, Inc.	\$0.09/Lb.
Alexander Chemical Corp.	\$0.0908/Lb.
Rowell Chemical Corp.	\$0.105/Lb.
PVS Nolwood Chemicals	\$0.128/Lb.

Recommend awarding to our current supplier JCI Jones Chemical at \$0.09/Lb.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ^{JO}JERED OTTENWESS, CITY MANAGER

SUBJECT: ULTRASONIC FLOW METER PURCHASE FOR THE
WATER PLANT

Attached are memos from Dave Green, DPS Director, and Art Krueger, Water Treatment Plant Superintendent, requesting a purchase order for three (3) portable, ultrasonic flow meters for the Water Treatment Plant.

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

that 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.

JO/jd

cc: Dave Green, DPS Director
Art Krueger, Water Treatment Plant Superintendent

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director *DSG*
DATE: May 23, 2014
SUBJECT: Water Plant Ultrasonic Flow Meter Purchase

Attached is a memorandum from Art Krueger, WTP Superintendent, explaining the City's need to have portable, ultrasonic flow meters available for use at the Water Treatment Plant as well as out in the water distribution system in order to monitor the water movement in pipes (volume pumped) in a quick and somewhat inexpensive manner. As Art mentions, this new technology can produce accurate flow data on any pipe size they are mounted on without having to disrupt flow and/or cut into the monitored pipe during installation.

A portion of the recently completed Reliability Study highlights what seems to be a rapidly increasing water loss in the distribution system. Before we move ahead and start work on a labor intense, expensive study on where these losses may be coming from out in the system we need to know that we have an accurate baseline figure to start with at the plant. We need to know exactly how much water we are pumping into and out of the plant and feel the original, nearly fifty year old meters aren't providing accurate enough data required to complete these calculations. If approved, we intend to use the ultrasonic meters immediately at the plant to accomplish this task. The meters can then be used out in the system to verify and check the various master meters we have in partnership with the townships to assure they are reading accurately.

Please request that the City Commission approve a purchase order to Smith Instruments in the amount of \$14,001.00 for three (3) ultrasonic flow meters with funds available in the Water Fund.

Memorandum

City of Traverse City
Water Treatment Plant

TO: Dave Green, DPS Director

FROM: Art Krueger, WTP Superintendent 

DATE: May 23, 2014

SUBJECT: Ultrasonic Flow Meters

The existing Water Treatment Plant meters currently in use are original equipment installed in 1965 and are reaching the end of their useful life. We feel inaccurate flow readings are the likely cause of the increasing overall water loss calculation in the water distribution system, which currently exceeds 33% as highlighted in the 2014 Water System Reliability Study.

In an effort to obtain accurate flow data for the upcoming summer high water demand months, we propose to purchase and install three (3) ultrasonic flow meters at the Water Treatment Plant. These portable meters will be mounted externally on the pipe and will provide accurate flow data for the plants raw water inflow and treated water outflow to the water distribution system. The flow data produced by the new ultrasonic meters will be used as the new baseline for the water plant output. This will improve our ability to more accurately compute overall water loss in the distribution system by comparing total customer metered flows to the new water plant output baseline.

Upon replacing the original water plant meters in the future, the new portable ultrasonic meters can be relocated to other master meter locations in the water distribution system to obtain more accurate flow data and billing records for the City's bulk water customers (townships).

We have received the following bids for three (3) new ultrasonic flow meters. The bid results and my recommendation are summarized below:

Smith Instruments	\$14,001 total for three (3) meters
Midwest Municipal Instruments	\$15,720 total for three (3) meters

Recommend awarding to low bidder, Smith Instruments for \$14,001.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: MARINA FUEL PURCHASE

Attached are memos from Dave Green, DPS Director, and Barry Smith, Clinch Marina Dockmaster, requesting a purchase order for resale unleaded gasoline and #2 diesel fuel at the Duncan L. Clinch Marina for the 2014 boating season.

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

that 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.

JO/jd

cc: Dave Green, DPS Director
Barry Smith, Clinch Marina Dockmaster

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: May 22, 2014
SUBJECT: 2014 Annual Marina Fuel Purchase

Attached is a request from Barry Smith, Clinch Marina Dockmaster, requesting approval for a purchase/service order for marina fuel.

Our method for purchasing fuel for the Marina is a little different than the method we use for fleet fuel. We buy sufficient quantities of fuel for the fleet that we are able to receive deliveries by tanker truck, and therefore get the best available bid prices in the region each time we fill the tanks. With much smaller tanks at the Marina, that consequently have to be filled more regularly, we award a bid to a vendor for the entire season. The price that the vendor charges us for each delivery is the rack price (rack is the price at which refineries sell fuel to wholesale vendors) plus a margin for transportation and profit. We award the bid to a vendor based on the smallest margin above rack price. The same bidder keeps the contract for the season; the fuel price varies with each delivery to reflect market price; but the vendor's margin remains the same.

Please request City Commission approval of a purchase/service order to Crystal Flash for delivery of fuel to Duncan Clinch Marina.

City of Traverse City Memorandum

To: Julie Dalton, Purchasing Agent
From: Barry Smith, Dockmaster *BAS*
Re: Gasoline and Diesel Fuel Bids
Date: May 22, 2014

We have received two bids for gasoline and diesel fuel for resale at Duncan L. Clinch Marina. In evaluating the bids, our main concern is the margin over rack price.

<u>Bidder</u>	<u>Gas (over rack)</u>	<u>Diesel (over rack)</u>
Blarney Castle	.119	.119
Crystal Flash	.115	.115

Crystal Flash is the low bidder with margin over rack price. Crystal Flash has provided excellent service in previous years. Therefore, I would recommend that we award the bid to Crystal Flash.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: BANK RESOLUTION

Attached is a memo from William Twietmeyer, City Treasurer/Finance Director, requesting that the annual bank resolution be adopted.

I recommend the following motion:

that 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.

JJO/kjl

copy William Twietmeyer, City Treasurer/Finance Director
k:\tcclerk\city commission\resolutions\resolutionbankdeposit.doc

Memorandum

The City of Traverse City



To: Jered Ottenwess, City Manager
From: William E. Twietmeyer, City Treasurer/Finance Director *W.E.T.*
Subject: Bank Resolution
Date: May 21, 2014

Attached is an updated bank resolution. The banks and I prefer that this resolution be updated and adopted annually by the City Commission. Please note that there is no change from the resolution that was approved last year..

I would like to request that the City Commission adopt the bank resolution at its next regularly scheduled meeting. Please place this item on the consent calendar for their consideration and approval.



RESOLUTION

Because under the laws of the State of Michigan, Act No. 40 of the Michigan Public Acts of 1932, 1st Extra Session, as amended (MCL 129.12, MSA 3.752), this legislative body is required to provide, by resolution, for the deposit of all public monies, including tax monies, belonging to, or held for, the State, County, City, or other political units coming into the hands of the City Treasurer, in one or more banks, savings and loan associations or credit unions within the State.

THEREFORE BE IT RESOLVED that: (1) the City Commission of the City of Traverse City hereby directs William E. Twietmeyer, City Treasurer, to deposit all public monies, including monies and funds held for the State Board of Escheats or missing heirs, coming into his hands as Treasurer in any bank, savings and loan association or credit union within the state which is a legal depositor as defined by State and/or Federal law, and (2) subject to investment policies adopted from time to time by the City Commission, the Treasurer is authorized to invest funds in these institutions or invest in any investment legally permitted by State Statute Act No. 20 of the Michigan Public Acts of 1943, as amended (MCL 129.91, MSA 3.843) or Federal law or regulation within the limits set therein.

RESOLVED that the City Treasurer is authorized to enter into and execute on behalf of the City any agreements with any bank or trust company or corporation for the safekeeping or third party custodianship of any of the City's securities or deposits.

RESOLVED that pursuant to City Charter section 84 the above banks be designated as depositories for investment of City funds and that such funds be deposited as investments in said banks and be subject to withdrawal upon check, note, draft, bills of exchange, acceptances, undertakings of other orders for the payment of money when signed on behalf of this City.

RESOLVED that the City Clerk be, and is hereby authorized to certify to the above banks the foregoing resolution and that the provisions thereof are in conformity with the Charter and Ordinances of this City.

RESOLVED that the past use of these institutions as depositories is ratified, and all resolutions or motions inconsistent herewith are hereby rescinded.

I FURTHER CERTIFY that there is no provision in the Charter or Ordinances of said corporation limiting the power of the City Commission to pass the foregoing resolution and that the same is in conformity with the provisions of said Charter and Ordinances.

I hereby certify that the above Resolution was adopted at the June 2, 2014, Regular Meeting of the City Commission held in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, MI 49684.

Benjamin C. Marentette, CMC, City Clerk



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: TRANSIENT MERCHANT – ORDINANCE AMENDMENT

Attached is a memo from City Clerk Benjamin Marentette recommending an ordinance amendment to delete the requirement that transient merchants on private property be required to submit a permission slip from the private property owner.

I recommend the following motion:

that 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.

JJO/bcm

K:\ccclerk\city commission\ordinance amendments\transient merchants private property

Memorandum

The City of Traverse City



TO: Jered Ottenwess, City Manager

COPY:

FROM: Benjamin Marentette, City Clerk

A handwritten signature in blue ink, appearing to read "Benjamin Marentette", written over the "FROM:" line.

DATE: Wednesday, May 28, 2014

SUBJECT: TRANSIENT MERCHANTS OPERATING ON PRIVATE PROPERTY

Currently, city ordinance requires transient merchants who are operating on private property to submit a signed permission slip from the private property owner authorizing the transient merchant to vend on that property.

I recommend that this requirement be eliminated – for the primary reason that it is a private property issue between the private property owner and the merchant to ensure that permission has been obtained to use the private property owner's property.

As always, please contact me if you have any questions.

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: TRANSIENT MERCHANT LICENSE APPLICATION
 REQUIREMENTS

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 863.06 *Transient Merchant License Application* of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

863.01 INTENT

Regulation of all types of transient merchants is sufficiently connected to the City's interest in preventing crime, preventing fraud, and protecting citizens' quiet enjoyment and peace, especially in residential areas where there exists a significant connection among evening vending in residential areas, evidence of nighttime crime and disruption of citizens' quiet enjoyment and peace to limit hours of vending in residential neighborhoods, while leaving ample alternative channels of communication open to transient merchants. The City has no other less restrictive means available to achieve these objectives.

(Ord. 386. Passed 6-20-94. Ord. 612. Passed 10-20-03. Ord. 949. Passed 7-16-12)

863.02 DEFINITIONS

As used in this chapter:

- A. Transient Merchant shall mean any person offering, exposing for sale or making available for a price, or donation, making sales and delivering articles to purchasers, or taking or attempting to take orders for sale of goods, foodstuffs, or services of any kind, for immediate or future delivery or performance, whether or not such person has, carries or exposes for sale a sample of the subject of such sale or whether or not he or she is collecting advance payments on such sale, by any of the following means:
 - 1. Traveling by foot, wagon, automotive vehicle, or other conveyance, from place to place, house to house, or street to street, carrying, conveying or transporting such goods, wares, merchandise or foodstuffs;
 - 2. Hiring, leasing or occupying any building or structure for the exhibit or sale of such goods, foodstuffs, or services, while not on the City tax rolls, including a person who associates temporarily with a local merchant or dealer, which building or structure is not otherwise used for that purpose;
 - 3. Offering out of doors such goods, foodstuffs or services from a stationary cart, stand, wagon, automotive vehicle or from one's person.
- B. Person shall mean any individual, firm, co-partnership, corporation, company, association, or joint stock association, society, organization or league, and includes any trustee, receiver, assignee, subcontractor, agent or other similar representative thereof.
- C. Structure shall mean tents, push carts, trailers, stands, wagons, vehicles, booths or any other material or thing that occupies space whether portable or fixed.

TRANSIENT MERCHANT

D. Vending shall operate as a verb for the activities attributed to Transient Merchant in the definition of this ordinance.

(Ord. 386. Passed 6-20-94, Ord. 919. Passed 7-15-11. Ord. 949. Passed 7-16-12)

863.03 LICENSE REQUIRED; EXCEPTIONS.

A. Required. No person shall be a transient merchant without a license from the City Clerk authorizing such vending. Licenses shall bear the name and address of the person vending, term of license, type and location of vending, a picture, and a statement that the license does not constitute an endorsement by the City of the purpose of the vending or of the person or group conducting the vending. Such license shall be carried by a transient merchant. Such vending shall comply with this Code, State laws and regulations and the conditions of the license. No Transient Merchant license in the residential districts shall be granted except upon approval of the Chief of Police.

B. Exceptions. The following activities are exempt from this chapter:

1. Vending made in books, magazines, periodicals, newspapers and other similar publications or through the mail;
2. Vending made over the radio, television or telephone;
3. Vending by persons under twelve years of age where all proceeds are retained by such transient merchant. No adult or business shall hire or subcontract such transient merchant in an attempt to evade the provisions of this Chapter;
4. Distributing handbills or leaflets where the distributor of them does not accept payments, orders or contributions;
5. Vending between merchants where neither merchant is the ultimate consumer of goods or services involved or the ultimate donor of the gifts involved;
6. Any person qualifying as a "solicitor" shall be excluded from the definition of a transient merchant and the regulations contained in this Chapter;
7. Persons who have express City Commission approval.

(Ord. 386. Passed 6-20-94. Ord. 949. Passed 7-16-12)

863.04 FILING FALSE APPLICATION.

No person shall knowingly file or cause to be filed an application or a document supporting an application containing one or more false statements.

(Ord. 386. Passed 6-20-94.)

863.05 DURATION; TRANSFERABILITY.

Licenses may be issued for up to one calendar year. The license issued under this Chapter is non-transferable.

(Ord. 386. Passed 6-20-94.)

863.06 TRANSIENT MERCHANT LICENSE APPLICATION.

Every person desiring to be a transient merchant is required to make written application for a license from the City Clerk. An application shall be made upon a form provided by the City Clerk.

The applicant shall truthfully state, in full, the information requested on the application, such as:

- (a) The applicant's name, telephone number, address of present place of residence,

TRANSIENT MERCHANT

- length of residence at such address and business address if other than the residence address;
- (b) Birthdate of applicant;
 - (c) The name, telephone number and address of the person by whom the applicant is employed or whom the applicant represents and the length of time of such employment or representation;
 - (d) A description sufficient for identification of the subject matter and method of the vending in which the applicant will engage;
 - (e) The period of time for which the license is applied;
 - (f) The locations of all areas in which vending will be conducted; and
 - (g) The date, or approximate date, of the last license issued under this Chapter;
 - (h) A statement as to whether or not a license issued to the applicant (or organization) represented under this chapter has ever been revoked, and if so, the reason for the revocation;
 - (i) A statement as to whether or not the applicant has ever been convicted of a felony under the laws of the State or any other State or Federal law;
 - (j) Driver's license or personal identification number;
 - (k) Copy of Michigan sales tax license or Michigan Department of Treasury written approval;
 - (l) A 2" x 2" color photograph of the head and shoulders of the applicant;
 - ~~(m) A signed permission slip from the property owner if setting up a stand on commercial property.~~

(Ord. 386. Passed 6-20-94. Ord 949. Passed 7-16-12)

863.07 TRANSIENT MERCHANT LICENSE FEES.

An application for a transient merchant's license shall be accompanied by a fee. Such fee shall be established by resolution of the City Commission and is non-refundable unless canceled in person with the City Clerk in advance of the day for which cancellation is sought. No fee shall be charged to:

- a) City of Traverse City merchants and representatives engaging in year-around business in the City and who are listed on the City's tax rolls or who are exempt from property taxes, or those new businesses who do not qualify for the City tax roll but have a year lease for a permanent location.
- b) Any honorably discharged veteran who is a resident of this State and who has obtained a Veteran's License from a County Clerk within the State of Michigan.
- c) Persons 12 years of age to and including 17 years of age where all proceeds are retained by the person. No adult or business shall hire or subcontract such persons in an attempt to evade the provisions of this Chapter.

(Ord. 386. Passed 6-20-94. Ord. 806. Passed 7-21-08. Ord. 949. Passed 7-16-12)

863.08 FOOD TRANSIENT MERCHANTS

No license shall be issued to a food transient merchant until the applicant and any vehicle and equipment used by such applicant are approved by the Health Department.

(Ord. 386. Passed 6-20-94. Ord. 949. Passed 7-16-12)

**863.07.1 INVESTIGATION OF RESIDENTIAL AREA TRANSIENT MERCHANT;
WAITING PERIOD.**

Upon receipt of an application for license to be a transient merchant in a residential area, the Police Chief shall conduct an investigation of the applicant's business and moral character to be made as he or she deems necessary for the protection of the public good. No license shall be issued without the approval of the Police Chief. No license shall be issued under this chapter until a period of seventy-two hours has elapsed from the time of application, such period of time to be used by the Traverse City Police Chief for proper investigation of each application.
(Ord. 386. Passed 6-20-94. Ord. 949. Passed 7-16-12)

863.10 HOURS IN RESIDENTIAL AREAS

No person shall engage in vending in residential areas prior to 9:00 a.m. or after 9:00 p.m. or sunset, whichever is earlier, on any weekday or Saturday, or at any time on a Sunday, New Years Day, Presidents Day, Memorial Day, Martin Luther King Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day.
(Ord. 386. Passed 6-20-94. Ord. 949. Passed 7-16-12)

863.11 LICENSE ISSUANCE OR DENIAL

No license shall be issued to, nor shall any vending be conducted by:

- a) Any person who has made a false material statement in the application for the license.
- b) Any person who has been convicted of a violation of this chapter or whose solicitation permit or transient merchant license has previously been revoked by the City.
- c) Any person who has been convicted of any crime involving moral turpitude, breach of the peace or is a menace to health, safety or the general welfare of the public.
- d) Any person vending in the C-4 District on private property utilizing a tent or other structure or shelter made from soft fabric like material without first demonstrating that the tent or other structure will be properly secured and stable, is flame retardant, and capable of withstanding strong winds.

(Ord. 386. Passed 6-20-94, Ord. 919. Passed 7-15-11. Ord. 494. Passed 7-16-12)

863.12 REVOCATION.

A license shall be revoked by the City Clerk if, upon receipt of written information or upon the Clerk's own investigation, the Clerk has reason to believe a licensed transient merchant:

- (a) Has violated any of the provisions of this chapter, the Traverse City Code, or any statute of the State of Michigan.
- (b) Has made a false material statement in the application or has otherwise become disqualified for the issuance of such a license.
- (c) Has violated any provision of this Chapter, which violation has been documented by a written complaint certified by the City Clerk pursuant to Section 863.14.
- (d) Has conducted vending that is in any manner adverse to the protection of the public health, safety or welfare of the City of Traverse City. Immediately upon such revocation, written notice thereof shall be given by the City Clerk to the licensed transient merchant in person or by certified mail addressed to his or her place of business or residence address set forth in the application. Immediately upon the giving of such notice, the license shall become null and void.

(Ord. 386. Passed 6-20-94. Ord. 494. Passed 7-16-12)

863.13 MANNER OF VENDING; DUTIES OF-TRANSIENT MERCHANT.

No transient merchant shall:

- a) Conduct as a transient merchant upon a premises in defiance of a posted notice stating "No Solicitors or Peddlers", "No Peddlers" or "No Solicitors" or "No Transient Merchants".
- b) Fail to immediately and peacefully depart from premises when requested to do so by the occupant.
- c) Fail to accurately reveal all information contained in the application for a transient merchant license and all information required to be revealed by State law to any person requesting such information. Failure of a transient merchant to reveal such information shall be grounds for the revocation of the license pursuant to Section 863.12 or the denial of future solicitation permits or transient merchant licenses pursuant to Section 863.11.
- d) Fail to identify himself or herself and the name of the organization represented.
- e) Fail to prominently wear the picture identification badge issued by the City Clerk.
- f) Conduct business in a park as defined by Traverse City Code, Chapter 1064.
- g) Occupy a stationary location on a public street, sidewalk, parkway, park, parking lot or any other public property which is used by pedestrians or persons operating motor vehicles. A transient merchant shall be presumed to have occupied a stationary location if he or she has conducted business in any such public place for a period in excess of ten (10) minutes.
- h) If issued a license after July 25, 2011, leave a structure on private property in the C-4 District between the hours of 12 a.m. and 6 a.m., or leave such unattended for more than 2 hours.
- i) Vend in a public area less than one block away from where a City-authorized street fair, public festival, farmer's market or event is being conducted, except with the permission of the sponsor.
- j) Use or employ any flashing lights on any vehicle, or any other device for the purpose of attracting attention to any goods, wares or merchandise which the transient merchant proposes to sell.
- k) Represent that the granting of a license under this Chapter is an endorsement by the City.
- l) Fail to follow all provisions of State laws and regulations, City ordinances and conditions of the transient merchant license.

(Ord. 386. Passed 6-20-94, Ord. 919. Passed 7-15-11. Ord. 949. Passed 7-16-12)

863.14 COMPLAINTS; APPEALS.

If a written complaint is filed alleging that a transient merchant has violated any provisions of this Chapter, the City Clerk shall promptly send a copy of the written complaint to the transient merchant together with a notice that an investigation will be made as to the truth of the complaint. The transient merchant shall be invited to respond to the complaint and present evidence and respond to evidence produced by the investigation. If the City Clerk, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified. If a license is denied or revoked by the City Clerk, or if a written complaint is certified pursuant to this section, the applicant or holder of a license may appeal to and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant and investigation by the City Clerk, as to

TRANSIENT MERCHANT

whether or not the grounds for denial, revocation or complaint are true. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of the City Clerk or the filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to the City Commission. Review by the City Commission shall be under the same standards of review as the determination by the City Manager and shall be in accordance with rules of procedure established by the City Commission. The City Commission's decision may be reviewed by a court of competent jurisdiction.
(Ord. 386. Passed 6-20-94. Ord. 949. Passed 7-16-12)

863.15 OTHER LICENSES OR PERMITS.

A license obtained under this Chapter shall not relieve any person of the responsibility for obtaining any other permit, license or authorization required by any other ordinance, statute or administrative rule.
(Ord. 386. Passed 6-20-94.)

863.16 PUSHCARTS OR PEDAL CARTS.

Pushcarts are restricted to sidewalks in the residential districts unless otherwise prohibited by local ordinance. Pedal carts are restricted to sidewalks in the residential districts and are permitted on all City streets in accordance with the Michigan Vehicle Code. Motor vehicles are permitted on all streets in accordance with the Michigan Vehicle Code. Any transient merchant using a motor vehicle or pedal cart in a street, when stopped, shall place the vehicle parallel to and within twelve inches of the curb and shall depart from such place as soon as the sale has been completed.
(Ord. 386. Passed 6-20-94. Ord. 949. Passed 7-16-12)

863.17 APPEARANCE TICKETS.

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.
(Ord. 386. Passed 6-20-94.)

863.18 CIVIL INFRACTION.

A person who violates this Chapter is responsible for a civil infraction and subject to a fine of not less than \$100 nor more than \$500.
(Ord. 386. Passed 6-20-94.)

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

I hereby certify the above ordinance amendment was introduced on _____, at a regular meeting of the City Commission and was enacted on _____, at a regular meeting of the City Commission by a vote of Yes: _____ No: _____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on _____.

Benjamin C. Marentette, City Clerk



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ^{SD} JERED OTTENWESS, CITY MANAGER

SUBJECT: 2014 STREET CROSSWALK REPLACEMENT PROJECT

Attached are memos from Dave Green, DPS Director, and Mark Jones, Street Superintendent, regarding the purchase of materials required to replace crumbling crosswalks in the City.

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

that 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.

JO/jd

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

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: May 22, 2014
SUBJECT: 2014 Street Crosswalk Replacement Project

Attached is a request from Mark Jones, Street Superintendent, for the approval of a purchase order for the material required to install brick patterned preformed thermoplastic pavement markings that will replace the actual brick crosswalks at five intersections along Woodmere Avenue. The intersections proposed include Carver, Hannah, Beitner, Boyd and Eighth. As Mark points out, we have studied and evaluated different types of crosswalk delineation materials and products with the preformed thermoplastic marking process rising to the top in terms of cost, ease of installation and durability. We also discussed this idea during the CIP process with the Planning Commission and City Planning and Engineering staff and received consensus to try it as a pilot project.

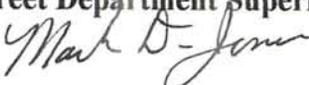
City crews will remove the old brick/concrete crosswalks (salvaging as many bricks as possible for later use), replace the gravel base and place a new asphalt section in preparation for the pavement markings. Flint Trading, Inc., the sole source supplier for the pavement marking material, will then train and assist our crew on the thermoplastic application process so that if this pilot project works, we will be able to continue replacing the crumbling crosswalks throughout the City using only City staff!

Therefore, please request City Commission approval to waive the competitive bidding policy and issue a Purchase Order in the amount not to exceed \$49,517.30 to Flint Trading, Inc. for the materials required to place preformed thermoplastic pavement markings at the five intersections mentioned above with funds available in the Capital Improvement Project Funds.

Memorandum

To: Dave Green, DPS Director

From: Mark Jones, Street Department Superintendent

Date: 05-12-14 

Subject: Annual Crosswalk maintenance Program, (CIP ID 760)

Do to the condition of the crosswalks in Traverse City we have set aside \$40,000.00 annually in capital improvements, for the replacement of these crosswalks. Knowing the condition and the fact that this type of crosswalk construction will not hold up in our northern climate we have researched different types of crosswalk construction. We have had two different companies demo their product within the last few years. Flint Trading, Inc. (dba Ennis Flint) demoed their product in five different locations in Traverse City, two of these locations were crosswalks. The product they used was preformed thermoplastic pavement markings. The first crosswalk demo that was done around six years ago was on the Grandview Parkway at Oak Street, the second was on Union Street at Ninth three years ago. We have been satisfied with the longevity of this product and the fact that you can patch worn areas and if you have to replace the crosswalk it would be at a fraction of the cost of replacing a brick and concrete crosswalk. The second company that did a demo for us was Creative Asphalt, They did a brick stamped pattern in asphalt with a red brick coating. This demo was applied on Beitner street at Woodmere Ave. This demo failed within one winter, the coating wore off and the asphalt had wear at the brick lines.

Because of the failure of the stamped brick style crosswalk we feel our best option would be to go with the preformed thermoplastic paving markings supplied by Flint Trading, Inc. The Street Department would like to do this project in house, our crew is more than capable of removing the existing crosswalks and re-paving the street and Flint Trading, Inc. offers free training for our employees to learn how to apply their product. By doing this work in house the Street Department would cover the cost of the removal of the existing crosswalk, gravel, and asphalt leaving all the funds to go towards the preformed thermoplastic pavement markings. We would like to do Woodmere Ave as a pilot project, including intersections of Carver and Woodmere, Hannah and Woodmere, Beitner and Woodmere, Boyd and Woodmere and Eighth and Woodmere. Flint Trading, Inc. (dba Ennis-Flint) is the sole source supplier/manufacturer of both Traffic Patterns and PreMark preformed thermoplastic pavement markings, therefore if you would please ask the City

Commissions approval to waive the competitive bidding process and award a purchase order to Flint Trading Inc. (dba Ennis-Flint), In the amount of \$40,000.00. I will monitor the project costs so we will not exceed the \$40,000.00 limit for the current fiscal year, funds that are available for this current fiscal year will probably not cover the crosswalks at Woodmere and Eighth intersection.

<u>Carver and Woodmere Ave.</u>	TP – 1171 sq ft \$10,525.20	PM – 393 Foot \$1,331.40
<u>Hannah and Woodmere Ave.</u>	TP – 1127 sq ft \$10,274.60	PM – 410 Foot \$1,331.40
<u>Beitner and Woodmere Ave.</u>	TP – 250 sq ft \$2,255.40	PM – 100 Foot \$380.40
<u>Boyd and Woodmere Ave.</u>	TP – 540 sq ft \$5,012.00	PM – 109 Foot \$380.40
<u>Eighth and Woodmere Ave.</u>	TP – 1873 sq ft \$16,790.20	PM – 361 Foot \$1,236.30

TP total sq ft cost \$44,857.40

PM total Foot cost \$ 4,659.90

Total \$49,517.30



Document Path: Z:\civic\Projects\Streets\Pavement Marking\2014 Pavement Marking Master.mxd

5-28-14
JPT

PROPOSED 2014 WOODMERE BRICK CROSSWALK REPLACEMENT

STREETS
OF WOODMERE, OH



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: B5, #2 DIESEL FUEL PURCHASE

Telephone / fax bids were received for dyed #2 diesel and B5 biodiesel fuel for use by various city departments.

The following is a summary of these bids.

<u>Vendor</u>	<u>City</u>	<u>Biodiesel</u> <u>Price/gallon</u>	<u>Diesel</u> <u>Price/gallon</u>
Lemmen Oil	Coopersville	\$3.10575	\$3.10475
Crystal Flash	Traverse City	Did not bid	\$3.1067
Fick & Sons	Grayling	Did not bid	Did not bid
Blarney Castle	Traverse City	Did not bid	Did not bid
Schmuckal Oil	Traverse City	Did not bid	Did not bid
Brenner Oil	Mount Pleasant	Did not bid	Did not bid
Gilberts	Traverse City	Did not bid	Did not bid

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

that the City Manager be authorized to issue a confirming purchase/service order in the amount of \$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.

JJO/wb

The previous B5 Bio-diesel purchase price on 7/25/13 was \$3.092533

K:\tclerk\city commission\purchase orders\diesel fuel 20140602



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: SCHEDULE PUBLIC HEARING – YEAR-END BUDGET
AMENDMENTS

Attached is a memo from William Twietmeyer, City Treasurer/Finance Director, requesting the City Commission schedule a public hearing regarding year-end budget amendments.

I recommend the following motion:

that a public hearing regarding year-end budget amendments for Fiscal Year 2013-2014 be scheduled for June 16, 2014.

JJO/kjl

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copy: William Twietmeyer, City Treasurer/Finance Director

Memorandum

The City of Traverse City



To: Jered Ottenwess, City Manager
From: William E. Twietmeyer, City Treasurer/Finance Director *W.E.T.*
Subject: Budget Amendment
Date: May 27, 2014

Our office is reviewing the accounting records of the City for the fiscal year 2013-2014. It appears that the City Commission will need to make some budget amendments prior to the fiscal year end. Most of these amendments appear to be housekeeping in nature. We will have more details after our June 10 check run. In the event that we may need to reflect an overall increase in either budgeted revenue or budgeted expenses in the General Fund, a public hearing would be necessary in conjunction with these year-end budget amendments. Therefore, I request that a public hearing be scheduled for the June 16, 2014 City Commission meeting for purposes of increasing budgeted revenue and budgeted expenses in the General Fund. Please place this item on the consent calendar of the June 2, 2014 City Commission meeting.



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: CITY COMMISSION AD HOC COMMITTEE ON THE
SIDEWALK CAFÉ ORDINANCE:

MAYOR PRO TEM JIM CARRUTHERS, CHAIR
COMMISSIONER BARBARA D. BUDROS
COMMISSIONER JEANINE EASTERDAY

SUBJECT: REPORT: SIDEWALK CAFÉ ORDINANCE

We were appointed by the City Commission to review the city's Sidewalk Café Ordinance. We sought the input of the boards of the Downtown Development Authority and Downtown Traverse City Association, which will be referenced later in this report.

Our committee focused primarily on two areas: 1) Refining the city's existing rules for sidewalk cafes; and 2) Preparing an ordinance that would allow for "platform cafes" in certain on-street parking spaces.

Regarding Sidewalk Cafés:

In 2013, the City Clerk's Office licensed 27 sidewalk cafés. Attached are proposed amendments to the Sidewalk Café Ordinance. The following summarizes our recommendations:

- Because we recommend allowing cafes in certain on-street parking spaces, which means not all cafés will be on the sidewalk, we recommend changing the name of the permit from *Sidewalk Café Permit* to *Outdoor Café Permit*.
- For the cafés that are located on the sidewalk, require that all furniture and equipment be removed from public property when the café is not in operation. This was also recommended by the DDA Board.

- Require that the permit holder be responsible for proper disposal of waste associated with their café on a daily basis.
- Require a hard-edge barrier, which would be affixed/anchored to the sidewalk (with method of affixation approved by the City Engineer and aesthetics approved by the City Planning Director) to ensure an unobstructed four foot-wide linear foot access path is maintained for pedestrians, to ensure compliance with the Americans with Disabilities Act. The requirement for the hard-edge barrier could be waived by the city's ADA Coordinator if it could be demonstrated that the hard-edge barrier isn't necessary to ensure the 4-foot clear pedestrian pathway.

We recommend this requirement go into effect April 1, 2015, which would allow time for the City Clerk's Office to give ample notice of the new requirement to food service establishments.

Finally, with respect to this particular recommendation, Mayor Pro Tem Carruthers dissented as he would like to require a minimum five foot-wide unobstructed linear foot access path be maintained by all sidewalk cafés.

- As a technical matter, to ensure compliance with rules of the Michigan Liquor Control Commission, for those cafés on the sidewalk where alcohol is being served and the café is not directly adjacent to the building, meaning a server would be carrying alcohol across the sidewalk, an agreement with the city would be required.

Regarding Platform Cafés:

Using ordinances in Birmingham, Michigan and Bay City, Michigan, as springboards, and after seeking the input of the Downtown Development Authority and Downtown Traverse City Association, we developed the attached proposed ordinance amendment which would allow for "platform cafés" in certain on-street parking spaces. Additionally, attached is an evaluation report prepared by the New York City Department of Transportation regarding the "pop-up cafés or "platform cafés" in New York City.

The following summarizes our recommendations:

- Platform cafés could be located in on-street parking spaces along streets where the posted speed limit is 25 miles per hour or less.
- Platforms could be placed within street parking areas where the majority of the parking spaces is, or are, in front of the food service establishment – therefore, if there were multiple such spaces, the food service establishment could place a platform in such (multiple) spaces.
- The aesthetics of the platform café must be approved by the Planning Director (who will take into account factors such as surrounding architectural features of the buildings in close proximity to the platform).
- “Platforms” could be in place between May 1 and October 1 of each year.
- The owner of the café would be required to enter into an agreement with the city, specifying the conditions of their occupancy, such as: 1) immediate removal of the platform in emergency situations; 2) Removal of the platform as necessary for street maintenance; 3) Responsibility of the café owner to keep the area beneath the platform clear of debris; 4) If the city needs to remove the platform, the city has no financial responsibility for any damage to the platform.
- No amplification of music within the platform. If music is played, it must conform to the city’s Noise Ordinance.
- As an administrative matter, if a platform café was proposed for a space that is currently designated as a handicap parking space, city staff would review to see if it was reasonable to relocate the handicap parking space.
- A business owner could have café seating area on both the sidewalk and in an on-street parking space, provided, the minimum four foot clear pathway was maintained.

- While City Attorney Lauren Tribble-Laucht believes smoking would be prohibited in platform cafés under State Law, because there is some ambiguity, the recommended ordinance specifically prohibits smoking in the platforms and requires a sign be posted informing the public of the smoking ban.
- The platforms would be required to be open to non-patrons of the cafe.
- Based on City Clerk Benjamin Marentette's calculation of the estimated staff time involved in administering the average platform café request, the committee recommends an application fee of \$360.
- The committee concurs with DDA Executive Director Rob Bacigalupi's recommendation that the permit fee be \$10/day/space; or approximately \$1,500/space/season. (This is based on the \$10/day meter bagging fee.)

If the Commission introduces the ordinance amendment and schedules it for possible enactment on June 16, the Commission can consider adopting the application and permit fees at the June 16 meeting.

Finally, we discussed the impact of such platforms on festivals, specifically with the National Cherry Festival and the Downtown Development Authority/DTCA and placement of the platforms should not cause issues for the events on Front Street, for example.

Parklets:

The committee discussed lightly the possibility of earmarking a portion of permit fee revenue from the platform cafés for future parklets, or "mini-parks." The committee would like to discuss this concept with the full Commission. Some possible questions are: Would the Commission like to appoint an ad hoc committee to explore this possibility? If so, would the Commission like to have the ad hoc committee work with the Parks and Recreation Commission, Downtown Development Authority, Planning Commission, and/or others to formulate a recommendation?

Review of Ordinance:

We recommend that this ordinance be reviewed in the fall by the committee, with any recommended changes to be brought before the Commission. If the ordinance is introduced, the recommended motion for enactment will stipulate that the committee review the ordinance in the fall.

The following motion would introduce the ordinance amendment and schedule it for possible enactment on June 16, 2014:

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.

:BCM

copy: Russell Soyring, City Planning Director
 Dave Green, Director of Public Services
 Timothy Lodge, City Engineer
 Rob Bacigalupi, Downtown Development Authority Executive
 Director
 Colleen Paveglio, Downtown Development Authority Deputy
 Director

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2011 Pilot Program Evaluation Report



Bombay's and FIKA, Pearl Street, Manhattan

Program Description

The aim of this program was to provide seasonal, outdoor public seating in the parking lane of the street as an amenity to pedestrians at places where sidewalk seating is not available, and to build well-designed public open spaces that invite people to stay. First called "Pop-Up Cafes" here in New York and "Parklets" on the west coast, such installations have been popular in San Francisco and Europe where, like New York, narrow sidewalks often prevent traditional sidewalk cafés or permanent public seating. In the summer of 2010, DOT partnered with two Lower Manhattan restaurants to pilot the city's first curbside public seating platform on Pearl Street. The space was well-used and well-liked by the neighborhood, prompting the local

community board to issue a letter of support and to express enthusiasm for additional sites.

2011 Expansion

Building on this success, DOT expanded the program in 2011 by approving applications from three additional establishments for a total of four sites citywide. The four sites in operation last year were at Bombay's and Fika (60-66 Pearl St.), Local (144 Sullivan St.), Le Pain Quotidien (708 3rd Ave.) in Manhattan, and Ecopolis (180 Smith St.) in Brooklyn. Each establishment applied to participate in the program and, after preliminary approval from DOT, each site was reviewed and approved by their local community board.



Locations of the four pilot program sites in 2011

The structural designs were reviewed by DOT to make sure they were compliant with the program guidelines prior to installation (http://www.nyc.gov/html/dot/downloads/pdf/po-p-up_cafe_design_guidelines.pdf). Design and construction of each platform was carried out by New York State licensed architects/engineers and contractors hired by each sponsoring establishment. DOT provided technical assistance to the applicants, and typically made some operational enhancements to the site, such as applying markings or adding flexible bollards.



Ecopolis' platform under construction

The cost of the design, construction and maintenance of each installation was paid for by the sponsoring establishment(s). This included sweeping and litter removal, cleaning the tables and platform, watering the plantings and maintaining the structure and furnishings. Furniture was required to be taken inside at night, or broken down and secured outside.



Flexible bollards, striping and parking stop at the Pearl Street site

As public spaces, no alcohol consumption was allowed at the spaces and smoking was prohibited. Seating was open to the public, not reserved for customers of any particular establishment, and each site had a sign emphasizing this. Establishments were prohibited from providing table service at a site, but patrons could order and pay for goods inside and have them brought out to a table.



Signage at Bomaby's and FIKA, Pearl Street, Manhattan

What follows is the summary of observations and analyses of each installation, conducted by DOT over the warm-weather season, to assess how well they were operated and utilized.

Evaluation Criteria

This evaluation report uses a combination of quantitative and qualitative information to assess how the four sites were operated and utilized. Some of the key criteria for successful public spaces include usage, user behavior and duration, community impacts, and economic vitality.



Le Pain Quotidien, East 44th Street, Manhattan

The data in this report is derived from field observations conducted in September of 2011, with the exception of Pearl Street which was observed in August of 2010. User counts were collected manually, assisted by time lapse video in certain locations. Counts of the number of people at a site were taken every 15 minutes, and the dwell time in the space was recorded for each person. The data for Pearl Street was collected in two steps - first prior to installation and then again after implementation to try to gauge changes – and did not track dwell time.

For some sites, surveys of users and surveys of operators were conducted to get some general feedback about the pilot installations.



Bomaby's and FIKA, Pearl Street, Manhattan

Local

The installation at Local (144 Sullivan St.), the only community board-approved site of seven applications in Manhattan CB2, was installed and put into operation in July 2011. Local is a small coffee shop offering light food (soups, sandwiches, pastries) for breakfast and lunch. It does not offer alcohol or have table service. Local's hours are Mon, 7:30am-6pm; Tue-Fri, 7:30am-10pm; Sat, 9am-10pm; Sun, 9am-6pm.

Site Characteristics

Sullivan Street is a one-way street (northbound) with two parking lanes and one moving lane. The establishment has a very short storefront length of 9'-7". The installation was a temporary, 16-foot by 6-foot wooden deck in the place of roughly two parking spots. The deck was buffered on three sides with four-foot high planting walls topped with sea grass. Four removable benches were put into the space for a maximum capacity of 12 people seated at one time. There is a tree and plantings at the adjacent sidewalk. To provide additional shade, an umbrella was placed on the deck during operation.



Local, Sullivan Street, Manhattan

Neighborhood Profile

The neighborhood near Local (within 2 blocks) mostly consists of multi-family buildings, mixed residential and commercial buildings, and public facilities and institutions. According to

2010 census data, 46% of residents in the area¹ are male and 54% are female. It is a relatively young neighborhood - 82% of residents are in the 18 to 64 age range, and about 60% are between 20 and 50. The neighborhood has a median household income of \$63,275 (2000 census data).

Field Observations

The field survey at Local was conducted on Friday September 2nd, from 8:00 a.m. to 6:00 p.m. On the survey day, 96 people used the space in front of Local, of which 58 were male and 38 were female. Most of the users were between 18 and 64. 3 seniors (65+) and 2 children were observed. The space was also pet-friendly - a number of users brought their dogs with them when sitting at the space (8 out of 96).

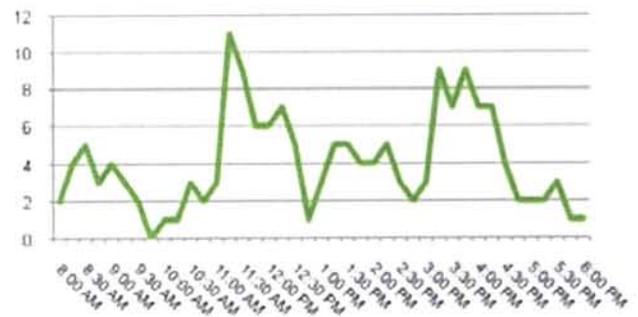


Figure 1: User count at Local's platform (taken every 15 minutes)

The peak hours of the platform's use at Local were 11:00 a.m. - 12:00 p.m. and 3:00 p.m. - 4:00 p.m. The average occupancy was 7 people in each of those periods. Maximum occupancy occurred around 11:15 a.m., with 11 people sitting in the space at the same time. This new public space was frequently occupied. Over half of the observation period,

¹ According to Census 2010 Data in Block Group Level-Census tract 49, block 2 and block 3; census tract 37, block 2; census tract 65, block 3 and block 4.

the deck had at least 4 people seated at any given time. During the 2½-hour lunch period between 11:45am and 2:15pm, 39 people used the 12-seat platform, giving each seat an average turnover of 1.3 persons per hour.



Local, Sullivan Street, Manhattan

The space was successful at attracting people from the sidewalk. Passersby were observed walking onto the platform, sitting on the benches, talking to each other, reading newspapers, eating their lunch, working on laptops, making phone calls, and engaging in other social and non-social activities. The average dwell time (how long a person stayed at the platform) varied depending the activities they were involved with. At Local, the average dwell time was 26 minutes. About half the people stayed longer than 15 minutes, and 25% stayed longer than 43 minutes. The maximum dwell time observed was 111 minutes by a middle-aged female while she was having lunch, chatting, and working on her laptop.

Operator Survey

According to Local's owners, 90% of people who use the installation at Local were from the surrounding neighborhood. They also said that the installation was "definitely good for business, especially in a way that creates new space for the community." Although the impact on sales for Local was not dramatic, they still felt there is potential for some benefit in the

long term. One significant challenge they reported encountering was regulating users' behavior. While there was a "No Smoking" sign placed at the site, some people were still observed smoking there. The owners of Local had to frequently stop people from smoking whenever they saw it happening.

Summary

The installation at Local created a public space where about 12 people could sit at the same time, and was observed being utilized by 96 people in a single day, in the street space that would otherwise have been occupied by one or two cars parked for the whole day, or even a few consecutive days. It was frequently used by residents from the community in a variety of different ways, and has potential benefit to the sponsoring establishment in the long term, but faced some challenges dealing with smokers.



Local, Sullivan Street, Manhattan

Ecopolis

The platform outside of the coffee shop Ecopolis, on Smith St. and Warren St., was Brooklyn's first installation as part of this program. It was approved by Brooklyn Community Board 2 in mid-April, 2011 and was installed in July. Ecopolis is a coffee shop offering light fare (baked goods and sandwiches) for lunch and dinner. The hours are Mon. - Fri. 7 a.m. to 9 p.m., Sat. - Sun 9 a.m. to 9 p.m.

Site Characteristics

The platform was located on Warren Street, near an entrance of the Bergen Street F-train subway stop. Warren Street has one westbound travel lane and two parking lanes. The entrance of the café is at the corner of Smith Street facing east; the 25-foot-by-6-foot installation was built using reclaimed blond wood and spanned a single metered parking spot on Warren Street. The platform featured 5 tables, 10 chairs, and 2 umbrellas, as well as planters screening people from traffic.



Ecopolis, Smith Street, Brooklyn

Neighborhood Profile

The neighborhood near Ecopolis (within 3 blocks) consists of multi-family buildings, 1-2 family buildings, and mixed-use units. Commercial units are concentrated along Smith Street. Renters occupied 66% of the total housing in this area (Census 2010). The neighborhood contains about 3,537 residents, of which 48% are male, 52% are female. This neighborhood is also relatively young - 16% are under 18, and only 7% are in the above 65 group. The median household income in this area is \$55,417 (2000 Census).

Field Observations

A field survey was conducted on Wednesday, September 21st, from 11:00 a.m. to 2:00 p.m. In the three hours, 38 people used the space, of which 18 were male (47%) and 20 were female (53%). Most users were young or middle-aged – only 2 were seniors. Due to the limited observation period, it was not immediately clear when the peak hour of use was throughout the day, and the owner of Ecopolis also said it was hard to identify the highest occupancy period, however they felt normally there would be more people in the afternoon.

During the observation period, the average occupancy was 4 people and the maximum occurred around 1:50 p.m., with 12 people on the platform at the same time, two of whom were standing. During most of the observation period, the platform had at least 4 people seated. During the 2½-hour lunch period between 11:45am and 2:15pm, 32 people used the 10-seat platform, giving each seat an

average turnover of 1.3 persons per hour – the same as Local.

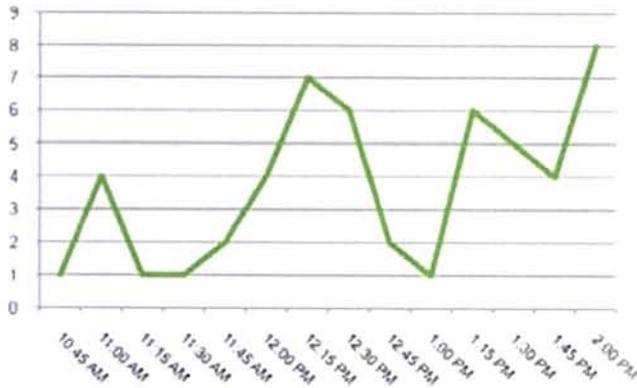


Figure 2: Ecopolis pop-up cafe user count (every 15 minutes)

There was a relative high occupancy period around noon when people sat eating lunch, and a trend of more people in the afternoon when residents in the neighborhood gathered and chatted with each other. The platform was in front of a subway entrance, and as such some people used the space to make phone calls and waited to meet up with others. The average dwell time at the Ecopolis installation was 28 minutes. 50% of people stayed there longer than 24 minutes, and 25% stayed longer than 35 minutes. The maximum dwell time observed was 91 minutes by two people having lunch together starting from 11:48 a.m.

Operator Survey

According to a survey conducted by the owner of Ecopolis, 67% of those who use the space live or work within 3 blocks. The owner said they felt it was good for business because it contributes positively to the community, and they were experiencing a sales increase compared to last year when the restaurant was newly opened. The only concern they expressed was that, being installed next to a

busy subway entrance, the capacity of their installation was too low (only 10 seats) to meet the demand for seating, such that they had some crowding with people standing at busy times.

Summary

The installation at Ecopolis created a public space with 10 seats, and was observed being utilized by 45 people in a three hour period, in the street space that would otherwise have been occupied by one parked for the whole day, or even many consecutive days. It was popular with locals, so much so that at certain times there were more people on the platform than available seats, and the owner feels it increased their sales. There were no reported problems at this site.



Ecopolis, Smith Street, Brooklyn

Le Pain Quotidien

The installation sponsored by Le Pain Quotidien was located at the corner of 44th Street and 3rd Ave. It was approved by Manhattan Community Board 6 on March 9th, and installed in early May, 2011. Le Pain Quotidien is a French bakery chain serving sandwiches and baked goods for breakfast and lunch. Inside the restaurant they have table service and offer beer and wine. The hours are Mon-Fri 7 am - 7:30 pm; Sat-Sun 8 am - 6:30 pm.

Site Characteristics

44th Street has two parking lanes and one eastbound travel lane; the sidewalk width is 14'8". Le Pain Quotidien is situated at the corner on the first floor of a high-rise office building. The store frontage length is 74'1". The platform covered a 60-foot by 6-foot area, and featured 10 bistro-style wood tables, 20 chairs, and two umbrellas, as well as a row of planters surrounding the tables.



Le Pain Quotidien, East 44th Street, Manhattan

Neighborhood Profile

The area around (within 3 blocks) largely consists of commercial and office buildings, and few multi-family buildings; 86% of the total housing is occupied by renters (2010). According to Census 2010, the area² contains 2,024 residents, of which 45% are male, 55% are female. 90% of the residents are in the 18 to 64 age group. The median household income is \$80,953 (Census Tract 92) and \$62,375 (Census Tract 90) in the adjacent areas (Census 2000).

Field Observations

The field survey of Le Pain Quotidien was conducted on Thursday, September 22nd, 2011, from 11:40 am to 3:15 pm. During the survey period, 92 people used the space. 48% were male and 52% were female. Most of the users were in the age between 18 and 64 - only 2 seniors (65+) were observed.

Lunchtime was the peak hour of use at the Le Pain Quotidien site. The average occupancy was 10 people in each period. Maximum occupancy happened around 1:50 p.m. with 18 people seated in the space. In 93% of the observation period, the platform had at least 6 people seated. The space was highly occupied between 12:30 p.m. and 2:30 p.m. During the 2½-hour lunch period between 11:45am and 2:15pm, 67 people used the 20-seat platform, giving each seat an average turnover of 1.3 persons per hour – the same as both Ecopolis and Local.

² According to Census 2010 Data in Block Level: Census tract 92-Block 1011, Census tract 92-Block 1015, Census tract 92-Block 1014, Census tract 88-Block 1000, Census tract 90-Block 100, and Census tract 90-Block 1000.



Figure 3: Le Pain Quotidien cafe user count

Most people using the site around mid-day were eating their lunch there. They brought meals purchased from nearby stores, sat at the tables and chairs, and talked with each other. Some sat for a short time when waiting for others. People almost always came in pairs or groups, having lunch together, and leaving at the same time. At Le Pain Quotidien, the average dwell time was 25 minutes. About 50% of the people stayed longer than 22 minutes, and 25% stayed longer than 36 minutes. The maximum dwell time observed was 57 minutes by two middle-aged females having lunch and chatting in the space.

Two issues were observed during the survey at this site. First, people would move the tables and chairs off the platform to the sidewalk, and they were not always promptly returned after they left. Second, Le Pain Quotidien staff was seen taking orders from people on the platform, which is prohibited. This problem was also cited in a complaint from the public received via email. Both of these issues were communicated to the operator and have since stopped.

Operator Survey

According to the manager, about 90% of the people who used the platform on weekdays live or work in the neighborhood, while most are tourists on weekends. He also added that the installation "is good for business; at least it doesn't hurt business. It's a public space, anyone can sit there."

Summary

The 20 seats at Le Pain Quotidien's platform were observed being heavily used, especially at lunch time. The space helps relieve sidewalk crowding by providing an out-of-the-way gathering space, and improves the existing streetscape with planting and seating. However, the operator needs to be more diligent about keeping the movable furniture from migrating onto the sidewalk.



Le Pain Quotidien, East 44th Street, Manhattan

Bombay's and Fika

Opened in August 2010 as the city's first pilot installation, the Pearl Street site was located in front of Fika at 66 Pearl Street and Bombay's at 60 Pearl Street – a collaborative effort by two neighboring restaurants. Fika is a Swedish-themed coffee and chocolate shop offering sandwiches and baked good for breakfast and lunch. Their hours are Mon-Fri 7am-7pm; Sat 9am-6pm; Sun 10am-4pm. Bombay's is a take-out/cafe-style Indian lunch restaurant, with beer available inside. Their hours are Mon-Sat 11:30 am - 9 pm.

Site Characteristics

Pearl Street is a one-way street (southwest bound) with two parking lanes. The platform replaced a row of 5 parked cars with 14 tables and 50 seats surrounded by planters, forming a public space 84 feet long and 6 feet wide. The maximum capacity for sitting was 50, and the seats were open to everyone. There are no trees along the sidewalk and no additional umbrellas were installed for shade, but because of the tall neighboring buildings, the periods of direct sun were short. The design, with a modular wood decking system and metallic rectangular planters, mirrored the first similar pilot in San Francisco.



Bombay's and Fika, Pearl Street, Manhattan

Neighborhood Profile

The area near Bombay's and Fika is predominantly commercial office buildings. Most people who visited the site work in the nearby offices. According to the 2010 census, only 731 people live in the neighborhood (New York County, Census Tract 9), of which 55% are male, 45% are female, and 89% are between age 18 and 64. 89% of residents are renters. The median household income of this neighborhood is \$105,456 (2000 census).

Field Observations

NYCDOT conducted field surveys in July and September 2010, collecting data from both before and after the installation. The data collection was carried out over many different periods covering every hour between 9 a.m. and 7 p.m. on fair-weather weekdays. Therefore we can assume that the data collected profiles a typical weekday in July and then in September.

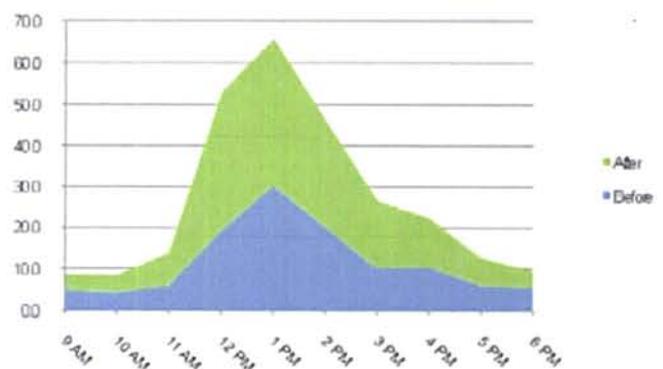


Figure 4: Count of people sitting on Pearl Street 7/10 vs. 9/10

Comparing the stationary activity counts in July and September, overall pedestrian volumes stayed relatively the same. However, the average number of people observed sitting along Pearl Street between 9am and 6pm went

up by 22%, and the average number of people sitting between 12pm and 1pm went up by 77%, (Figure 4), thus the street became a more populous and well-used public space.

The peak hour of use at the Bombay's and Fika site was between 12:00 p.m. and 2:30 p.m., with an average of 42 users. The maximum occupancy of 61 happened at 12:58 p.m. The average number of people using the space throughout the day was 19. For half the observation period, the platform had at least 14 people seated and for over a third of the observation period, the space had more than 19 users. Males represented 63% of all the users and females 37%. Ninety-five percent were in the 18 to 64 age group.

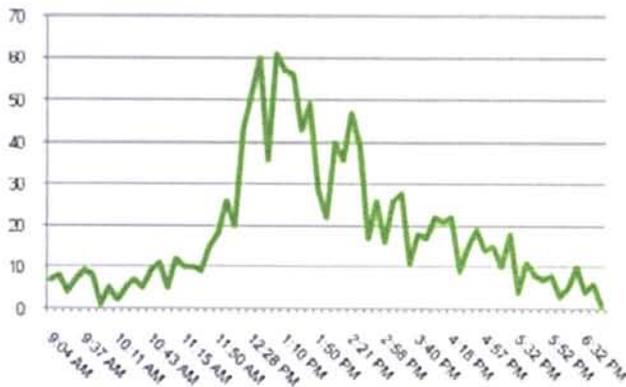


Figure 5 Bombay's and Fika pop-up cafe user count

Operator Survey

According to the operators, the Bombay's and Fika site is used primarily by people who work in the neighborhood, and it has helped increase their businesses. In 2010, Bombay's sales increased 14% from 2009, and Fika's sales increased 9-15% from the months prior to installation. One key factor the owners have cited is the fact that prior to the installation, their shops had little visibility being on a shadowy street with large trucks frequently obstructing view corridors. But the seating platform attracted passersby through

beautification of the street and opening up views.

However, as the first site for such an installation in the city, there were some problems with maintenance. Vandals managed to damage some of the structure and soil the installation with rotten food. Repairing the damages was complicated and costly because the design was expensive and highly customized. The seasonal removal and re-installation of the platform was similarly tedious and costly.

To respond to the vandalism, the operators installed security cameras which seemed to remedy the problem. It was speculated that the offending vandals were residents of an adjacent building who were evicted shortly thereafter for unrelated reasons which may also have contributed to the problem's abatement.

Summary

In all, this first installation in the city showed the great potential of this program for transforming streets into attractive and vibrant public spaces in warm weather months. The site was well-used and was a boon for business. However, the platform design was perhaps too particular and made installation and maintenance a challenge.



Bombay's and Fika, Pearl Street, Manhattan

Pilot Program Comparisons and Recommendations

The four pilot sites were all located in different neighborhoods in New York City. Each had its own specific designs with varying seating capacities. Also somewhat different were the peak hours and user behaviors, although clearly groups eating lunch together at mid-day was the primary activity across the board. Interestingly, the average dwell time and eat turnover was very similar at all sites. These comparisons will be discussed in this section.

Usage Comparison

Le Pain Quotidien, and Bombay's and Fika were located in commercial business areas. Most of the people who used these sites worked in the surrounding office buildings. Local and Ecopolis were located in residential areas that mostly consist of multi-family buildings. The frequent users of these sites were those who live in the community.

The capacity of each installation related directly to the storefront length of the sponsoring establishment and, to a lesser degree, the design. The installation in front of Local was designed like a front porch surrounded by planters, with 4 benches and 1 umbrella. It had a maximum capacity of 12 people, which would have been hard to achieve if it were designed like the other three pop-ups which featured bistro tables with folding chairs in rows. The two installations in residential areas had fewer seats (10 at Ecopolis, 12 at Local) than the two in business districts (20 at Le Pain Quotidien, 50 at Bombay's/Fika).

At both Local and Ecopolis, the average user count was 4, which means at any given time 33% of the seats at Local and 40% of the seats at Ecopolis were occupied. The average seat occupancy rate was higher in the commercial

districts - 55% at Le Pain Quotidien and 38% at Bombay's and Fika. At peak hours, the maximum seat occupancy rates were as follows: 90% at Le Pain Quotidien, 92% at Local, 120% at Ecopolis, and 122% at Bombay's and Fika. Seat occupancy rates higher than 100% mean people were standing on the platform, demonstrating the need for even more seating capacity at those sites in the peak hours.



Bombay's and FIKA, Pearl Street, Manhattan



Le Pain Quotidien, East 44th Street, Manhattan



Local, Sullivan Street, Manhattan

Data collection at the 2011 sites (Ecopolis, Local, and Le Pain Quotidien) included turnover and dwell time rates. Turnover is the

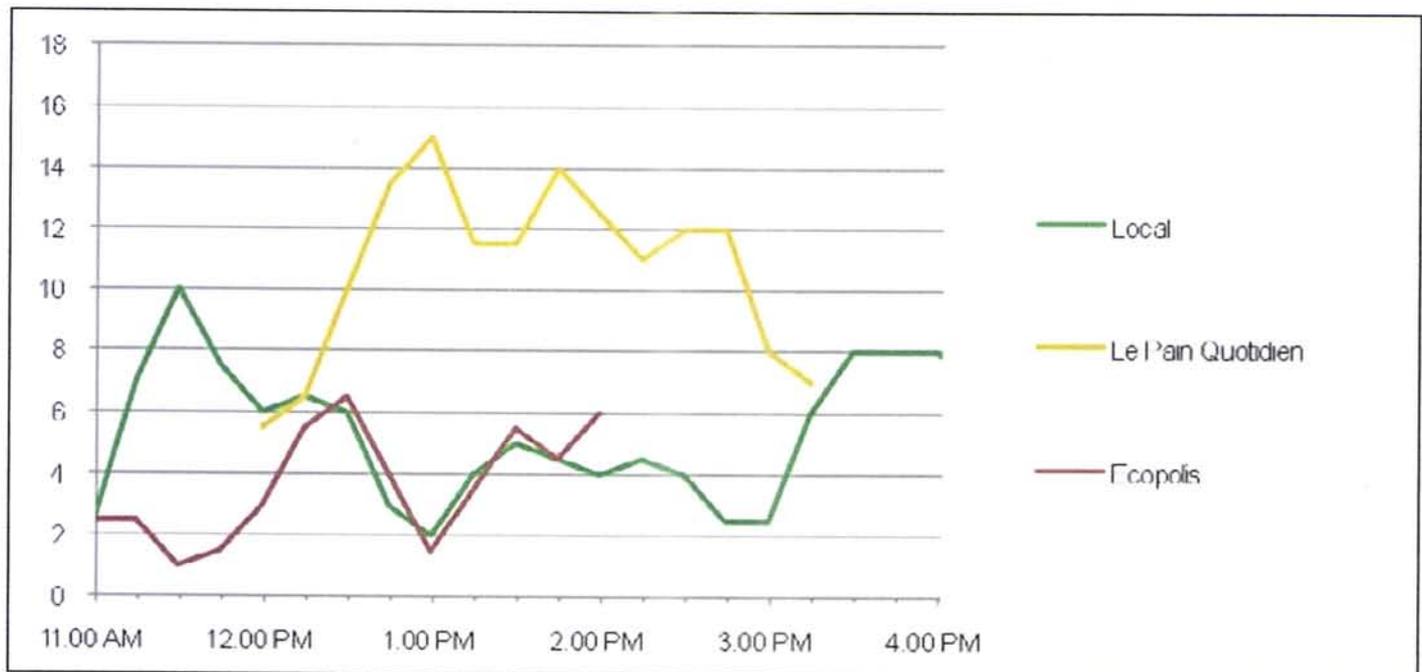


Figure 6: User count comparison of 2011 sites (2-period moving average)

number of times a seat is occupied during a given period. The seats at all three sites had average turnover rates of 1.3 persons per hour, despite their differences in size and use. Dwell time of users at Local was sparsely distributed—26 minutes on average, but with a maximum of 111 minutes. Many people stayed at Local for a short time - about 40% of all the users stayed less than 10 minutes. At Ecopolis there was a higher average staying time of 28 minutes. Ecopolis also had less variation than Local—the maximum dwell time was 91 minutes, and the middle 50% stayed between 12 minutes and 35 minutes. Le Pain Quotidien's site was the one most efficiently used compared to the other two; people tended not to stay too long. The maximum dwell time was just 57 minutes, and similar to Ecopolis, the middle 50% of users stayed between 15 and 36 minutes.

Community Concerns

During the public review process prior to installation, members of the public from some communities voiced concerns over possible negative impacts of these installations. Few of these concerns materialized but are equally

worth noting for having not occurred. These concerns include the following:

- Litter and residential garbage would pile up
- The platforms would not be cleaned or well-maintained
- People gathering would cause disruptive noise
- Illegal vendors would be attracted to the sidewalk or platform
- People would loiter in the spaces overnight
- The installations would be filled with tourists, not residents

In our observations, DOT found the platforms to be generally clean and well-maintained on a regular basis. No illegal vending was observed or reported, nor was loitering or excessive noise. No participating establishment was open later than 10pm at any time so nighttime noise would not have been an issue. And to the last point, our surveys suggested that the sites were used overwhelmingly by local residents and workers from the neighborhood, with the exception of the midtown location which attracted tourists primarily on weekends.



Bombay's and FIKA, Pearl Street, Manhattan

Feedback from Operators

The feedback from the sponsoring establishments was very positive. Most establishments experienced sales increases, and they all felt the installations were good for business, especially in that they contributed positively to the community, and would also bring financial benefits in the long term. One operator felt that the design of their platform was too finicky making it expensive to maintain, and one wished there's could be larger to accommodate more people.

Operational Challenges

Having operated for two seasons, there were a few issues which emerged. One platform was vandalized, necessitating difficult and costly repairs, and some people were seen smoking in one space even though a non-smoking sign was posted. One restaurant was observed providing table service to the platform, which was also cited in a public complaint sent to DOT via email. DOT did not receive any other formal feedback or complaints via email, 311, or written letter, and there were no reported accidents, injuries or criminal activity.

Recommendations

The operating and maintaining problems mentioned above were addressed and largely corrected, such as the security cameras being installed at Pearl Street, and smoking and table service was stopped once it was reported at Le Pain Quotidien. However, it is recommended that additional and more visible signage be installed to indicate that smoking is not permitted and that food orders may not be taken on the site. Also, DOT should examine ways to have the designs be simpler and more affordable to make installation and any necessary maintenance easier for the sponsoring establishment.

Table 1 Comparison of Four Sites

	Local	Ecopolis	Le Pain Quotidien	Bombay's and Fika (Pearl Street)
Facilities				
Area	16 ft. * 6 ft.	25 ft. * 6 ft.	60 ft. * 6 ft.	84 ft. * 6 ft.
# of tables	0	5	10	14
# of chairs	0	10	20	50
# of benches	4	0	0	0
Maximum Capacity	12	10	20	50
Umbrellas	1	2	2	0
Users				
Total Users	96	38	92	1273 ^[1]
Observation Period	8:00am-6:00pm	11:00am-2:00pm	11:40am-3:15pm	9:00am-7:00pm
Avg. user per count	4	4	11	19
Avg. user per count (12pm to 2pm)	5	4	11	43
Gender	M 58 F 38	M 18 F 20	M 48 F 44	M 805 F 468
Age	>65: 3, <18: 2	>65: 2	>65: 2	>65: 51; <18: 11
Occupancy				
Maximum Count	11	12	18	61
Maximum Occupancy	92%	120%	90%	122%
Average Occupancy	33%	40%	55%	38%
Turnover	0.8	1.3	1.3	NA
Peak Hours	11:00am-12:30pm 3:00 pm-4:00pm	1:00pm-3:00pm	12:00pm-2:30pm	12:00pm-2:30pm
Maximum Dwell Time	111 minutes	91 minutes	57 minutes	NA
Average Dwell Time	26 minutes	28 minutes	25 minutes	NA
Dwell Time Quartiles				
25%	43 minutes	35 minutes	36 minutes	NA
50%	15 minutes	24 minutes	22 minutes	NA
75%	6 minutes	12 minutes	15 minutes	NA
Neighborhood				
Land Use	Multi-family buildings; Mixed residential; Commercial buildings;	Multi-family buildings; 1-2 family buildings; Mixed-use units.	Commercial / Office buildings; Multi-family buildings;	Commercial / Office buildings;
Population	6,071	3,537	2,024	731
Median Income	\$63,275	\$55,417	\$80,953 ^[2] \$62,375 ^[3]	\$105,456

[1] This is the sum of 67 counts conducted at Bombay's and Fika: 1273. Sitting: 985, standing: 288

[2] Median Household Income of Census Tract 92 in Census 2000

[3] Median Household Income of Census Tract 90 in Census 2000



TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: OUTDOOR CAFE REGULATION CLARIFICATIONS AND OUTDOOR CAFES IN DESIGNATED ON-STREET PARKING AREAS

THE CITY OF TRAVERSE CITY ORDAINS:

That Sections 1020.07, ~~Sidewalk~~ **Outdoor** Café Permit; and 1020.08, **Outdoor** ~~Sidewalk~~ Café with Alcohol Permit, and 1020.09, *Outdoor Cafes in Designated On-Street Parking Areas*, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

1020.07 SIDEWALK **OUTDOOR CAFE PERMITS.**

(a) Permit Conditions. The City Clerk may issue to a ~~an adjacent~~ food service establishment a revocable ~~sidewalk~~ **outdoor** café permit to occupy a portion of adjacent City right-of-way to place tables and chairs, planters and windscreens ~~adjacent to the tables and chairs~~ in conjunction with selling and consuming food and beverages under the following terms and conditions:

(1) Prohibitions. The occupancy must not:

- A. Interfere with the use of the right-of-way for pedestrian or vehicular travel.
- B. Unreasonably interfere with the view, access to, or use of property adjacent to said street.
- C. Reduce the pedestrian travel area of any sidewalk to less than **four (4) feet in width; a clear linear path at least four feet in width must be maintained at all times.** The pedestrian travel area shall not include trees, bushes, walls, parking meters, fire hydrants, tree grates or any other fixtures permanently located in the right-of-way.
- D. Cause damage to the street or sidewalk or to trees, benches, landscaping, or other objects lawfully located in the right-of-way. ~~Any~~ **The sidewalk** anchoring system to secure an item ~~in~~ **in** the sidewalk shall be approved by the City **Engineer Manager** in writing prior to installation.
- E. Cause a violation of any federal, state or local laws.
- F. Be ~~principally~~ used for off-premises advertising. All signs must conform to the Sign Ordinance.
- G. Conceal or detract from the appearance of landscaping features in or adjacent to the street.
- H. Be in or adjacent to property zoned exclusively for residential purposes.
- I. Be attached to or reduce the effectiveness of or access to any utility pole, sign or other traffic control device.

- J. Cause increased risk of theft or vandalism.
 - K. Violate regulations adopted by the City Manager pursuant to this Code.
 - L. Serve alcohol unless the business holds an ~~Sidewalk~~ Outdoor Café with Alcohol Permit issued by the City Clerk.
 - M. Leave any furniture or equipment associated with the Outdoor Café on public property when the café is not in operation. This provision does not apply to Outdoor Cafes located on platforms within on-street parking areas.
 - N. May not operate beyond 11 p.m.
- (2) Notice. Notice to the adjacent property owners or occupants on both sides of the applicant's property shall be required before issuing a permit to occupy any right-of-way area between the edge of the vehicle use area of the right-of-way and the right-of-way property line. Said notice should include an enumeration of the conditions or rights provided under Section 1020.07(1) of this Code.
- (3) Fee. Prior to the issuance of a permit, a fee in an amount established by resolution of the City Commission shall be paid to the City Clerk. This fee shall be tripled if any such occupancy occurred prior to the issuance of a permit.
- (4) Insurance. The Permittee shall show proof of and maintain comprehensive general liability insurance and have the City as an additional named insured. The amount of such insurance shall be determined by the City Clerk.
- (5) Waste. Any holder of an Outdoor Café Permit shall be responsible for the proper disposal of all waste associated with their Outdoor Café occupancy and shall ensure that the waste is removed on a daily basis.
- (6) Food Service Establishment. Food service establishment shall be defined in accordance with its meaning in the Food Law of 2000, as amended. MCLA 289.1101.
- (7) Regulations. The City Manager may adopt an executive order controlling the occupancy pursuant to a ~~Sidewalk~~ an Outdoor Café Permit.
- (8) Site Plan and Barrier Required. A site plan shall be submitted with the application showing where a barrier will be placed to maintain an unobstructed foot path four feet wide for pedestrians at all times, to ensure compliance with the Americans with Disabilities Act. A barrier shall delineate the outdoor café and generally be 36" in height and be approved by the City Planning Director. The placement of any required barriers shall be marked on the sidewalk by the Code Enforcement Officer and shall include the sidewalk anchoring system approved by the City Engineer; the barrier shall be such that it is sufficient to ensure compliance with the approved site plan. The barrier shall be removed when the business closes each day. If the city's ADA Coordinator determines that existing conditions are such that a barrier is not required to maintain an unobstructed foot access path at least four feet wide for pedestrians, the requirement for the barrier may be waived by the city's ADA Coordinator. This subsection shall be effective April 1, 2015.
- (9) Compliance with Approved Site Plan. The café shall, at all times, comply with the approved site plan.

- (b) Duration. Permits shall be for the period of April 1 to November 1 for the year in which granted.
- (c) Display. A permit shall only be valid if displayed in a manner visible to the public.
- (d) Permit Revocation. Any permit may be revoked by the City Clerk upon a finding that the occupancy does not meet the standards of this Code, any other provisions of this Code, or other applicable law or regulation, or that the right-of-way is needed for other street or utility purposes. Upon such revocation, the fee paid for any period after termination of the street occupancy shall be refunded and the right-of-way shall be restored at the expense of the Permittee.
- (e) Appeal. Persons who are refused a permit or have had their permit revoked may request in writing a hearing on that determination before the City Manager. The decision of the Manager may be appealed to the City Commission. Requests for a hearing or an appeal must be made within five (5) days of the questioned decision.
- (f) Appearance Tickets. The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.
- (g) Violations. A person who violates this section is responsible for a civil infraction. (Ord. 368. Passed 8-16-93. Ord. 539. Passed 7-26-01. Ord. 570. Passed 7-1-02. Ord. 658. Passed 12-6-04 Ord. 700. Passed 4-3-06)

1020.08 **SIDEWALK OUTDOOR CAFÉ WITH ALCOHOL PERMIT.**

- (a) Permit Conditions. The City Clerk may issue to ~~an adjacent~~ a food service establishment a revocable **Sidewalk Outdoor Café with Alcohol Permit** to occupy a portion of adjacent City right-of-way to place tables and chairs, planters and windscreens ~~adjacent to the tables and chairs~~ in conjunction with selling and consuming food and alcoholic beverages, provided the following terms and conditions are met:
 - (1) May not operate beyond 11 p.m.
 - (2) Service of alcohol at the ~~Sidewalk~~ Outdoor Café does not violate any state, federal or local laws, promulgated rules, or policies or executive orders of the City Manager.
 - (3) ~~A barrier shall surround the sidewalk café; it shall be approved by the City Planning Director, generally be 36" in height, and shall be removed when the establishment closes each day.~~ A site plan shall be submitted with the application showing where a barrier will be placed to maintain an unobstructed foot path four feet wide for pedestrians at all times, to ensure compliance with the Americans with Disabilities Act. A barrier shall delineate the outdoor café and generally be 36" in height and be approved by the City Planning Director. The placement of any required barriers shall be marked on the sidewalk by the Code Enforcement Officer and shall include the sidewalk anchoring system approved by the City Engineer; the barrier shall be such that it is sufficient to ensure compliance with the approved site plan. The barrier shall be removed when the business closes each day. If the city's ADA Coordinator determines that existing conductions are such that a barrier is not required to maintain an unobstructed foot access path at

least four feet wide for pedestrians, the requirement for the barrier may be waived by the city's ADA Coordinator. This subsection shall be effective April 1, 2015; provided, however, that a 36" barrier shall be in place as required by the Michigan Liquor Control Commission at all times in advance of April 1, 2015, and the barrier shall be removed when the business closes each day.

- (4) The business must post a sign in a prominent location that is one (1) square foot that indicates, "No beverages beyond the barrier of this Sidewalk Outdoor Café." Specifically, the sign shall be posted within the perimeter of the Sidewalk Outdoor Café.
- ~~(5) Alcohol may not be served beyond 11 p.m.~~
- (6) Prohibitions. The occupancy must not:
 - A. Interfere with the use of the right-of-way for pedestrian or vehicular travel.
 - B. Unreasonably interfere with the view, access to, or use of property adjacent to said street.
 - C. Reduce the pedestrian travel area of any sidewalk to less than four (4) feet in width; a clear linear path at least four feet in width must be maintained at all times. The pedestrian travel area shall not include trees, bushes, walls, parking meters, fire hydrants, tree grates or any other fixtures permanently located in the right-of-way.
 - D. Cause damage to the street or sidewalk or to trees, benches, landscaping, or other objects lawfully located in the right-of-way. ~~Any~~ The sidewalk anchoring system to secure an item in to the sidewalk shall be approved by the City Engineer ~~Manager~~ in writing prior to installation.
 - E. Cause a violation of any state or local laws.
 - F. Be principally used for off-premises advertising. All signs must conform to the Sign Ordinance.
 - G. Conceal or detract from the appearance of landscaping features in or adjacent to the street.
 - H. Be in or adjacent to property zoned exclusively for residential purposes.
 - I. Be attached to or reduce the effectiveness of or access to any utility pole, sign or other traffic control device.
 - J. Cause increased risk of theft or vandalism.
 - K. Leave any furniture or equipment associated with the Outdoor Café on public property when the café is not in operation. This provision does not apply to Outdoor Cafes located on platforms within on-street parking areas.
 - L. Violate regulations adopted by the City Manager pursuant to this Code.
- (7) Notice. Notice to the adjacent property owners or occupants on both sides of the applicant's property shall be required before issuing a permit to occupy any right-of-way area between the edge of the vehicle use area of the right-of-way and the

right-of-way property line. Said notice should include an enumeration of the conditions or rights provided under Section 1020.08(1) of this Code.

- (8) Fee. Prior to the issuance of a permit, a fee in an amount established by resolution of the City Commission shall be paid to the City Clerk. This fee shall be tripled if any such occupancy occurred prior to the issuance of a permit.
- (9) Insurance. The Permittee shall show proof of and maintain comprehensive general liability insurance and liquor liability insurance and have the City of Traverse City as an additional named insured. The amount of such insurance shall be determined by the City Clerk.
- (10) Waste. Any holder of an Outdoor Café with Alcohol Permit shall be responsible for the proper disposal of all waste remove all waste associated with their Outdoor Café occupancy and shall ensure that the waste is removed on a daily basis.
- (11) Compliance with Approved Site Plan. The café shall, at all times, comply with the approved site plan.
- (12) Food Service Establishment. Food service establishment shall be defined in accordance with its meaning in the Food Law of 2000, as amended. MCLA 289.1101.
- (13) Regulations. The City Manager may adopt an executive order controlling the occupancy pursuant to an Outdoor Café with Alcohol Permit.
- (14) Agreement For Cafes not Directly Adjacent to Building Required. For Outdoor Cafes where the café area is on sidewalk that is adjacent to the building but configured so that the pedestrian walkway is between the building and the café area, the owner of the Outdoor Café shall enter into an Outdoor Café License Agreement with the city further specifying the terms and conditions of the permit. The City Clerk is authorized to execute such agreements on behalf of the city.
- (15) Duration. Permits shall be for the period of April 1 to November 1 for the year in which granted.
- (16) Display. A permit shall only be valid if displayed in a manner visible to the public.
- (17) Permit Revocation. Any permit or License Agreement may be revoked by the City Clerk upon a finding that the occupancy does not meet the standards of this Code, any other provisions of this Code, or other applicable law or regulation, or that the right-of-way is needed for other street or utility purposes. Upon such revocation, the fee paid for any period after termination of the street occupancy shall be refunded and the right-of-way shall be restored at the expense of the Permittee.
- (18) Appeal. Persons who are refused a permit or have had their permit revoked may request in writing a hearing on that determination before the City Manager. The decision of the Manager may be appealed to the City Commission. Requests for a hearing or an appeal must be made within five (5) days of the questioned decision.
- (20) Appearance Tickets. The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as

amended (MCLA 764.9c(2); MSA 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

(21) Violations. A person who violates this section is responsible for a misdemeanor. (Ord. 700. Passed 4-3-06)

1020.09. OUTDOOR CAFES IN DESIGNATED ON-STREET PARKING AREAS.

(a) Permit Conditions. The City Clerk may issue to a food service establishment an Outdoor Café Permit authorizing the placement of the outdoor café in on-street parking areas on streets where the posted speed is 25 miles per hour or less, pursuant to Section 1020.07 or 1020.08 of this Code of Ordinances. For Outdoor Café Permits where alcohol is not served, the provisions of Section 1020.07 of this Code of Ordinances shall apply in all respects; provided, however, if there is a conflict between this section and Section 1020.07, the provisions of this section shall survive. For Outdoor Café Permits where alcohol is served, the provisions of Section 1020.08 of this Code of Ordinances shall apply in all respects; provided, however, if there is a conflict between this section and Section 1020.08, the provisions of this section shall survive. Such permits shall be subject to the following terms and conditions:

(1) General conditions.

- A. The Café shall be located within designated street parking areas where the majority of the parking space is in front of the food service establishment applicant.
- B. The Café shall be established upon a removable platform approved by the City Planning Director placed in the designated on-street parking area; the platform shall be placed in such a manner to not create trip hazards.
- C. The Café shall be protected from vehicular traffic and surrounded by a barrier generally 36" in height and be approved by the City Planning Director, which will remain in place at all times when the café is in operation, and shall include markings or other devices or decorations to make the barrier clearly visible at all times.
- D. The platform shall not be placed in the designated on-street parking spaces sooner than May 1 each year and shall be removed no later than October 1 each year.
- E. The Café shall conform to the site plan which shall be incorporated as part of the permit. Such site plan shall show the following: the design, relevant details and location of all temporary structures, including the dimensions of the removable platform, planters, landscaping, railings, tables, chairs and lighting.
- F. If the use of a musical instrument and/or sound reproduction system is planned, such use shall be governed by this Code of Ordinances and there shall be no amplification of live music.
- G. The City Manager may adopt rules and regulations regarding the construction, use and removal of outdoor cafes within designated street parking areas. Outdoor Cafes within designated street parking areas shall be operated in accordance with the rules and

regulations as they may be adopted or amended. An Outdoor Café within a designated on-street parking area which is operated in violation of the rules and regulations shall be removed within 24 hours of written notice.

- H. The owner of the Outdoor Café shall enter into an Outdoor Café License Agreement with the City further specifying the terms and conditions of the permit which allows a Café to be placed within designated street parking areas. The City Clerk is authorized to execute such agreements on behalf of the City.
- I. The Outdoor Café shall be open to the general public, including non-patrons of the Outdoor Café.
- J. Smoking shall be prohibited; and a sign shall be posted within the platform indicating smoking is prohibited.
- K. Other conditions established by the City Clerk in the permit.

(2) Prohibitions. The occupancy must not:

- A. Violate any provisions of Section 1020.07 or 1020.08 of this Code of Ordinances; provided, however, that if there is a conflict between this section and Section 1020.07 or 1020.08 of this Code of Ordinances, the provisions of this section shall survive.
- B. Extend more than seven feet from the curb line.

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

I hereby certify the above ordinance amendment was introduced on _____, at a regular meeting of the City Commission and was enacted on _____, at a regular meeting of the City Commission by a vote of Yes: _____ No: _____ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Michael Estes, Mayor

Benjamin C. Marentette, City Clerk

I hereby certify that a notice of adoption of the above ordinance was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on _____.

Benjamin C. Marentette, City Clerk



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: WASTE WATER TREATMENT PLANT AGREEMENT
AMENDMENT

In July 2012, the city entered into a new agreement with CH2M HILL for operation of the Waste Water Treatment Plant, following a bidding process. That process resulted in an \$81,341 reduction in the base fee we were paying CH2M HILL. The agreement requires the rates be renegotiated annually.

Under the agreement, there is a base fee and a total direct cost fee. The total direct cost fee includes items such as utilities, chemicals, repairs, repair parts, labor, etc. Essentially, the total direct cost is the estimated cost to run the plant. If the total direct cost fee exceeds the agreed-upon amount, CH2M HILL covers the difference. If the total direct cost fee falls below the agreed-upon amount, 60% of the difference is refunded to city and 40% is retained by CH2M HILL.

The base fee is the actual amount paid to OMI for their services including direct costs. In other words, the base fee is the actual cost to operate the plant (direct costs) plus a profit margin. Any cost incurred over the actual/direct costs is borne by OMI and reduces their profit.

Attached is a letter from CH2M HILL Project Manager (WWTP Operator), Casey Rose, explaining their requested amendment, and the proposed Amendment No. 2. CH2M HILL requests a 1.35% increase to the base fee. In addition, because TCL&P has unfrozen (increased) the Power Cost Recovery fee, the agreement authorizes CH2M HILL to pass those increased electricity costs to the City. The result is a base fee of \$2,408,403.

Staff has reviewed the proposal and believes it is reasonable and consistent with the agreement in place with CH2M HILL. The FY14-15 Budget anticipates and accommodates this rate increase.

The following table shows total payments to CH2M HILL for its operation of the Waste Water Treatment Plant over the past six years, as well as the amount proposed for this year.

<u>Fiscal Year</u>	<u>Total payment</u>
2014-2015	<i>(Proposed)</i> \$2,408,403
2013-2014	\$2,307,561
2012-2013	\$2,229,528
2011-2012	\$2,310,868
2010-2011	\$2,310,880
2009-2010	\$2,356,256
2008-2009	\$2,311,176

The Grand Traverse County Board of Public Works (BPW) will cover its proportionate share based upon flow (approximately 50%); and the city will pay the remaining portion (approximately 50%).

The City Commission tabled this item at the May 5 regular meeting in order to have more information, specifically about the increased electricity costs included in the proposed amendment.

The Power Cost Recovery fee (PCR), or fuel cost adjustment, is a variable rate that changes monthly based on the previous two month purchased power cost. This amount changes each month and is provided to the TCL&P utility billing clerk at the beginning of each month by TCL&P personnel.

The TCL&P Board made a motion to freeze the PCR rate as of September 2011. Recently, the Board made a motion to unfreeze the PCR and as of October 1, 2013. The PCR for commercial/industrial users (including the City's "P" rate for the Wastewater Treatment Plant and the "MP-I" rate for the sewer lift stations) recently increased from \$0.012 per kWh to \$0.02857 per kWh.

Section 4.4 of the current agreement provides for changes in the CH2 MHILL compensation due to increases or decreases in electricity costs and states in part that "such increases may be in the kWh rate or in the fuel-power cost adjustment." Thus the increased PCR are passed on to the City.

Questions about energy efficiency improvements at the plant were raised at the May 5 meeting and WWTP Operator Casey Rose provided the attached

memorandum summarizing savings that have been achieved in recent years. It should be noted that, while significant savings were achieved through this process, CH2M HILL has advised us that the volume of influent treated has also increased by an average of approximately 600,000 gallons per day, which results in an increase in the cost of treatment.

Please also note that the proposed Amendment No. 2 modifies Appendix B to update the location of utility structures that CH2M HILL maintains as part of their agreement.

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

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.

e-copy: Dave Green, Director of Public Services
 Casey Rose, CH2M HILL Project Manager



CH2MHILL

MEMORANDUM

TO: Jered Ottenwess
FROM: Casey Rose *CR*
DATE: May 7, 2014
SUBJECT: Electric Cost Savings

Traverse City Regional Plant

- We contracted GE Zenon programmers to make programming changes for the automated controls for the membrane system that would allow reduction in scour air blower runtimes. Under most conditions we now run with 50% fewer blower run hours. **The savings is 905,000 kwh/year**
- We adjusted (effluent) service water use to require one rather than two service water pumps to run most of the time. **The savings is 45,600 kwh/year**
- We measured and considered the increase in electrical consumption as membranes become fouled in establishing desired cleaning frequencies. **The difference is about 10,000 kwh/year/psi difference across membranes**
- We reduced runtime of a second RAS pump as much as we could without seeing negative operational effects of the increasing MLSS concentration in the membrane vessels. **The savings is 250,600 kwh/year**
- We Installed more reliable controllers on air distribution valves and installed shut down timers on process air on blowers so they can shut off unattended at just the time of the day when they are no longer necessary to maintain target dissolved oxygen concentration. **The savings is 186,000kwh/year**
- We installed shut-down timers on digester mixers so we could set them to the minimum daily run times needed to maintain homogeneity. **The savings is 41,600 kwh/year**
- We converted the membrane vacuum system from the as-designed condition where two of the three vacuum pumps run continuously, to a demand system where zero vacuum pumps are running most of the time (one unit now runs for just a few minutes per day). It took considerable experimentation, planning, mechanical work, and programming. We delivered it in-house at a fraction of what it would have cost to have it engineered and revised by a contractor. The resulting system not only saves

CITY MANAGER'S OFFICE

MAY 08 2014

RECEIVED

Jered Ottenwess

May 7, 2014

Page 2

electricity but also significantly reduced maintenance cost (we were rebuilding or replacing a vacuum pump per year), noise, and vulnerabilities associated with this critical system. **The electricity savings is 65,000 kwh/year**

- Our maintenance team found an out-of-spec voltage condition and re-tapped a transformer to correct it.
- We replaced inefficient lighting and have additional lighting replacement in the pipeline.
- We have experimented with, and become effective using surplus biosolids storage space for settling and decantation to concentrate biosolids to reduce our use of the mechanical concentrator. **This saves electricity, water, and polymer coagulant, and reduces operations and maintenance labor. The electrical savings is 9,000 kwh/year**
- The sum of work **has reduced electrical consumption about 32%** at the Traverse City Regional WWTP in four years.



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: MAY 29, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: COLLECTIVE BARGAINING AGREEMENT – POLICE
CAPTAINS

Based upon the parameters established by the Commission, attached is an excerpt of the negotiated agreement with the Police Captains Unit. The following summarizes the changes:

- Two year contract beginning July 1, 2014 and expiring on June 30, 2016.
- Annual salary increase between 2.0% and 4.0% based on CPI effective July 1, 2014 and July 1, 2015.
- Annual stipend in the amount of \$250 for the voluntary off-duty carry of a weapon.
- Update Section 9.2, *Administrative Leave*, to change the title for consistency with other Collective Bargaining Agreements along with referencing (24) hours rather than (3) days.
- Update Section 12.2, *Hospitalization* to change the employer and employee cost share to the 80/20 option adopted by the Commission in December 2013 under Public Act 152; to add clarifying language regarding the payment of health insurance opt-out money upon an employee's separation from service mid-year; and language updates to comply with the Affordable Care Act.
- Update Section 12.3, *Retirement Health Saving Plan* to make language that is more generic to an I.R.S. qualifying health savings plan rather than vendor specific. The change is a result of the City's move from ICMA to MERS in 2012.
- Update Section 18.1, *No Discrimination* to comply with the language in the City's Non-Discrimination Ordinance.

I recommend the motion on the following page to authorize the agreement (5 affirmative votes required).

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.

If the Commission would like to discuss these terms and the negotiation strategy, I recommend that be done in closed session; and the motion would be appropriate:

that the City Commission enter into closed session immediately following the public comment portion of the agenda to consider the negotiation of a collective bargaining agreement for the Traverse City Police Captains Unit.

JJO/bcm

K:\tcclerk\city commission\agreements\collective bargaining agreement\police captain 20142016

Copy: Michael K. Warren, Chief of Police
William Twietmeyer, City Treasurer/Finance Director

AGREEMENT

This Agreement, made and entered into this ____ day of June, 2014, effective July 1, 2009 2014, by and between the City of Traverse City, hereinafter referred to as the "City", and Local Union No. 214, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, hereinafter called the "Union".

Section 9.2 Administrative Leave Personal Leave Time.

Full time employees shall earn twenty-four (24) hours of personal leave time per fiscal year. Personal leave time is non-accumulative. Individuals within the bargaining unit shall be eligible to utilize three (3) administrative leave days each year with pay. These leave days shall be utilized by employees within the bargaining unit upon approval of the Chief of Police. These days shall be non-accumulative from year to year.

Section 12.2 Hospitalization.

The employer shall provide the following health benefits. The coverage is the Priority Health Savings Account HMO 100% Hospital Plan with minimum individual deductible of \$1150 and family deductibles of \$2300, subject to annual deductible adjustment in accordance with Internal Revenue Service (IRS) regulations, and \$10 generic/\$40 brand name copayment for prescription drugs, or equivalent plan. For employees unable to qualify for the above plan due to IRS regulations, the City will make available Priority Health Copay Alignment HMO 100% Plan with \$20 copayment primary care provider office visit, \$35 copayment specialist office visit and \$10 generic/\$40 brand name copayment for prescription drugs, or equivalent plan, or Priority Health HMO 100% Plan (Priority 1) with \$10 copayment primary care provider office visit, \$10 copayment specialist office visit and \$10 generic/\$30 brand name copayment for prescription drugs, or equivalent plan.

The City shall make this coverage available to all regular full-time employees, the employee's spouse, and the employee's dependents in accordance with Federal Law children up to the end of the year in which they reach age nineteen (19). Employees shall be required to complete an application for coverage and be required to promptly notify the City of any changes

in status affecting the employee's coverage. Such notice shall be on forms provided by the City. New employees shall be eligible for health insurance coverage pursuant to terms and conditions of the City's health insurance contract. ~~and after the first six (6) months of service.~~

A) For employees enrolled in the Priority Health Savings Account HMO 100% Hospital Plan, the Employer shall be responsible for ~~eighty percent (80%) of the cost of the plan deductible and premium. Employees shall be responsible for twenty percent (20%) of the cost of the plan deductible and premium. the cost of the plan deductible and premium up to the cap amount shown below plus fifty percent (50%) of the cost of the plan deductible and premium in excess of the cap. Employees shall be responsible for fifty percent (50%) of the cost of the plan deductible and premium in excess of the cap and such amount shall be payroll deducted.~~

~~Effective the first of the month which is thirty (30) days following the execution of the agreement, the cap for the plan deductible and premium will be:~~

- ~~_____ 1. Single person _____ \$295 per month~~
- ~~_____ 2. Double person coverage _____ \$520 per month~~
- ~~_____ 3. Family coverage _____ \$550 per month~~

~~Per the above, the cost of the plan deductible will be paid into individual employees' health savings accounts on a monthly basis.~~ ~~Per the above, the cost of the plan deductible will be paid into individual employee's health savings accounts on an annual basis. New hires and/or employees who increase coverage level from single to double/family after July 1 shall receive a pro-rata payment into their health savings account beginning with the first full month of insurance eligibility or coverage change through the end of the plan year. Employee shall be responsible for the remainder of the deductible.~~

B) For employees enrolled in the Priority Health Copay Alignment HMO 100% Plan, or Priority Health HMO 100% Plan (Priority 1), the Employer shall be responsible ~~for eighty percent (80%) of the cost of the premium. Employees shall be responsible for twenty percent (20%) of the cost of the premium. for the cost of the premium up to the cap amount shown below plus fifty percent (50%) of the cost of the premium in excess of the cap. Employees shall be responsible for fifty percent (50%) of the cost of the premium in excess of the cap and such amount shall be payroll deducted.~~

Effective the first of the month which is thirty (30) days following the execution of the agreement, the cap premium will be:

- | | | |
|----------|------------------------------|-----------------|
| _____ 1. | Single person _____ | \$295 per month |
| _____ 2. | Double person coverage _____ | \$520 per month |
| _____ 3. | Family coverage _____ | \$550 per month |

The Employer agrees to compensate employees who have other health insurance coverage, two thousand four hundred dollars (\$2,400.00) per year pro-rated at two hundred dollars (\$200.00) per month for opting out of the Employer's health insurance coverage. Opt-out compensation will be payable at the end of the health insurance year for the eligible employee, including For those employees who terminate during the year, the applicable monthly opt-out compensation will be paid out in the employee's last paycheck. Eligible employees will be required to sign a Payment In Lieu of Insurance Waiver and Release form annually.

The City reserves the right to change health insurance providers and/or programs. The health insurance provider selected by the City shall be licensed in the State of Michigan and shall be generally recognized and accepted by the health services community. The health insurance program selected by the City shall conform to all of the terms of this Agreement. The Union shall be notified of any change in benefits or coverage.

The parties agree to reopen affected articles, should the Federal or State government take-over or substantially change the current system of employer-provided group medical insurance coverage, or costs related thereto.

Section 12.3 Special Implementation Provisions for Payment of the Health Savings Account Plan Deductible in 2009-10.

_____ Eligible employees enrolled in the Priority Health Savings Account HMO 100% Hospital Plan in accordance with Section 1 above as of December 1, 2009, will receive a 7/12th payment of the cost of the plan deductible into their health savings account on the first pay date in December 2009. Eligible employees who choose to enroll in the Priority Health Savings Account HMO 100% Hospital Plan as of January 1, 2010 will receive a 6/12th payment of the cost of the plan deductible into their health savings account on the first pay date in January 2010.

~~However, in either case, should the employee's incurred medical expenses exceed the amount deposited in the health savings account, the employee will be reimbursed for such additional incurred medical expenses upon presentation of program eligible receipts/vouchers up to the maximum plan deductible amount of \$1150 single or \$2300 double/family.~~

Section 12.3 Retirement Health Savings Plan.

Effective August 1, 2008, the Employer agrees to provide a Retirement Health Savings (RHS) Plan to an I.R.S. qualifying health savings plan that allows employees to save for retiree medical expenses with pre-tax dollars. The Employer agrees to match a maximum of one-half percent (½%) of an employee's gross salary provided an employee contributes a minimum of one-half percent (½%) of an employee's gross salary to the plan. All employees are required to enroll in accordance with I.R.S. regulations covering such plans.

Section 12.4 Retiree's Health Insurance Coverage.

The City agrees to establish a trust from which premiums for retiree and retiree's spouse health insurance would be paid. Survivor's benefits will be paid to spouse. However, such benefits would terminate in the event of divorce or remarriage of surviving spouse. Trust's obligation would be limited to coverage that was in effect on July 1, 1990, and to an amount not to exceed five percent (5%) per year increase in premium (compounded) from the premium that is in effect July 1, 1990. The City is required to contribute an amount of money to the trust each year to actuarially support the future cost of this benefit. The eligibility for retiree's health insurance benefit would be based on:

- A) The employee having at least ten years of service with the employer, and
- B) Upon date of work cessation, the employee (and/or spouse) qualifies to receive Act 345 benefits and is eligible to retire under the Act 345 Retirement System, and
- C) For purposes of this section, the definition of eligible means the employee could be retired but has not yet formally retired.

Terms of this Health Insurance Trust shall be subject to renegotiation to comply with any subsequent changes or requirements mandated by law.

Effective for any employee who retires on or after July 1, 2009, the City will provide the

same health insurance cost sharing toward retiree medical insurance coverage as provided to current employees, subject to the following:

- A) The employee must have at least 10 years of services with the City, and,
- B) The employee must retire under the retirement system (Act 345), and
- C) The employee must be receiving an Act 345 Pension.

This health insurance cost sharing will continue for the life of the retiring employee and the spouse, provided that such benefits will terminate in the event of a divorce or remarriage of the surviving spouse.

Effective for any new employee hired after July 1, 2009, there will be no Retiree Health Insurance coverage. Instead the City will add 1.5% to the current .5% contribution into the I.R.S. qualifying health savings plan for retiree health expenses Retirement Health Savings (RHS) Plan, matched by an employee share of .5%.

Section 18.1 No Discrimination.

There shall be no discrimination against any employee or employees by either the City or the Union in regard to hiring, tenure of employment, terms, compensation, work classifications, promotions or demotion, termination, transfers, or other conditions of employment because of race, color, creed, national origin, sex, age, height, weight, marital status, or religion, physical or mental disability, family status, sexual orientation, or gender identity.

Section 19.1.

This Agreement shall be effective on the 1st day of July, 2009 2014 and shall remain in force and effect until the 30th day of June, 2014 2016. It shall be automatically renewed from year to year thereafter unless either party shall notify the other in writing, at least ninety (90) days prior to the anniversary date it desires to modify this Agreement. In the event that such notice is given, negotiations shall begin not later than sixty (60) days prior to the anniversary date that it desires to modify this Agreement. This Agreement shall remain in full force and be effective during the period of negotiations and until a new Agreement is reached by the parties.

APPENDIX "A"

POLICE CAPTAIN ANNUAL SALARY

Pay increase to commence on the first day of a pay period which falls closest in time to the date scheduled for the increase.

July 1, 2014

Salary – \$

Effective July 1, 2014 the annual salary will be increased based upon the change in the April 2014 index as compared to the April 2013 index from the official Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, all items, published by the Bureau of Labor Statistics, U.S. Department of Labor (1982-84-100), such increase shall not be less than 2.0% nor more than 4.0%.

Effective July 1, 2015 the annual salary will be increased based upon the change in the April 2015 index as compared to the April 2014 index from the official Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, all items, published by the Bureau of Labor Statistics, U.S. Department of Labor (1982-84-100), such increase shall not be less than 2.0% nor more than 4.0%.

Effective January, 2005, a stipend will be rolled in as part of Captain's pay for the successful completion of the following:

1. \$1,000 School of Police Staff and Command
2. \$1,000 Law Enforcement Executive Leadership Institute (LEELI)

Effective July 1, 2008 a stipend will be rolled in as a part of Captain pay for successful completion of the following:

1. \$1,000 Master's Degree from an accredited University with a concentration area of Public Safety Staff and Command.

Effective the first pay of July each year an annual stipend in the amount of \$250.00 (subject to all required deductions) shall be included for the voluntary off-duty carry of a weapon.



Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JUNE 2, 2014

DATE: JUNE 29, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: COLLECTIVE BARGAINING AGREEMENT – POLICE PATROL

Based upon the parameters established by the Commission, attached is an excerpt of the negotiated agreement with the Police Patrol Unit. The following summarizes the changes:

- Two year contract beginning July 1, 2014 and expiring on June 30, 2016.
- Annual salary increase between 2.0% and 4.0% based on CPI effective July 1, 2014 and July 1, 2015.
- Section 9.6, *Promotions* to change the percent value of the examination criteria, clarify that each section is worth 100 points and require that the panel members for the oral examination be external.
- Section 10.3, *Overtime* to eliminate the maximum 12 hour stipulation for officers assigned to Field Officer Training (FTO).
- Section 11.4, *Funeral Leave* to include stepmother of current marriage, stepfather of current marriage or stepchild of current marriage.
- Section 11.5, *Sickness & Accident Insurance* to increase from two (2) months to six (6) months the length of time the City will continue its share of health, life and dental insurance premiums.
- Section 12.10, *Holiday Pay* to remove President's Day from the list and replace with Christmas Eve.
- Section 13.2, *Hospitalization* to add clarifying language regarding the payment of health insurance opt-out money upon an employee's separation from service mid-year.
- Section 13.5, *Insurance Premiums on Layoff or Leave of Absence* to increase from two (2) months to six (6) months the length of time the City will continue its share of health, life and dental insurance premiums per Section 11.5 referenced above and to add additional language that would allow for an additional six (6) months of shared premium payments for an employee who was off work as a result of a work related injury upon approval by the

City Manager and Chief of Police.

- Section 13.7, *Vision* to make available vision insurance with the entire cost to be paid entirely by the employee.
- Section 18.1, *No Discrimination* to comply with the language in the City's Non-Discrimination Ordinance.
- Section 18.17, *Recognition. Detectives* to change the language for promotions to mirror the language added to Section 9.6 referenced above and to amend the language referencing the purchase and care of clothing for employees performing police investigative functions and adding drying cleaning services.

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

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.

If the Commission would like to discuss these terms and the negotiation strategy, I recommend that be done in closed session; and the motion would be appropriate:

that the City Commission enter into closed session immediately following the public comment portion of the agenda to consider the negotiation of a collective bargaining agreement for the Traverse City Police Captains Unit.

copy: Michael Warren, Chief of Police
William E. Twietmeyer, City Treasurer/Finance Director
K:\tcclerk\city commission\agreements\collective bargaining agreement police patrol 20142016

AGREEMENT

between

CITY OF TRAVERSE CITY

and

POLICE OFFICERS ASSOCIATION OF MICHIGAN

dealing with

**PATROL OF THE
TRAVERSE CITY POLICE DEPARTMENT**

Effective: July 1, 2014 through June 30, 2016

AGREEMENT

This Agreement, made and entered into effective July 1, 2014, by and between the CITY OF TRAVERSE CITY, hereinafter referred to as the "City", and POLICE OFFICERS ASSOCIATION OF MICHIGAN hereinafter called the "Union".

Section 9.6. Promotions.

(a) Promotions within the Traverse City Police Department to a position of a higher classification inclusive of the position of Sergeant shall be based on the following factors:

- (1) Promotions shall be on a competitive basis.
- (2) Eligible employees must have five (5) years continuous service with the Traverse City Police Department in the patrol and/or detective classification to be eligible for the promotion to sergeant.
- (3) Employees must have the knowledge and ability to perform the work in question.
- (4) Written and oral examinations are to be based upon the classification of vacancy to be filled.

(b) The City agrees that all full-time promotional vacancies within the Police Department as stated above shall be filled by competitive examination using the following criteria. Each section shall be worth 100 points.

- | | | |
|-----|---------------------|--------------------------|
| (1) | Written examination | 50 percent |
| (2) | Internal review | 10 20 percent |
| (3) | Oral examination | 40 30 percent |

A written examination shall be given first. The applicant must receive 70% on the written examination to proceed to the next step which is the internal review, followed by the oral examination. The City shall choose the highest scoring and eligible employee to fill the vacancy.

(c) Promotional examinations for vacancies will be posted for a period of twenty (20) calendar days in a conspicuous place in the work area prior to said examination and will indicate the requirement for such examination.

(d) The City will not be obligated to consider a request for examination from an employee unless that employee submits the request during the posted period.

- (e) A three-person panel scoring the employees in the oral examination shall consist of one member chosen by a majority of the patrol, one member chosen by the City and the third member to be selected mutually by the above two members. All panel members shall be external.
- (f) The written test given candidates for promotions shall be uniform and validated. Tests shall be acquired through the Michigan Municipal League, or other validated test mutually agreeable between the parties. Applicants writing such examinations shall be given the results thereof.
- (g) The City shall establish an eligibility list of those employees scoring 70 percent or more from each promotional examination. Such eligibility list shall remain in effect for twelve (12) calendar months from the date the results of the examinations are received by the City. If mutually agreed the eligibility list may remain in effect an additional six (6) months. This list shall be used to fill vacancies occurring in the respective classifications.
- (h) Employees who attain equal scores shall be chosen by using department seniority.
- (i) A three-person panel scoring the employees in the internal review shall consist of one sergeant chosen by a majority of the patrol, one sergeant chosen by the City and the third being the Chief of Police, or his designee.

Section 10.3. Overtime Pay. For those employees whose work schedule consists of twelve (12) hour daily work assignments, overtime pay shall be one and one-half (1-1/2) times the employee's hourly rate for all hours worked in excess of twelve (12) hours in any one (1) day or in excess of eighty-four (84) hours in any one (1) pay period.

For all other employees, overtime pay shall be one and one-half (1-1/2) times the employee's hourly rate for all hours worked in excess of eight (8) hours in any one (1) day or in excess of an average of eighty (80) hours in any one (1) pay period.

Payment for overtime shall be made within the same pay period in which it was earned.

Officers assigned duties as a Field Training Officer (FTO) will receive compensatory time at the rate of one (1) hour per day, ~~with a maximum of twelve (12) hours per phase,~~ for the time actively engaged in the duties of an FTO.

The City shall pay to K-9 handlers a monthly allowance per the following formula (4.33 x current hourly rate x 3 hours) to be included in the first pay of every month.

Employees may, in lieu of overtime payment or holiday premium pay, opt to be paid for such time in a compensatory time the same amount. All compensatory time shall be limited to a sixty (60) hours bank. Included with the last pay day of June each year compensatory time off banks will be cashed out at the appropriate rate of pay.

Section 11.4. Funeral Leave. Employees will be allowed time off from their scheduled hours of work to attend the funeral following a death in the immediate family. Time off shall be from the date of death through the date of the funeral. Time lost from the employee's schedule of work shall be compensated at the employee's regular rate, but it shall not exceed twenty-four (24) hours of pay. Immediate family shall mean any relative living within the household of the employee or a wife, husband, child, father, mother, sister, brother, father-in-law, mother-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandfather, grandmother, or grandchild, stepmother of current marriage, stepfather of current marriage or stepchild of current marriage. For out-of-state funerals employees shall be permitted to take up to two (2) additional days leave of absence without pay or at the option of the employee to take sick leave or accumulated vacation.

Section 11.5. Sick/Short-Term Leave, Sickness & Accident Insurance & Long Term Disability Insurance. All regular full-time employees, shall, at the first of the month following the completion of three months, receive Sickness and Accident Insurance Coverage which shall provide, at a minimum:

- (a) Up to twenty-six (26) weeks of coverage per occurrence.
- (b) Coverage which shall be effective upon the first (1st) day of an accident and the eighth (8th) day of illness.
- (c) A weekly benefit shall be 66 2/3% of the employee's gross wage.

Effective December 1st of each year, each regular full-time employee shall receive fifty-six (56) paid short term leave hours. Short term leave may be taken in increments of one (1) hour or greater upon approval of the Chief of Police. Short term leave may not be accumulated. New hires shall receive an initial pro-rate amount of short term leave days based on their date of hire and a benefit period from December 1 to November 30. Following the first full pay period after December 1st of each year, each regular full-time employee shall receive payment for all

unused short term leave, not to exceed fifty-six (56) hours, at the employee's regular rate of pay. Such payment shall be made separate from the employee's regular payroll check.

Employees who, prior to December 1, 1991, retained sick leave accumulation may use accumulated sick leave for a bonafide illness or injury only as follows:

- (a) In lieu of Sickness and Accident insurance where the employee would otherwise qualify for benefits under the terms of the policy.
- (b) For all days not covered by the Sickness and Accident insurance, provided the length of time lost due to the illness or injury, would qualify the employee for benefits under the terms of the policy.
- (c) In the event a member of the employee's immediate family living in the same household is ill and a doctor has recommended that the employee remain at home during this illness. The employee must provide the City with written verification of the doctor's recommendation to be eligible to use accumulated sick leave for this purpose.
- (d) Where the illness or injury arises out of or in the course of employment with the City; to provide the difference between the employee's regular pay, based on their normal work week, and the weekly benefit provided through Worker's Compensation Insurance. Provided, however, only the amount of sick leave required to make up this difference shall be deducted from the employee's sick leave bank. Sick leave will not be deducted for the day of the injury.
- (e) To provide the difference between the employee's regular pay, based on their normal work week, and the weekly benefit provided through Sickness and Accident Insurance.

An employee receiving Sickness and Accident Insurance benefits provided for in this section will be considered on paid leave for purposes of earning seniority, vacation, short-term leave and holiday benefits only. The City will continue to pay their portion of health, life and dental insurance premiums for up to the first ~~six (6) two (2)~~ full months (or until termination, whichever is sooner), following the time an employee begins receiving Sickness and Accident Insurance benefits, provided, however, the employee pays their portion for continuation of these benefits. The employee may continue to pay the full cost of continuing these benefits at their expense at the end of these ~~two~~ six months. The City will comply with the Family Medical and Leave Act (FMLA) as pertains to this section.

The City may require employees to submit verification of an illness by a physician if the absence due to illness exceeds three consecutive working days or where the employee establishes a pattern indicating a misuse of sick/short term leave.

Upon retirement or death of an employee, the employee shall be paid at regular rate of pay for fifty 50% percent of all accumulated sick days to their credit up to a maximum of one hundred twenty (120) days. The maximum pay shall be the equivalent of sixty (60) work days.

An employee shall notify the department of a request for sick leave as soon as possible, but not later than one hour prior to the beginning of the employee's shift.

Long Term Disability Insurance: The City will pay the cost of providing non-occupational Long Term Disability Insurance coverage for all Patrol upon their eligibility for fringe benefits. The benefit schedule will provide:

- 1) 60% of basic monthly earnings to a maximum benefit amount of \$4,000.
- 2) Qualifying period for benefits: 6 months

Section 12.10. Holiday Pay. Eligible employees shall be entitled to holiday leave with pay on the following recognized holidays:

New Year's Day	Labor Day
President's Day	Thanksgiving Day
Easter Sunday	Day after Thanksgiving Day
Memorial Day	Christmas Eve
Christmas Day	July 4th
Employee's Birthday (Floating Holiday)	

The employee's birthday will be treated as a floating holiday and is to be credited to the employee January 1st, in the first pay period of the calendar year. Such holiday shall not accrue from year to year, or be paid out for any reason. The actual day the employee chooses to take off must be approved by their immediate supervisor.

- (a) Each employee shall work the schedule in effect at the time irrespective of the holidays. Each employee not scheduled to work on the holiday shall receive eight (8) hours' pay at their regular rate for the holiday. An employee who works on the holiday

shall receive time and one-half (1-1/2) their regular rate for all hours worked, in addition to the days' pay for the holiday.

(b) To be eligible for holiday pay credits, an employee shall have worked their last scheduled work day immediately preceding the holiday and the next scheduled work day immediately following the holiday.

(c) When a holiday falls within an employee's vacation time off or during an excused leave of absence with pay, holiday pay will be provided in addition to vacation pay or paid time off, and the holiday will not be used to reduce the number of days deducted from the employee's accumulated vacation or short term leave/sick leave banks.

(d) The hours paid in holiday credits shall not be used in computing overtime payments.

Section 13.2. Hospitalization. The employer shall provide the following health benefits. The coverage is the Priority Health Savings Account HMO 100% Hospital Plan with minimum individual and family deductibles subject to annual deductible adjustment in accordance with Internal Revenue Service (IRS) regulations, and \$10 generic/\$40 brand name copayment for prescription drugs, or equivalent plan. For employees unable to qualify for the above plan due to IRS regulations, the City will make available Priority Health Copay Alignment HMO 100% Plan with \$20 copayment primary care provider office visit, \$35 copayment specialist office visit and \$10 generic/\$40 brand name copayment for prescription drugs, or equivalent plan or Priority Health HMO 100% Plan (Priority 1) with \$10 copayment primary care provider office visit, \$10 copayment specialist office visit and \$10 generic/\$30 brand name copayment for prescription drugs or equivalent plan.

The City shall make this coverage available to all regular full-time employees, the employee's spouse, and the employee's dependents in accordance with Federal Law. Employees shall be required to complete an application for coverage and required to promptly notify the City of any changes in status affecting the employee's coverage. New hires shall be eligible for health insurance coverage pursuant to terms and conditions of the City's health insurance contract.

1. For employees enrolled in the Priority Health Savings Account HMO 100% Hospital Plan, the employer shall be responsible for eighty percent (80%) of the cost of the plan

deductible and premium. Employees shall be responsible for twenty percent (20%) of the cost of the plan deductible and premium.

Per the above, the cost of the plan deductible will be paid into individual employee's health savings accounts on an annual basis. New hires and/or employees who increase coverage level from single to double/family after July 1 shall receive a pro-rata payment into their health savings account beginning with the first full month of insurance eligibility or coverage change through the end of the plan year. Employee shall be responsible for the remainder of the deductible.

2. For employees enrolled in the Priority Health Copay Alignment HMO 100% Plan, or Priority Health HMO 100% Plan (Priority 1), the employer shall be responsible for eighty percent (80%) of the cost of the premium. Employees shall be responsible for twenty percent (20%) of the cost of the premium.

The Employer agrees to compensate employees who have other health insurance coverage, two thousand four hundred dollars (\$2,400.00) per year pro-rated at two hundred dollars (\$200.00) per month for opting out of the Employer's health insurance coverage. Opt-out compensation will be payable at the end of the health insurance year for eligible employees. ~~including~~ For those employees who terminate during the year, the applicable monthly opt-out compensation will be paid out in the employee's last paycheck. Eligible employees will be required to sign a Payment In Lieu of Insurance Waiver and Release form annually.

The City reserves the right to change health insurance providers and/or programs. The health insurance provided selected by the City shall be licensed in the State of Michigan and shall be generally recognized and accepted by the health services community. The health insurance program selected by the City shall conform to all of the terms of this agreement.

There shall be a Health Insurance Committee consisting of equal representation by the City and the Union. This committee shall periodically examine the employer's health insurance program including, but not limited to, alternative providers, benefit levels, and premiums and shall make recommendations to the employer regarding such.

The City shall provide the Union with written notice of any increase in health insurance premiums or any change in health insurance providers. The Union may request that the City not change providers or request that it seek alternative coverage in lieu of a premium increase.

The parties agree to reopen affected articles, should the Federal or State government take-over or substantially change the current system of employer provided group medical insurance coverage or costs related thereto.

Effective May 1, 2008, the Employer agrees to provide an I.R.S. qualifying health savings plan that allows employees to save for retiree medical expenses with pre-tax dollars. The Employer agrees to match a maximum of one-half percent (½%) of an employee's gross salary provided an employee contributes a minimum of one-half percent (½%) of an employee's gross salary to the plan. Employees can individually choose investment options offered through this program. All employees are required to enroll in accordance with I.R.S. regulations covering such plans.

Section 13.5. Insurance Premiums on Layoff or Leave of Absence. The City shall pay their portion of the required insurance premiums for the first full month following the month in which an employee is laid-off or takes a personal leave of absence under Section 11.1. If the leave of absence is in accordance with Section 11.5 Sick/Short-Term Leave, the City shall pay their portion of the required insurance premiums for the first ~~two (2)~~ **six (6)** full months **(or until termination, whichever is sooner)**, following the time an employee begins receiving Sickness and Accident Insurance benefits provided under that section. If the leave of absence is for a work-related disability in accordance with Section 13.4 and 12.9, the City shall pay their portion of the required insurance premiums for six (6) consecutive months. **An extension beyond six (6) months may be granted upon approval of the City Manager and Chief of Police up to a maximum of not more than twelve (12) consecutive months for an employee who suffers a direct injury caused by another person or in the event of an automobile accident while on active duty.** Provided, however, that in all of the above cases, the employee pays their portion for continuation of these benefits. Upon discontinuance of the City's payment of insurance premiums for employees under a leave of absence, an employee shall assume the full cost of the required insurance premiums in order to maintain insurance coverage.

Section 13.7. Vision. **The City makes available vision insurance coverage for employees who wish to purchase the coverage. The coverage is VSP Plan A with \$20 eye exam co-pay and \$20 material co-pay. The City pays 0% of the insurance premium.**

Section 18.1. No Discrimination. There shall be no discrimination against any employee or employees by either the City or the Union in regard to hiring, tenure of employment, terms, compensation, work classifications, promotions or demotion, termination, transfers, or other conditions of employment because of race, color, ~~creed,~~ national origin, sex, age, height, weight, marital status, ~~or~~ religion, physical or mental disability, family status, sexual orientation, or gender identity.

Section 18.17. Recognition. Detectives. The parties recognize that sergeants and patrol are assigned to the plainclothes investigative function as their normal duties. Henceforth, any such assigned employee shall be referred to as "Detective Sergeant" or "Detective" in the case of patrol.

- (a) Employees who volunteer for the assignment of the detective position and are granted such assignment shall be required to make a commitment to remain in said assignment for a minimum of two (2) years.
- (b) Detective Sergeants and Detectives shall not be included in the present six (6) week work cycle but instead shall have a day shift schedule, Monday through Friday and shall not work holidays except upon prior authorization of the Chief of Police.
- (c) The City shall post vacancies for assignments to the Detective positions for a minimum of ten (10) days. The employees desiring the assignment shall request, in writing, to the Chief of Police within the ten (10) day posting.
- (d) Assignments shall be made on the basis of the employee's ability to perform the duties of the Detective position. Seniority shall be considered in the assignment but shall not be the prime consideration. The City shall not be arbitrary or capricious in the selection. The following is the selection process to be followed for such assignments:
 1. Assignment shall be on a competitive basis.
 2. Eligible employees must have three (3) years continuous service with the Traverse City Police Department to be eligible for assignment to Detective.
 3. Employees must have the knowledge and ability to perform the work in question.

4. Written, oral, and internal examinations are to be based upon the assignment to be filled.

The competitive examination shall include:

- | | | |
|----|----------------------|--------------------|
| 1. | Written examination | 50% |
| 2. | Oral examination | 40% 30% |
| 3. | Internal examination | 10% 20% |

Each section shall be worth 100 points.

A written examination shall be given first. The applicant must receive 70% on the written examination to proceed to the next step which is the internal review, followed by the oral examination. The City shall choose the highest scoring and eligible employee to offer the assignment to.

A three-person panel scoring the employees in the oral examination shall consist of one member chosen by a majority of the patrol, one member chosen by the City, and the third member to be selected mutually by the majority of the patrol and the City. All panel members shall be external.

A three-person panel scoring the employees in the internal examination shall consist of one detective chosen by a majority of the patrol, one detective chosen by the City, and the third being the Chief of Police, or their designee.

The written test shall be acquired through the Michigan Municipal League, or other mutually agreeable testing service.

The City shall establish an eligibility list of those employees scoring 70% or more from each assignment examination. Such eligibility list shall remain in effect for a minimum of twelve (12) calendar months from the date the results of the examination are received by the City, and the City may, at their discretion, extend the lists eligibility an additional twelve (12) months.

Employees who attain equal scores shall be chosen by using department seniority.

Police School Liaison: The Police School Liaison assignment shall be chosen in the same manner as that for detectives with the exception that the written examination shall contain fifty percent (50%) of the questions referring to juvenile matters and a large portion of the remaining examination (internal and oral) shall contain questions relating to juvenile matters.

The Police School Liaison assignment may perform Detective Bureau work on an as needed basis and following advisement of such from the Chief of Police to the Union steward, or in their absence, the alternate.

(e) Any officer designated by the City to perform police investigative functions and operate in plainclothes for such purposes, and who is given this assignment shall be reimbursed up to receive eight hundred dollars (\$800) per contract year for the purchase of plainclothes. This amount shall be included in the first full pay period in July. It shall be the responsibility of the City to dry clean the Detective clothing purchased under this section.

(f) Any officer designated by the City to perform the assignment of Detective or Police School Liaison, and upon the completion of two (2) years in such assignment shall receive one thousand dollars (\$1,000) per year, rolled in as part of their pay. Upon the completion of five (5) years in the above stated assignments, officers shall receive an additional one thousand five hundred dollars (\$1,500) per year, rolled in as part of their pay.

Section 18.21. Termination. This Agreement shall remain in force until June 30, 2016, 12:00 a.m. It shall be effective July 1, 2014, and thereafter for a successive period of two (2) years, unless either party shall on or before the sixtieth (60th) day prior to expiration, serve written notice on the other party of a desire to terminate, modify, alter, negotiate, amend or change, or any combination thereof, shall have the effect of terminating the entire Agreement on the expiration date in the same manner as a notice of desire to terminate unless before that date, all subjects of amendment proposed by either party have been disposed of by agreement or by withdrawal by the party proposing the amendment, modification, alteration, negotiation, change or any combination thereof.

APPENDIX "A"
HOURLY RATE ATTACHMENT
&
ANNUAL STIPEND
POLICE PATROL

Effective July 1, 2014 the annual salary will be increased based upon the change in the April 2014 index as compared to the April 2013 index from the official Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, all items, published by the Bureau of Labor Statistics, U.S. Department of Labor (1982-84-100), such increase shall not be less than 2.0% nor more than 4.0%.

Effective July 1, 2015 the annual salary will be increased based upon the change in the April 2015 index as compared to the April 2014 index from the official Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, all items, published by the Bureau of Labor Statistics, U.S. Department of Labor (1982-84-100), such increase shall not be less than 2.0% nor more than 4.0%.

Effective the first pay of July each year an annual stipend in the amount of \$250.00 (subject to all required deductions) shall be included for the voluntary off-duty carry of a weapon.



The City of Traverse City

Communication to the City Commission

TO: CITY COMMISSIONERS

DATE: MAY 29, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: SUMMER 2014 STREET CONSTRUCTION

With the summer construction season upon us, I thought it would be helpful to inform Commission Members and the public about the processes that the City uses for public notification of these projects. Timothy Lodge, City Engineer, has prepared a summary of the notification process, which is attached to this memo.

As you know, with the long winter that we experienced, the construction season has become shortened, and there will be a number of projects occurring simultaneously. For a list of projects, please refer to the attached document that is part of the FY14-15 Budget. More information will also be posted to the City's website as construction schedules are finalized for the 2014 season.

We understand that this will be an inconvenience for residents and visitors and ask for patience while we undertake these infrastructure investments.

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager
FROM: Timothy J. Lodge, City Engineer 
DATE: May 14, 2014
SUBJECT: Street Construction, Public notification

This memorandum briefly summarizes the extent of public discussion and notifications relating to street reconstruction projects.

Public Meeting discussions:

- Planning Commission- May regular meeting (discussion of proposed street projects)
- Planning Commission- August regular meeting (Review of street projects and action taken for consistency with Master Plan)
- City Commission Contract award- the following spring/summer

Neighborhood Association meetings:

- The notification of proposed street projects are sent to owners/occupants and neighborhood presidents in June, so that the neighborhood groups can add the topics to their summer meeting schedule. City staff can attend the meetings to discuss the proposed street projects.

First Class mailing:

- Planning Department sends letters in June requesting feedback regarding the proposed street project to all property owners/occupants on the affected streets.

Email:

- Planning Department sends emails in June to the neighborhood presidents notifying them of the proposed street projects
- Planning/Engineering Departments send Public Service Announcement (PSA) communications to the media and emergency contacts prior to street construction work commencing

Website:

- Street projects are posted on the Engineering Department's Current Project page on the City's website: <http://www.traversecitymi.gov/engcurrentprojec.asp>
- Project public service announcements are posted to the City's home page under City News

Property Visit:

- City Engineering staff goes door to door to distribute a PSA to property owners/occupants within 1 week of project commencement. The PSA includes information related to the construction project such as ingress/egress from properties, special needs, garbage/recycling service, mail and deliveries, emergency services and parking.
- The contractor is required to keep property owners/occupants informed of work items directly affecting them. For example, driveway closures, utility service interruptions, and coordination of special requests.

2014-15 Construction Project Summary

Project	Budget Construction Cost	Engineering Cost	Project Description
Streets/Water/Sanitary Sewer/Bridges			
West Front Street Elmwood to City Limits	\$ 468,750	\$ 56,250	Street reconstruction with partial funding from MDOT Small Urban Program
Cedar Street SID Parking			Add Paved Shoulders and Curbing to Address Tree Lawn Parking
Barlow Street SID Parking			Add Paved Shoulders and Curbing to Address Tree Lawn Parking
Depot Alley SID Curb			Add Curb to Alley in Conjunction with Depot Project
Lakeridge Drive SID Curb and Sidewalk			Add curb to Street in Conjunction with Development Project
West Front Street Bridge Replacement	\$ 1,100,000	\$ 132,000	Replace existing bridge with funding from MDOT Critical Bridge Program
8th Street Bridge Rehabilitation	\$ 750,000	\$ 90,000	Replace existing bridge deck with funding from MDOT Critical Bridge Program
Cass Street Bridge Rehabilitation	\$ 850,000	\$ 102,000	Repair Existing Bridge with Funding From MDOT Critical Bridge Program
Pavement Preservation Project (CPM)	\$ 750,000	\$ 60,000	Capital Preventative Maintenance
2014/15 Street Reconstruction	\$ 1,050,000	\$ 126,000	Street reconstruction
Union Street	\$ 120,000		Street reconstruction
Santo Street	\$ 48,000		Paving Gravel Street
Sequoia	\$ 40,800		Paving Gravel Street
2013 Alley Sewer	\$ 342,170	\$ 34,217	Collection System Improvements
2013-14 Annual Sewer (Balance)	\$ 73,613	\$ 8,834	Collection System Improvements
WWTP Yard Piping	\$ 188,800	\$ 22,656	Plant Improvements
WWTP Chain Drive/Storage Building/Memb	\$ 362,800		Plant Improvements
Woodmere Pump Station Repair and Upgra	\$ 60,000	\$ 4,800	Repair Damage from Auto Accident and Upgrade Pump to VFD with Back-Up Power
MDEQ SAW Grant	\$ 2,444,444		Planning and Development of Asset Management Plan Sanitary and Storm Systems
		\$ 636,757	
Auto Parking			
Parking Lots (D, O, P, V, W & N)	\$ 657,250	\$ 52,580	Repair parking lot
		\$ 52,580	
DDA/TIF			
West Front Parking Deck	\$ 100,000	\$ 2,000	Construct west end parking deck
Streetscape Lake Street	\$ -	\$ -	Street reconstruction with streetscapes
Pine Street Pedestrian Way	\$ 1,360,000	\$ 163,200	Connect Warehouse District with Downtown with a pedestrian way
Garland Street	\$ 300,000		Street reconstruction with streetscapes
E Front Streetscapes	\$ -	\$ -	Street reconstruction with streetscapes
		\$ 165,200	

Note: Refer to Public Improvement Plan for Additional Information

Memorandum

The City of Traverse City



To: Jered Ottenwess, City Manager
From: William E. Twietmeyer, City Treasurer/Finance Director *W.E.T.*
Subject: Standard & Poor's Rating
Date: May 21, 2014

Recently, Standard & Poor's performed a rating review on the City of Traverse City. These reviews are performed every two or three years and I am delighted to report that our rating was affirmed at AA+ with a stable outlook. Attached is a copy of the Standard & Poor's report which includes their rating analysis and rationale. Please provide a copy of this to the City Commission under reports and communications for their next City Commission agenda.

Encl.

RatingsDirect®

Summary:

Traverse City, Michigan; General Obligation

Primary Credit Analyst:

Elizabeth Bachelder, Chicago (1) 312-233-7006; elizabeth.bachelder@standardandpoors.com

Secondary Contact:

Caroline E West, Chicago (1) 312-233-7047; caroline.west@standardandpoors.com

Table Of Contents

Rationale

Outlook

Related Criteria And Research

Summary:

Traverse City, Michigan; General Obligation

Credit Profile

Traverse City downtown dev bnds (ltd tax GO) ser 2009 due 04/01/2016

Long Term Rating

AA+/Stable

Affirmed

Rationale

Standard & Poor's Ratings Services affirmed its 'AA+' underlying rating (SPUR) on Traverse City, Mich.'s existing general obligation (GO) bonds, based on its local GO criteria released Sept. 12, 2013. The outlook is stable.

The city's limited-tax full faith and credit pledge secures the bonds.

The rating reflects our assessment of the following factors for the city, including its:

- Strong economy, with projected per capita effective buying income at 112% of the national average and per capita market value at approximately \$129,500. Traverse City, with a population estimate of 15,596, is on Grand Traverse Bay in the northwest section of Michigan's Lower Peninsula in Grand Traverse County. The area is known for year-round tourism and is considered the region's economic center. According to the Bureau of Labor Statistics, Grand Traverse County's unemployment rate averaged 7.6% in 2013. Based on Standard & Poor's economic forecast, we expect the East North Central regional unemployment rate to average 7.36% in 2014 and 6.72% in 2015, but remain above the national average. After declining in 2010 through 2012, the city's estimated market value grew 1.8% in 2013 and 3.7% in 2014 to a total of \$2.02 billion, which management attributes to redevelopment and new construction throughout the city. Taxable value has followed a similar trend and currently totals \$851 million.
- Strong management conditions, with "good" financial practices under our Financial Management Assessment methodology, indicating financial practices exist in most areas, but that governance officials might not formalize or monitor all of them on a regular basis. Highlights of Traverse City's practices include a thorough process for revenue and expenditure assumptions, quarterly reports to the board from management on investment and budget-to-actual performance, a formalized six-year capital plan, and an informal but well-practiced fund balance policy to maintain 25% of general fund expenditures in reserves.
- Very strong budgetary flexibility, with an available general fund balance plus budget stabilization funds at fiscal year-end (June 30) 2013 of \$6.5 million, or 46.8% of operating expenditures. We expect the available general fund balance to fall somewhat throughout fiscal years 2014 and 2015, as the city commission has lowered the property tax levy to bring the available fund balance to a level more in line with its informal target. Still, we expect reserves to remain above 30% of expenditures, which we view as a credit positive. In addition, the city is levying approximately 2.06 mills under its Headlee limit. If the city were to levy at the full allowable rate, it could generate an additional \$1.75 million, or 12.6% of operational expenditures, without voter approval.
- Very strong liquidity, with total government available cash that is 93% of total governmental funds expenditures and 12.5x total governmental funds debt service. Based on past issuance of GO debt, we believe that the issuer has strong access to capital markets to provide for liquidity needs if necessary.
- Adequate budgetary performance, with a deficit of 0.9% for the general fund and a surplus of 1.4% for the total governmental funds in fiscal 2013. We expect larger general fund deficits of 3%-4% through fiscal years 2014 and

2015, based on management's intention to draw on the general fund balance through property tax revenue decreases. Management expects that a tax-increment financing district will retire in 2016, bringing approximately \$400,000 in new annual property tax revenue, which should offset the lowered levy and restore balanced operations.

- Very strong debt and contingent liabilities profile, with net direct debt 48.3% of total governmental funds revenue and total governmental funds debt service comprising 7.5% of total governmental funds expenditures. Approximately 84% of the city's direct debt will be repaid within 10 years and overall net debt a low 1.7% of market value, both of which we view as positive credit factors. However, we think that the issuer is facing large pension and other postemployment benefit (OPEB) obligations, which is a negative credit factor. Pension and OPEB charges constituted approximately 15% of total governmental funds expenditures in fiscal 2013, which we view as elevated. The city participates in two defined-benefit pension plans: the Municipal Employees Retirement System (MERS), an agent multiple-employer public employee retirement system that is 70% funded, and the Police and Fire Retirement System, a single-employer plan that is 57% funded. The city contributed its full annual required contributions (ARC) to both plans in fiscal 2013, which equated to \$1.7 million to MERS and \$1.2 million to the Police and Fire Retirement System. For OPEB, the city administers two defined-benefit health care plans, one for general city employees and one for police and fire employees. Traverse City made its full ARC to both plans in fiscal 2013, which was \$73,000 to the general city plan and \$418,000 to the police and fire plan. Mitigating some of our concern about the city's elevated pension and OPEB obligations are the steps management has taken to manage these costs. In recent years, management has reduced pension multipliers for all current employees and closed its defined-benefit retiree health coverage for police and fire hired after July 1, 2009 and general city employees hired after July 1, 2012.
- We consider the Institutional Framework score for Michigan municipalities with a population greater than 4,000 strong.

Outlook

The stable outlook reflects our expectation that Traverse City will maintain very strong budgetary flexibility throughout the two-year outlook period. If its budgetary performance and reserve position deteriorate more than we anticipate, we could lower the rating. We do not expect to raise the rating within the two-year outlook period because we do not expect the city's already-strong economic indicators to improve materially.

Related Criteria And Research

Related Criteria

- USPF Criteria: GO Debt, Oct. 12, 2006
- USPF Criteria: Local Government GO Ratings Methodology And Assumptions, Sept. 12, 2013
- USPF Criteria: Financial Management Assessment, June 27, 2006

Related Research

- U.S. State And Local Government Credit Conditions Forecast, April 7, 2014
- Institutional Framework Overview: Michigan Local Governments

Ratings Detail (As Of May 15, 2014)

Traverse City GO (FGIC)
Unenhanced Rating

AA+(SPUR)/Stable

Affirmed

Ratings Detail (As Of May 15, 2014) (cont.)

Traverse City GO

Unenhanced Rating

AA+(SPUR)/Stable

Affirmed

Many issues are enhanced by bond insurance.

Complete ratings information is available to subscribers of RatingsDirect at www.globalcreditportal.com. All ratings affected by this rating action can be found on Standard & Poor's public Web site at www.standardandpoors.com. Use the Ratings search box located in the left column.

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MINUTES

ACT 345 RETIREMENT SYSTEM

DATE: March 26, 2014
LOCATION: Mayors Conference Room, Government Center, 400 Boardman Ave., Traverse City, MI 49684
TIME: 12:00 Noon.
PRESENT: W. Kuhn, W. Twietmeyer, J. Bussell, J. Jenkins
ABSENT: C. Rueckert
GUESTS:
STAFF: B. Postma

J. Bussell called the regular meeting to order at 12:08 pm.

Moved by W. Kuhn, seconded by J. Jenkins that the minutes of the February 26, 2014 regular meeting be approved.

Motion approved 4-0.

Warrant No. 575 in the amount of \$184,395.52 for Retirees Benefits for April 2014 was approved and signed by W. Kuhn and J. Jenkins.

Chris Kuhn of Gray & Company gave a report via telephone conference call to the Board covering the PNC transitioning from a separate account to the institutional mutual fund. The Board was also provided a snapshot of market value with a target market value as of March 24, 2014. Also discussed was the final action of purchasing the Brandywine global fixed income fund, the PNC intermediate fixed income fund, and the PNC high yield fund as recommended by Gray & Company. The Board asked various questions.

The actuarial report for the retirement system from Gabriel, Roeder, Smith & Company was distributed to the Board. A representative from the actuarial firm will be invited to attend a future Board meeting to review the report with the Board.

Moved by W. Kuhn, seconded by J. Jenkins that the Board authorize the withdrawal of \$500,000 from its administrative account and subsequent transfer into the Retirement System's checking account for payment of benefits and that the Secretary is directed to sign the authorizing documents as prepared by Gray & Company.

Motion approved 4-0.

It will be communicated to Gray & Company that the Board is desirous of recommendations of an index fund for the investment of retiree health assets.

It was announced that two new members were added to the police department. The member names are Adam Gray and Jacob Steichen.

Moved by J. Jenkins, seconded by W. Kuhn that the Board authorize up to \$3,000 to send up to four members of the Retirement System to the MAPERS Conference on May 18-20, 2014 in Mount Pleasant, Michigan.

Motion approved 4-0.

Moved by J. Jenkins, seconded by W. Kuhn to adjourn.

Motion approved 4-0.

Meeting adjourned at 12:57 pm.

William E. Twietmeyer

William E. Twietmeyer
Secretary/Treasurer



MINUTES-(amended)
A REGULAR MEETING OF THE CITY PARKS AND RECREATION COMMISSION
HELD THURSDAY, APRIL 3, 2014 AT 6:30 P.M.
IN THE COMMISSION CHAMBERS, 2ND FLOOR, 400 BOARDMAN AVENUE
TRAVERSE CITY, MICHIGAN 49684

COMMISSIONERS PRESENT: Danielle Rearick, Margaret Szajner, Brook DiGiacomo,
Gary Howe, Seamus Shinnners, Arrienne Whittaker

COMMISSIONERS ABSENT: Brian Haas

ALSO PRESENT: Lauren Vaughn, Sheila Dodge

Vice-Chairperson Margaret Szajner Presiding

1. ITEM ON THE AGENDA BEING CONSENT CALENDAR

- a. Consideration of minutes of the March 6, 2014 Regular Meeting.

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

ROLL CALL

Shinnners – No
Rearick – Yes
DiGiacomo – Yes
Howe – Yes
Szajner - Yes
Whittaker – Yes

CARRIED 5 – 1

2. NEW BUSINESS

- a. Larry Gerschbacher, spoke regarding the 1st Annual Bicycle Safety Rodeo scheduled for June 7, 2014 at Central High School.

Motion by Howe, seconded by DiGiacomo to endorse the Cherry Capital Cycling Club's Bicycle Safety Rodeo to be held on June 7, 2014.

PUBLIC COMMENT

None

CARRIED 5 – 0 (Shinners abstained)

- b. Superintendent Vaughn gave an update on the upcoming GTrec Expo to be held Sunday, May 4, 2014 at the Grand Traverse County Civic Center.
- c. Commissioner Howe spoke regarding the Wags West dog park plans for 2014.

PUBLIC COMMENT

None

3. OLD BUSINESS

- a. Discussion took place regarding the proposal for Community Gardens and the process to move forward with the concept.

Motion by Shinners, seconded by Howe to recommend the Community Garden Program and move this item forward to the City Commission for approval, pending City Attorney review.

PUBLIC COMMENT

None

CARRIED 6 – 0

- b. Vice-Chair Szajner gave an update on the Coast Guard City Committee meeting regarding the commemorative sculpture and the process going forward.

PUBLIC COMMENT

None

- c. Commissioner Howe gave an update regarding the City Commission Brown Bridge Trust Fund Ad Hoc Committee.

PUBLIC COMMENT

None

- d. Superintendent Vaughn gave an update on the Hickory Hills Master Plan process.

PUBLIC COMMENT

None

- e. Commissioner Howe and Commissioner Shinnors spoke regarding the possible Honor Song celebration for the historic pavement marker at Clinch Park.

Motion by Howe, seconded by Shinnors that the Parks and Recreation Division endorse an Honor Song celebration in coordination with the installation of the historic marker commemorating the Anishinaabek original settlement along the shore of Grand Traverse Bay.

CARRIED 6 – 0

4. PUBLIC COMMENT

Seamus Shinnors, 410 Seventh St., T.C. 49684

5. COMMISSION REPORTS AND CORRESPONDENCE

- a. Superintendent's Report
- b. Schedule of Upcoming Events

There being no objection, Vice-Chairperson Szajner (amended) declared the meeting adjourned at 7:30 p.m.

Parks and Recreation Commission approved: _____ - _____ on May 1, 2014.

Lauren A. Vaughn
Parks and Recreation Superintendent



MINUTES

**A REGULAR MEETING OF THE CITY PARKS AND RECREATION COMMISSION
HELD THURSDAY, MAY 1, 2014 AT 6:30 P.M.
IN THE COMMISSION CHAMBERS, 2ND FLOOR, 400 BOARDMAN AVENUE
TRAVERSE CITY, MICHIGAN 49684**

COMMISSIONERS PRESENT: Danielle Rearick, Margaret Szajner, Brook DiGiacomo,
Gary Howe, Seamus Shinnors, Arianne Whittaker

COMMISSIONERS ABSENT: None

ALSO PRESENT: Lauren Vaughn, Sheila Dodge

Chairperson Brian Haas Presiding

1. ITEM ON THE AGENDA BEING CONSENT CALENDAR

- a. Consideration of minutes of the April 3, 2014 Regular Meeting.

Motion by Howe, seconded by Szajner, that the following action as recommended on the Consent Calendar portion of the Agenda be approved. (amended on page 3)

CARRIED 7 – 0

2. NEW BUSINESS

- a. Superintendent Vaughn spoke regarding the City of Traverse City's Urban Forestry Plan.

Motion by Howe, seconded by DiGiacomo to recommend adopting the City of Traverse City Urban Forestry Plan and forward this item onto the City Commission for their review and further action.

PUBLIC COMMENT

Tim Werner, T.C. (City Commissioner)

CARRIED 7 – 0

- b. Commissioner Szajner spoke regarding changes to the Parks and Recreation Commission By-Laws as they pertain to meeting minutes. Meeting minutes would be more descriptive.

- c. Commissioner Howe gave an update on the possible addition of Anishinaabek art banner in the Cass Street tunnel.

3. OLD BUSINESS

- a. Superintendent Vaughn gave an update on the draft guideline changes for the Community Garden Program.

Motion by Shinnars, seconded by Rearick to recommend the Community Garden Program pending any additional draft changes and forward onto the City Commission for their review and further action.

PUBLIC COMMENT

None

CARRIED 7 – 0

- b. Commissioner Szajner gave an update on the proposed Coast Guard City commemorative sculpture.
- c. Commissioner Howe gave an update regarding the City Commission Brown Bridge Trust Fund Ad Hoc Committee.
- d. Superintendent Vaughn gave an update on the Hickory Hills Master Plan process.
- e. Superintendent Vaughn spoke regarding the upcoming GTRec Expo to be held Sunday, May 4, 2014.

4. PUBLIC COMMENT

John DiGiacomo, 440 North Spruce St., T.C.
Margaret Szajner, 647 West Orchard Drive, T.C.
Brook DiGiacomo, 440 North Spruce St., T.C.
Gary Howe, 926 Lincoln St., T.C.

5. COMMISSION REPORTS AND CORRESPONDENCE

- a. Superintendent's Report
- b. Schedule of Upcoming Events

Page three

Parks and Recreation Commission Regular Meeting May 1, 2014

There being no objection, Chairperson Haas declared the meeting adjourned at 7:38 p.m.

Parks and Recreation Commission approved: _____ - _____ on June 5, 2014.

Lauren A. Vaughn
Parks and Recreation Superintendent

TRAVERSE CITY
LIGHT AND POWER BOARD

June 2 - cc reports

Minutes

Human Resources Ad Hoc Committee

Held at 2:00 p.m., Committee Room, Governmental Center
Friday, April 11, 2014

Committee Members -

Present: Barbara Budros, Bob Spence, John Taylor

Absent: None

Others: None

The meeting was called to order at 2:00 p.m.

1. Consideration of initiating the Executive Director's annual review.

Committee members discussed exploring the availability of hiring Mary Grover to facilitate the process.

2. Public Comment

No one from the public commented.

There being no objection, Committee Chairman Taylor declared the meeting adjourned at 2:40 p.m.

/st



John Taylor, Chairman
LIGHT AND POWER BOARD

TRAVERSE CITY
LIGHT AND POWER BOARD

6/2 CC Reports

Minutes of Regular Meeting
Held at 5:15 p.m., Commission Chambers, Governmental Center
Tuesday, April 22, 2014

Board Members -

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

Absent: Jeff Palisin

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 Taylor.

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 Regular Meeting of April 8, 2014.

Moved by Carruthers, seconded by Budros, that the Board approves the minutes of the Regular Meeting of April 8, 2014.

CARRIED unanimously. (Palisin absent)

4(b). Consideration of authorizing a purchase order to Power Line Supply in the amount of \$227,540.03 for conduit and electrical materials for South Substation Project.

The following individuals addressed the Board:

Tim Arends, Executive Director
Michael McGeehan, GRP Engineering, Inc.

Moved by McGuire, seconded by Budros, that the Board authorize the Executive Director to issue a purchase order in the amount of \$227,540.03 to Power Line Supply for materials for the South Substation Project.

CARRIED unanimously. (Palisin absent)

4(c). Consideration of authorizing a purchase order to Power Line Supply in the amount of \$571,779 for underground cable for South Substation Project.

The following individuals addressed the Board:

Michael McGeehan, GRP Engineering, Inc.
Tim Arends, Executive Director

Moved by Budros, seconded by Geht, that the Board authorize the Executive Director to issue a purchase order in the amount of \$571,779, more or less, to Power Line Supply for underground cable for the South Substation Project.

CARRIED unanimously. (Palisin absent)

- 4(d).** Consideration of authorizing a purchase order to Harlo in the amount of \$96,930 for control panels for South Substation Project.

The following individuals addressed the Board:

Michael McGeehan, GRP Engineering, Inc.

Moved by Geht, seconded by McGuire, that the Board authorize the Executive Director to issue a purchase order in the amount of \$96,930 to Harlo for the control panels for the South Substation Project.

CARRIED unanimously. (Palisin absent)

- 4(e).** Consideration of awarding bid for conduit and equipment box pad installation for South Substation Project.

The following individuals addressed the Board:

Michael McGeehan, GRP Engineering, Inc.
W. Peter Doren, General Counsel

Moved by McGuire, seconded by Budros, that the Board authorizes the Executive Director to execute a Construction Agreement in the amount of \$216,915 with Severence Electric Company for installation of conduit and equipment box pad for the South Distribution Substation; subject to approval as to form by General Counsel.

CARRIED unanimously. (Palisin absent)

- 4(f).** Consideration of awarding bid for electric cable and equipment installation for South Substation Project.

The following individuals addressed the Board:

Michael McGeehan, GRP Engineering, Inc.

Moved by Budros, seconded by Geht, that the Board authorizes the Executive Director to execute a Construction Agreement in the amount of \$383,545.25 with CC Power for electric cable and equipment installation for the South Distribution Substation; subject to approval as to form by General Counsel.

CARRIED unanimously. (Palisin absent)

- 4(g).** Consideration of awarding bid for a construction contract for South Substation Project.

Moved by McGuire, seconded by Budros, that the Board authorize the Executive Director to execute a Construction Agreement in the amount of \$1,304,760 with Kent Power for construction of the South Distribution Substation; subject to approval as to form by General Counsel.

CARRIED unanimously. (Palisin absent)

Item 5 on the Agenda being Appointments

None.

Item 6 on the Agenda being Reports and Communications

A. From Legal Counsel.

1. W. Peter Doren spoke re: Coal Dock Deed restrictions.

The following individuals addressed the Board:

Tim Arends, Executive Director
Jered Ottenwess, City Manager

Chairman Taylor opened the floor to public comment. No one from the public commented.

The Board gave no indication to staff that it desired to consider deed restrictions at a future meeting.

B. From Staff.

1. Energy Supply Presentation #5 by RTD Consulting and Howard Axelrod.

The following individuals addressed the Board:

Tim Arends, Executive Director

2. Jessica Wheaton announced the upcoming Annual Seedling Giveaway scheduled for April 26, 2014.

C. From Board.

1. Chairman Taylor spoke re: the Executive Director Review process.

Item 7 on the Agenda being Public Comment

No one from the public commented.

There being no objection, Chairman Taylor declared the meeting adjourned at 6:58 p.m.



Tim Arends, Secretary
LIGHT AND POWER BOARD

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager

FROM: Timothy J. Lodge, City Engineer 

DATE: May 28, 2014

SUBJECT: TC Technical Committee Memorandum
East-West Transportation Options

Attached is the Memorandum from the TC-TALUS Technical Committee to the TC-TALUS Board of Directors which reviews East-West Transportation Options. The TC-TALUS Board asked the Technical Committee to examine east-west transportation options within the TC-TALUS study area. The TC-TALUS Technical Committee is a collaboration of regional governmental representatives focused on Regional Transportation and Land Use. This work was recently completed and is scheduled for discussion this month (May 2014) for use in the development of a Regional Long Range Transportation Plan.

The Technical Committee used the tools developed during the Grand Vision Land Use and Transportation Study (2007 to 2010) to model future traffic patterns on several transportation alternatives. Two "Road Diets" on City streets were included as alternatives. These were located on 8th Street from Boardman Avenue to Woodmere Avenue and on Garfield Avenue from the City Limits near the Airport to 8th Street. The Memorandum includes a summary table showing the favorable (Lowered V/C ratio) and unfavorable (Raised V/C ratio) outcomes of the modeling as it relates to Regional traffic patterns.

The next steps are to complete the discussion with the TC-TALUS Board of Directors and choose alternatives to include in a final model run showing the cumulative impacts of the selected alternatives. This final analysis will likely influence the Regional Long Range Transportation Plan.

For more information about The Grand Vision Land use and Transportation Study (2007-2010) we encourage reviewing the attached Transportation Reports Roadmap and available through the Northwest Michigan Council of Governments website: www.nwm.org. Task 3.4 Travel Demand Model Methodology, Task 3.6 (combined with Task 4.2) Transportation Gap Analysis and Refined Corridor/Intersection Analysis, and Task 5.1 Develop Recommended Transportation Strategies are importantly related to the development of transportation alternatives for the Grand Traverse Region.



Transportation Reports Roadmap

There are 17 Grand Vision reports, each information-rich with general topics, specific analysis, and graphic data.

This roadmap is designed to give readers a cross-referencing system to quickly locate topics within the many documents of the Grand Vision reports. Each report has a task number assigned to it, as an identifier for the consultants who prepared the reports.

There are three ways to locate information:

- By Task Number
- By Report Name
- By Report Description

To access the online version of this roadmap, with links directly to the reports, visit:
www.nwm.org/gvreports.asp

The Grand Vision Document

This cornerstone document explains the Grand Vision guiding principles, project timeline, partners and calls to action. It includes an illustrative map that demonstrates a regional growth concept that is a reflection of community decisions made about transportation and land use preferences, as well as the preferences for economic growth, housing, agriculture, and the natural environment expressed at scenario planning workshops and through the Vision Decision community process.

Task 1 Report - Past/Existing Transportation and Land Use Trends

This report analyzes past and existing local and regional plans, and other studies relevant to the land use and transportation system of the area.

Task 2 Report - Public Awareness, Education and Engagement

The public involvement phase of the study and the results are documented in four reports:

TCAPS - Grand Vision Student Assembly Summary is a synopsis of the workshops held at the Traverse City Central and West high schools.

Visual Preference Survey: Summary of Results presents a visual preference survey, completed by Fregonese and Associates, that shapes the workshop maps and chips to local conditions.

Grand Traverse Futures, Input Session on Regional Growth/Planning documents the Advanced Strategy Lab conducted by Harris Interactive on June 3, 2008. The results of this document were used to help shape the values research (the following report).

Grand Traverse Land Use Study: Values Research details the values research conducted by Harris Interactive for the Grand Vision Study.

The tabulated results of the Grand Vision Decision process were reported in an electronic spreadsheet that is available upon request.

Task 3 Report - Transportation, Socio-Economic and Land Use Data Development

In this study, we present the analysis of the technical data we collected, which is documented within eight reports.

Task 3.1 - Traffic Crash Analysis is the core study in this report, and includes a number of other deliverables. Geographic Information Systems maps (workshop maps) are available upon request.

Task 3.2 - Socio-Economic Report presents projected trends of population, demographic and economic driver information.

Task 3.3 - Gap Analysis studies the gaps that exist between current trends and the Regional Values and Vision established through the public involvement process.

Task 3.4 - Travel Demand Model Methodology documents a computerized travel demand model for the core study area.

Task 3.5 includes two reports:

Socioeconomic Impact Report analyzes the changes in land use, risks/opportunities, impacts and costs of the four possible future growth scenarios established as a part of the public involvement process.

Land Use Scenario Environmental Report inventories the existing conditions found along the 11 Corridors of Significance approved by the TC-TALUS Board of Directors. Consultant input and the review and

recommendation of the TC-TALUS Technical Advisory Committee created this inventory.

Task 3.6 (combined with Task 4.2) - Transportation Gap Analysis and Refined Corridor/Intersection Analysis compares current capacity to projected future demand on the roadways and intersections along the Corridors of Significance. The consultant also makes recommendations to address areas of concern. Included in these reports is The Grand Vision Scorecard. It doesn't individually address deliverables of the study, but presents the public involvement process and results in a readable format. It addresses a number of work tasks and is intended to augment numerous other reports.

Task 4 Report - Transportation Data Analysis

This task provides analysis of the complete set of transportation data consultants gathered.

Task 4.1 - National Functional Classification System Changes recommends the potential changes to this system to help implement the Grand Vision.

Task 4.2 (combined with Task 3.6) - Transportation Gap Analysis and Refined Corridor/Intersection Analysis compares current capacity to projected future demand on the roadways and intersections along the Corridors of Significance.

Task 4.3 - Multi-Modal Transportation Systems Plan Final Report analyzes various modes of transportation and the applicability to the transportation system of the area.

Task 5 Report - Final Recommendations and Resources

This report consists of recommended strategies to help us achieve the vision of the project.

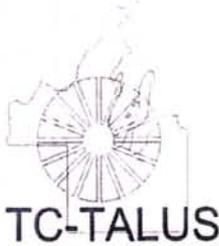
Task 5.1 - Develop Recommended Transportation Strategies sets forth the consultants' recommendations for transportation investment for the near future, as well as decision-making for the next 50 years.

Task 5.2 - The Grand Vision Community Resources Guide and Toolbox, which includes associated resources compact disc, provides references to examples that can assist in the implementation of seven identified issue areas.



Northwest Michigan
Council of Governments

TC-TALUS



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 Traverse City MI 49685-0506
 (231) 929-5000 • 1-800-692-7774 • FAX (231) 929-5012



www.nwm.org/tctalus.asp

Date: May 1, 2014
 To: TC-TALUS Board of Directors
 From: TC-TALUS Technical Committee
 Subject: East-West Transportation options

The TC-TALUS Board of Directors has tasked the Technical Committee to examine east-west transportation options within the TC-TALUS study area. As the evaluation of modeled projects is coming to a conclusion, the Technical Committee needs to provide the Board with the information we have developed.

As described in more detail below, the Travel Demand Model used socio-economic data developed during the Grand Vision process to predict travel demand. The Technical Committee analyzed the model outputs and is providing the following staff analysis of the east-west transportation issues. The Boardman River runs north/south through the TC-TALUS area and the limited number of crossings/lanes is the main constraint facing east-west mobility through the TC-TALUS area. East – West transportation routes in the TC-TALUS area include the following:

Road/Crossing Name	Regional Function lanes	Local Function lanes	2007 V/C As is	2035 V/C No build
US-31, M-37, M-72 (Grandview Parkway)	4		1.15	1.48
Front Street / State Street		2	0.99	1.30
Eighth Street	4	4	0.90	1.19
South Airport Road	4		1.15	1.58
Cass Road		1 (2 proposed)	0.51	1.14
Beitner Road	2		1.16	1.74
Total	14	7 (8 proposed)		

Although not east-west in orientation, Cass Street and Union Street both cross the Boardman River in a north-south direction as the river meanders to an east-west orientation for a short distance through the City of Traverse City. These roadways could be seen as adding to the limited number of river crossings and therefore providing some level of east-west roadway capacity.

In the following discussion the Volume to Capacity ratio or V/C is used as an indication of traffic congestion. The V/C ratio is defined as the ratio of directional design hour traffic volume to the directional design hour capacity. The ratio is used as an indicator of how the roadway links (NOT intersections) are expected to function. The ratio is expressed as a decimal percentage (i.e. a V/C ratio of 0.50 indicates that the roadway link is operating at 50% of design capacity, V/C of 1.0 indicates the roadway link is operating at 100% of design capacity, and a V/C of 1.50 indicates the roadway link is operating at 50% above design capacity). The V/C is indicative of intersection capacity that relates to congestion and delay factors which impact the quality of life. As with all travel demand modeling, the results are best used as comparisons between scenarios rather than as absolute quantitative measurements of future conditions. While every effort was made to ensure the forecasts were as accurate as possible, it is of course impossible to predict the future with 100% accuracy.

US-31, M-37, M-72 is an MDOT jurisdiction state trunkline serving the TC-TALUS area in both north-south and east-west directions. The Travel Demand Model (TDM) calculated the V/C ratio on the east-west portion as between 1.07 and 1.15 for the base year (2007) and 1.37 to 1.49 for the future year (2035). Potential to increase capacity of the roadway is very restricted due to limited right-of-way and the feasibility of acquiring additional right-of-way for construction. Minor capacity increases could be realized by small scale intersection widening and /or traffic signal improvements. However, these improvements will likely not balance current or future capacity deficiencies.

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Front Street / State Street are City of Traverse jurisdiction major surface streets (State Street included as the one way pair of Front Street in downtown Traverse City). Front Street / State Street are east-west roadways located in the downtown Traverse City area. The function and operations of these streets preclude them from serving to move major volumes of traffic now and in the future due to limited right-of-way and serving as "main street" to downtown Traverse City.

Eighth Street is a City of Traverse City jurisdiction major surface street and serves basically the east-west movement of traffic. Although Eighth Street is not continuous in the east-west direction, it serves predominately east-west traffic movement through connection to Cass, Union and Fourteenth Streets. The Travel Demand Model (TDM) calculated the Volume to Capacity (V/C) ratio on Eighth Street as between 0.82 and 1.04 for the base year (2007) and 1.04 to 1.39 for the future year (2035). Options for increasing the capacity of Eighth Street are limited due to right-of-way constraints and the roadway has been discussed as a potential "road diet" opportunity to reduce it to 2 travel lanes plus a center turn lane from its current 4 lane configuration. The potential road diet would provide additional east-west capacity for bicycles and possibly pedestrians if implemented. Parallel bicycle and pedestrian facilities are provided on Webster Street and Boardman Lake Trail in the vicinity of 8th Street.

South Airport Road is a County Primary road under the jurisdiction of the Grand Traverse County Road Commission. It currently serves high volumes of east-west traffic as well as local land uses including commercial, industrial and residential land uses. The TDM currently calculates the 2007 V/C. of South Airport Road between 0.68 (east end) and 1.15 (west end), and the 2035 V/C 0.81 (east end) and 1.58 (west end). The potential to increase capacity along the corridor varies, although likely to be somewhat more feasible on the east end than the west end. Although the east end is not anticipated to justify capacity increases, the US-31 to Garfield road segment is projected to be 58% over capacity in the year 2035. The west end (east of US-31) of South Airport Road is predominately commercial land uses and increasing capacity by road widening would be extremely expensive due to right-of-way acquisition costs. Minor widening, traffic signal improvements and transit enhancements could provide minimal relief to the expected capacity deficiencies.

Cass Road is a continuation of Cass Street in Traverse City and is a County Primary road under the jurisdiction of the Grand Traverse County Road Commission. Its current Boardman River crossing is a structurally deficient one lane bridge. The Travel Demand Model (TDM) calculated the Volume to Capacity (V/C) ratio on the Cass Road as between 0.51 for the base year (2007) and 1.14 for the future year (2035). As Cass Street, Cass Road is essentially a north-south roadway, however because of its river crossing does serve east-west traffic. Discussions are currently underway to replace the current bridge with a two lane structure that would obviously increase capacity over the current one-lane bridge. However, due to its location on a north-south roadway, the capacity increase realized by the bridge replacement will have little effect to relieve east-west capacity issues now and in the future.

Beitner Road is a County Primary road under the jurisdiction of the Grand Traverse County Road Commission. Beitner Road is the east leg of the "Chum's Corners" intersection which is where US-31 and M-37 merge/split with US-31 going west and north and M-37 south north and south. The intersection is approximately 3-4 miles south of South Airport road and approximately 1-2 miles south of the Cass Road bridge crossing. Beitner road terminates at the Keystone road which is a north-south road, however, it does connect to Three Mile road via Hammond road. The Travel Demand Model (TDM) calculated the Volume to Capacity (V/C) ratio of Beitner/ Keystone roads as between 1.16 and 1.48 for the base year (2007) and 1.38 to 1.99 for the future year (2035). The potential to increase capacity on Beitner road is limited due to limited right-of-way and terrain concerns. To rebuild Beitner road to current standards a great deal of earthmoving and/or an elevated bridges over the Boardman River and railroad tracks would be necessary. It should be noted that Beitner Road is predicted to be over capacity in every model scenario except where it is widened to four lanes.

The following projects were tested on the Travel Demand Model using both 2007 base year socio economic data and forecasted 2035 socio economic data. The 2035 data was developed during the Grand Vision process and represents the "Village" growth scenario. More information on the projections can be found in the Grand Vision Task 3.2 Socio-Economic report and 3.4 Travel Demand Model report. One final model run will be completed, including all projects recommended for inclusion in the TC-TALUS Long Range Plan.

- Extension of South Airport to the east to 4 or 5 mile road (2 lanes) (East Bay Twp).
- Garfield Ave, road diet 4 to 3 lanes (Traverse City)
- Hartman-Hammond connection with and without connection to Cass Road (4 lanes) (Garfield Twp)
- Hartman-Hammond connection with connection to Cass Road and continuation to Silver Lake Road (4 lanes) (Garfield Twp)
- Eighth Street, road diet 4 to 3 lanes, Boardman Ave to Woodmere (Traverse City)
- Beitner/Keystone Roads, widen to 4 lanes, US-31/M-37 to Hammond Road (TC Chamber)

- Extend Cass Road (2 lanes) along the west side of the Boardman River to Beitner Road. (GT County)
- Widen South Airport Road including boulevard between Garfield and LaFrainer and Garfield and Cass (Garfield Twp)

The spreadsheet below illustrates the results of the projects modeled had on various road segments in the area.

TC-TALUS Volume to Capacity Comparison

Corridor	2035 Project Run VC Ratios													
	S. Airport	S. Airport	Hart-Hammin	Hart-Hammin	Hart-Hammin	Hart-Hammin	4 to 2 lane road diet Boardman to Woodmere	Garfield	Beltner	S. Airport				
ID*	Name	From	To	2007 VC	2035 VC	3 to 4 mile	3 to 5 mile	US-31 to no connection to Cass	US-31 to w/connecti on to Cass	US-31 to Silver Lake rd	4 to 2 lane road diet Boardman to Woodmere	Garfield road diet Boon to Eighth	Beltner widened to 4 lanes 31 to Hammond	S. Airport Boulevard Garfield to Cass
1.09	Grandview	Hall	Union	1.07	1.37	1.38	1.38	1.27	1.27	1.29	1.35	1.37	1.24	1.37
2.02	South Airport	US-31	Garfield	1.15	1.58	1.61	1.62	1.45	1.44	1.38	1.64	1.57	1.46	1.61
4.04	Beltner	US-31	River	1.16	1.74	1.72	1.70	1.60	1.61	1.62	1.76	1.74	0.80	1.72
9.08	8th	Lake	Woodmere	0.90	1.19	1.20	1.21	1.06	1.06	1.06	1.35	1.20	1.26	1.19
11.01	Cass	South Airport	Keystone	0.51	1.14	1.16	1.17	0.35	0.39	0.63	1.16	1.14	1.10	1.14
41.03	Front	Division	Union	0.99	1.30	1.30	1.31	1.22	1.22	1.23	1.25	1.30	1.41	1.30
3.08	Division	Front	14th	1.43	1.08	1.09	1.09	1.07	1.07	1.07	1.08	1.10	1.07	1.09
3.09	Division	Grandview	Front	1.13	0.89	0.90	0.89	0.83	0.83	0.82	0.85	0.90	0.86	0.89
4.05	Keystone	Cass	River	1.24	1.38	1.46	1.51	1.15	1.17	1.17	1.40	1.37	0.79	1.36
5.04	Garfield	South Airport	Hammond	0.31	0.37	0.38	0.40	0.54	0.54	0.60	0.42	0.35	0.75	0.40
6.04	Hammond	3 Mile	4 Mile	0.80	1.25	1.03	1.09	1.30	1.30	1.30	1.24	1.24	0.64	1.26
7.03	3 Mile	US-31	South Airport	1.15	0.83	0.56	0.58	0.82	0.82	0.82	0.82	0.83	1.49	1.21
8.01	West Bay Shore	Cherry Bend	M-72	1.08	1.47	1.47	1.47	1.48	1.47	1.48	1.47	1.47	0.85	1.48
9.04	Silver Lake	Barnes	Division	0.54	0.80	0.81	0.81	0.77	0.77	0.75	0.78	0.81	1.46	0.80
9.05	14th	Division	Cass	1.21	1.66	1.67	1.67	1.54	1.54	1.56	1.65	1.65	1.10	1.66
9.12	Cass	Grandview	8th	0.75	0.96	0.95	0.95	0.89	0.88	0.92	0.92	0.97	0.63	0.97
11.02	Cass	14th	South Airport	0.91	1.14	1.14	1.14	1.11	1.12	1.13	1.16	1.19	0.85	1.15
18.01	Birnley	Keystone	Garfield	0.57	0.48	0.48	0.46	0.60	0.61	0.59	0.48	0.48	0.24	0.47
19.01	Hartman	US-31	Cass	0.14	0.30	0.30	0.30	0.42	0.42	0.42	0.32	0.30	0.68	0.30
29.00	Hastings	Parsons	Garfield	0.19	0.35	0.35	0.35	0.35	0.35	0.35	0.36	1.03	0.35	0.35
34.02	La Franier	South Airport	Hammond	0.52	0.44	0.44	0.44	0.34	0.32	0.41	0.29	0.44	0.09	0.46
36.00	Veterans	South Airport	14th	0.80	2.12	2.13	2.08	1.88	1.91	2.28	2.26	2.34	0.55	2.20
38.01	Union	8th	14th	0.61	0.86	0.86	0.87	0.81	0.81	0.79	0.81	0.88	1.10	0.86
38.02	Union	Grandview	8th	0.82	1.31	1.28	1.32	1.22	1.22	1.31	1.41	1.46	1.34	1.36
54.00	South Airport	3 Mile	4 Mile/5 Mile	0.00	0.00	1.12	1.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00
55.00	Hammond	Cass	Keystone	0.00	0.00	0.00	0.00	0.97	0.95	1.00	0.00	0.00	0.00	0.00

New Roads East-West Roads Lowered V/C ratio (better) Raised V/C ratio (worse)

* Corridor ID assigned by MIDDOT Modeler for analysis purpose only.

The following Evaluation Criteria information was developed and completed by the TC-TALUS Technical Committee to give general information on the expected impacts of the projects tested using the TC-TALUS Travel Demand Model. Before any of these projects are advanced to construction a National Environmental Policy Act (NEPA) review must be conducted to determine if there are social, economic or environmental impacts. The Evaluation Criteria serve as an indication of relative level of impacts in the given areas.

The maps the follow each projects Evaluation Criteria review are outputs from the Travel Demand Model and depict the year 2035 results of the project evaluated on the left side versus the 2035 road network with no improvements on the right side.

TC-TALUS Evaluation Criteria category definitions

Public Influence – The amount of public support or nonsupport for the project

Alternative Travel Modes – The impact the project may have on alternative modes of travel (non vehicular)

Low income / Minority populations – The impact the project may have on low income and/or minority populations

Adjacent land use – The impact the project may have on adjacent land uses

Regional Mobility – The impact the project may have on trips beginning and/or ending outside of the TC-TALUS area

Local Mobility – The impact the project may have on trips beginning and ending inside of the TC-TALUS area

Future capacity to meet future demand – The impact the project may have on the future (2035) transportation demand

Funding availability – The impact the project may have on expected future revenue

Safety – The impact the project may have on roadway safety

Natural systems – The impact the project may have on environmental factors such as wetlands, endangered species, public open spaces and parks etc.

Historic Properties – The impact the project may have on properties eligible for or listed on the Historic Registry

Water Quality – The impact the project may have on both surface and ground water resources

Noise – The impact the project may have on noise levels in the project area

Access to Employment – The impact the project may have on accessibility to employment areas in the project area

Economic Development – The impact the project may have on economic development in the project area

Relocation of people or businesses – The impact the project may have on relocating people and/or businesses

Additional right-of-way required – The impact the project will have on existing public right-of-way

Accommodates all users – The impact the project may have on all users of the public right-of-way

Promotes transportation mode choice – The impact the project may have on promoting alternative mode of travel

Freight/Trucking – The impact the project may have on the movement of freight to/from the project area and region

Air – The impact the project may have on air transportation facilities in the project area and region

Water – The impact the project may have on water transportation facilities in the project area and region

Transit – The impact the project may have on public transportation in the project area and region

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14

Rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

Project Name: **Garfield Avenue Road diet 4 to 2 travel lanes w/ center turn lane from Boon to 8th**

Category	Expected Impacts			Comments (Evaluated by TC-TALUS Technical Committee 4/10/14)
	No Impact	Minimal Impact	Major Impact	
Social	Public Influence			
	Alternate Travel Modes		X	
	Low income /minority populations		X	
Model	Adjacent Land Use			
	Regional Mobility			X
	Local Mobility			X
	Future capacity to meet future demand			X
Financial	Funding availability	X		
Safety	Safety		X	
Environmental	Natural systems	X		
	Historic Properties	X		
	Water Quality	X		
	Air Quality		X	
	Noise		X	
Economic	Access to employment		X	
	Economic Development		X	
Complete Streets	Relocation of People or Businesses	X		
	Additional Right of Way required	X		
	Accommodates all users			X
Other Modes	Promotes Transportation Mode Choice			X
	Freight/Trucking			X
Other Modes	Air	X		
	Water	X		
Transit			X	

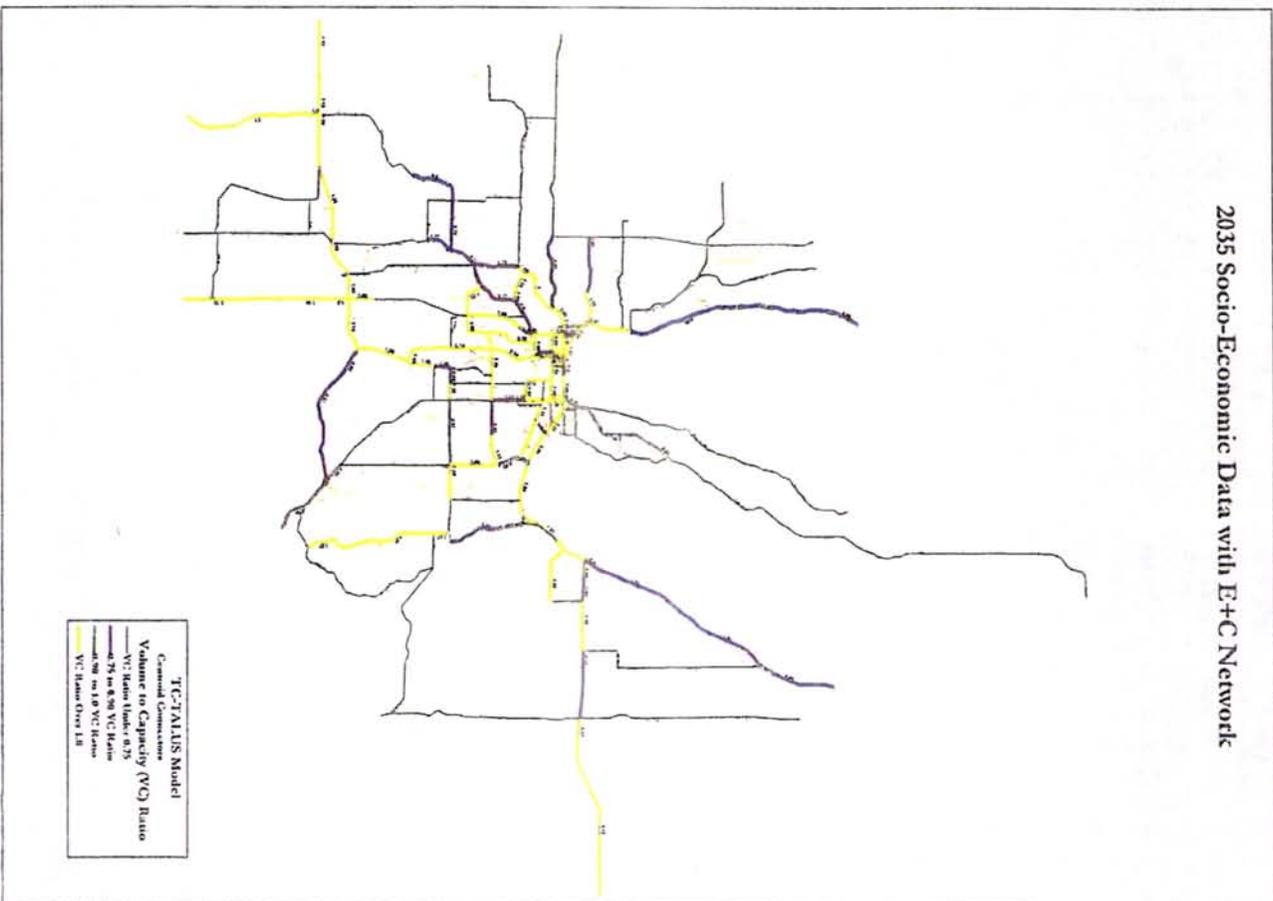
TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 4 Network

Project 4: Garfield Road diet (4 to 3 lanes) from Boon St. to Eighth St.



2035 Socio-Economic Data with E+C Network



TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14

rankings are intended to be relative measures of EXPECTED Impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency

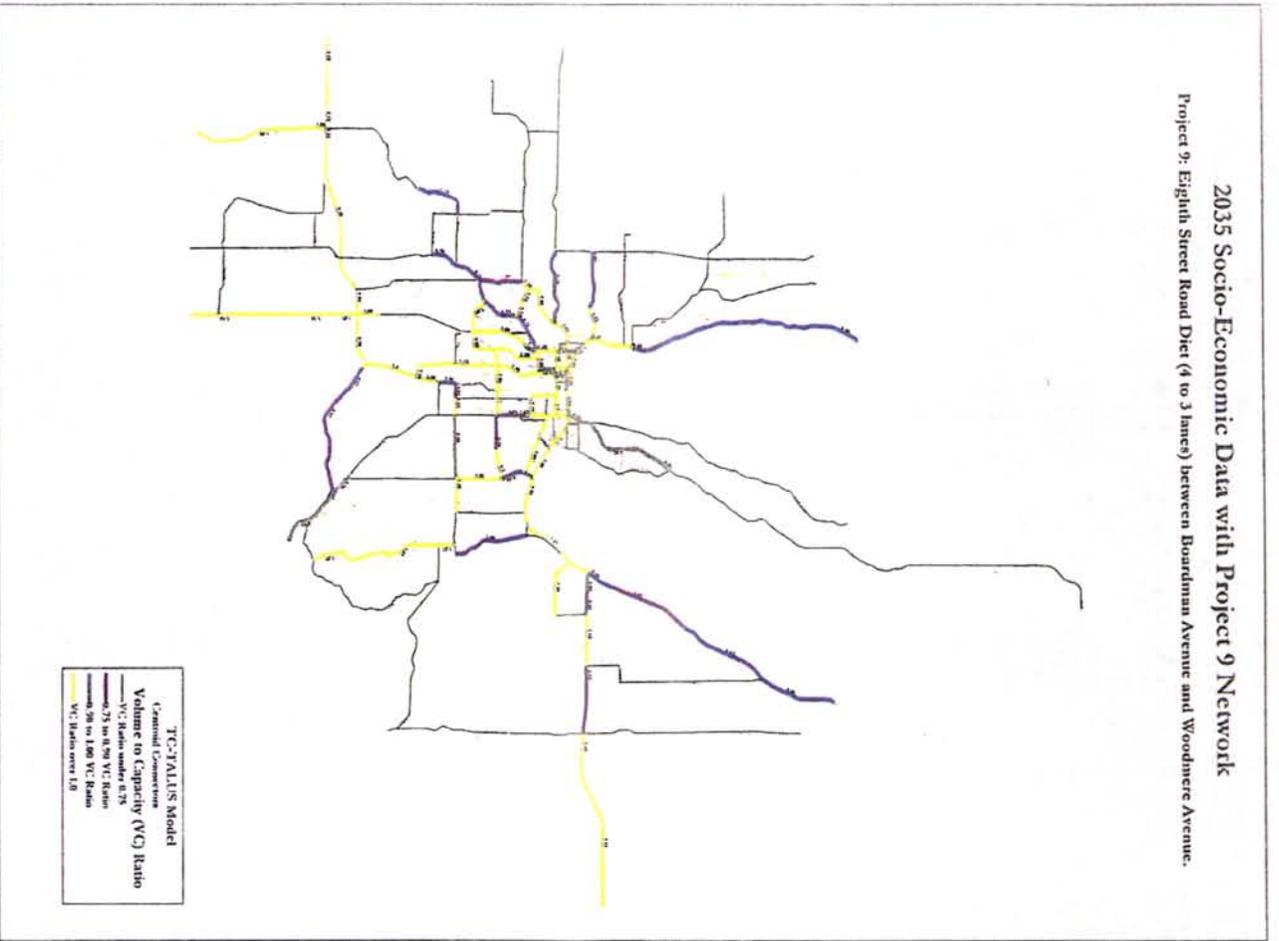
Project Name: 8th St road diet 4 to 2 travel lanes plus center turn lane from Garfield to Us-31

Category	Expected Impacts	Comments
Social	Public Influence	X
	Alternate Travel Modes	X
	Low Income /minority populations	X
Model	Adjacent Land Use	X
	Regional Mobility	X
	Local Mobility	X
Financial	Future capacity to meet future demand	X
	Funding availability	X
Safety	Safety	X
	Environmental	X
Economic	Natural systems	X
	Historic Properties	X
	Water Quality	X
	Air Quality	X
	Noise	X
Complete Streets	Access to employment	X
	Economic Development	X
	Relocation of People or Businesses	X
	Additional Right of Way required	X
Other Modes	Accommodates all users	X
	Promotes Transportation Mode Choice	X
	Freight/Trucking	X
Other Modes	Air	X
	Water	X
Other Modes	Transit	X

TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 9 Network

Project 9: Eighth Street Road Diet (4 to 3 lanes) between Boardman Avenue and Woodmere Avenue.



Prepared for TC-TALUS Technical Committee by J. Osborne, AHDOT
 Date: August 5, 2013

For Discussion Purpose Only

2035 Socio-Economic Data with E+C Network



Notes: E+C = Existing, + Commented - Projects completed since 2007
 Capacity as Planning Capacity (KMS D from Design + Capacity)

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14
 rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.
 Project Name: **S. Airport extension 2 lanes 3mile to 4 mile**

Category	Expected Impacts	Expected Impacts		Comments	
		No Impact	Minimal Impact		Major Impact
Social	Public Influence			X	
	Alternate Travel Modes			X	
	Low income /minority populations Adjacent Land Use		X	X	some existing development disturbed
Model	Regional Mobility		X	X	no drastic impact to REGIONAL mobility
	Local Mobility			X	
	Future capacity to meet future demand			X	
Financial	Funding availability			X	
Safety	Safety		X	X	
Environmental	Natural systems			X	
	Historic Properties		X	X	
	Water Quality		X	X	
	Air Quality			X	
	Noise			X	
Economic	Access to employment		X	X	
	Economic Development		X	X	
	Relocation of People or Businesses		X	X	
Complete Streets	Additional Right of Way required			X	
	Accommodates all users Promotes Transportation Mode Choice			X	
Other Modes	Freight/Trucking			X	
	Air		X		
	Water	X			
	Transit	X	X		

no drastic changes to current/future routes

TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 2 Network

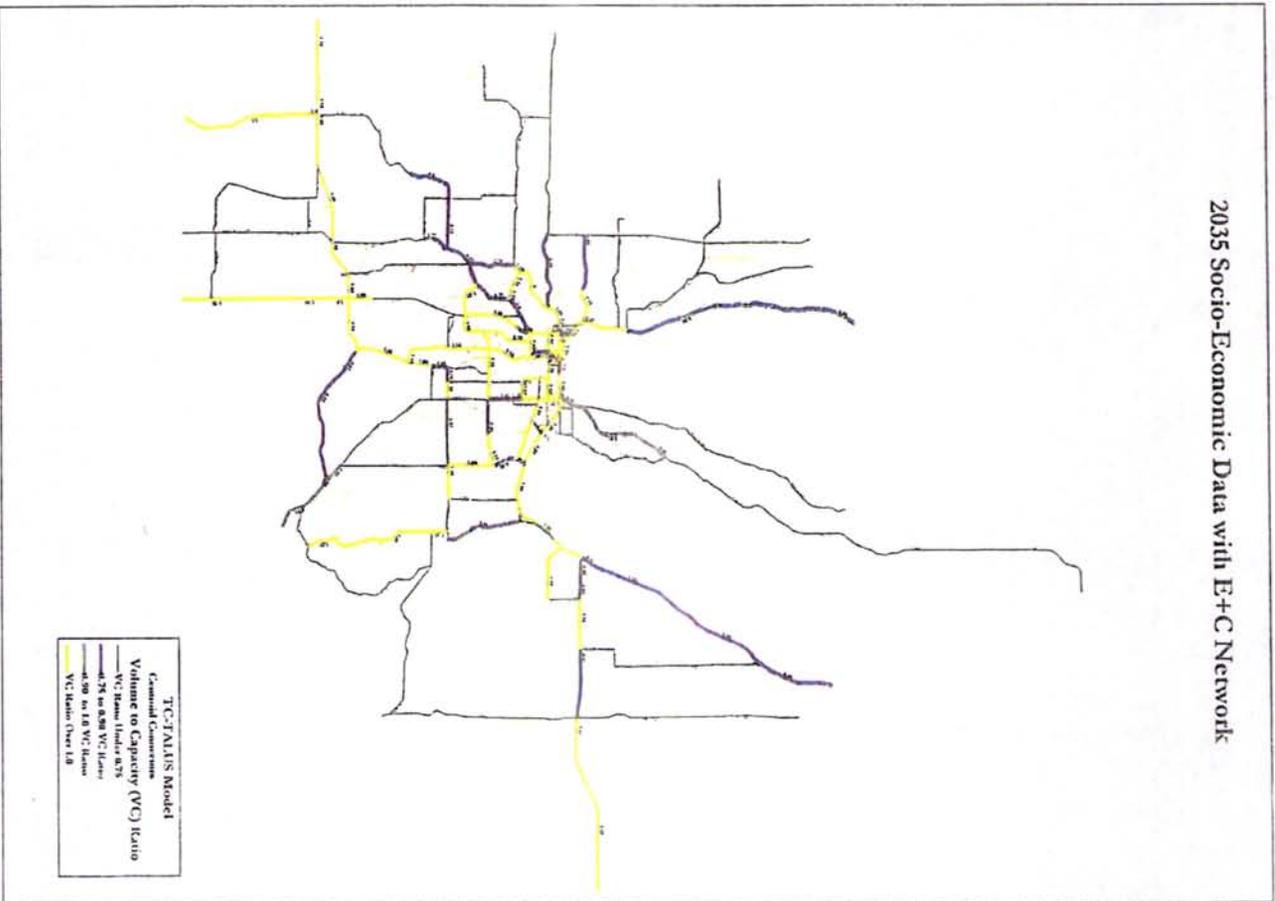
Project 2: Two Lane South Airport Road Extension from Three Mile Road to Four Mile Road



Prepared for TC-TALUS Technical Committee by J. Osborne, HECOT
 Date: August 1, 2013

For Discussion Purposes Only

2035 Socio-Economic Data with E+C Network



Notes: E+C = Existing + Committed - Projects completed since 2007
 Capacity in Planning; Capacity LCSD (not Design Capacity)

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14

rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

Project Name:

S. Airport extension 2 lanes 3mile to 5mile

Category	Expected Impacts	Expected Impacts		Comments
		No Impact	Minimal Impact	
Social	Public Influence			
	Alternate Travel Modes			
Model	Low income /minority populations		X	
	Adjacent Land Use			
	Regional Mobility		X	
Financial	Local Mobility			
	Future capacity to meet future demand			no drastic change to REGIONAL mobility
Safety	Funding availability			
	Safety			
Environmental	Natural systems			
	Historic Properties		X	
	Water Quality		X	
	Air Quality		X	
	Noise		X	
Economic	Access to employment		X	
	Economic Development		X	
Complete Streets	Relocation of People or Businesses		X	
	Additional Right of Way required		X	
Other Modes	Accommodates all users		X	
	Promotes Transportation Mode Choice		X	
Other Modes	Freight/Trucking		X	
	Air	X		
	Water	X		
	Transit			

no drastic changes to current/future routes

TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 3 Network

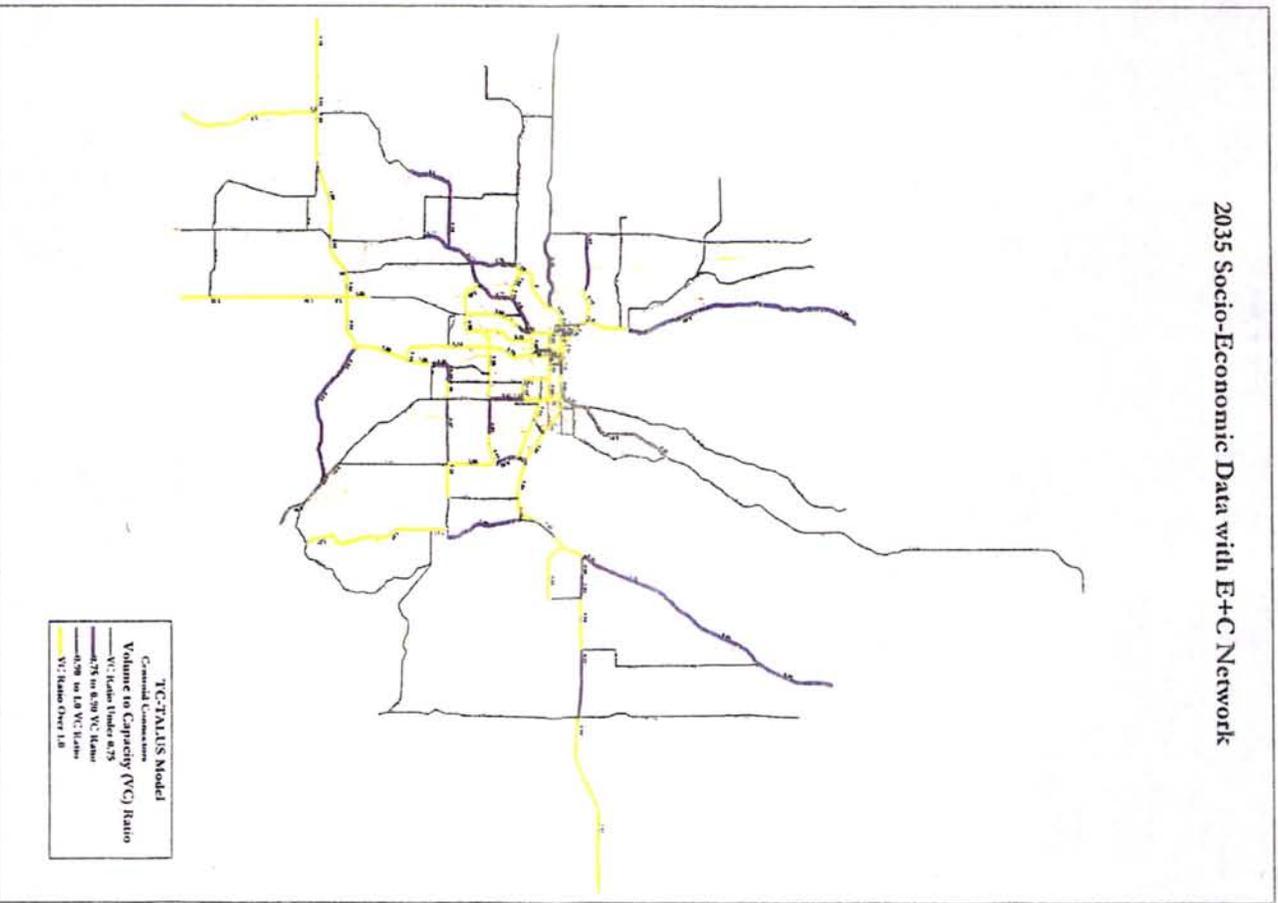
Project 3: Two lane South Airport Road Extension from Three Mile Road to Five Mile Road



Prepared for TC-TALUS Technical Committee by J. Osborne, MDOT
 Date: August 1, 2013

For Discussion Purpose Only

2035 Socio-Economic Data with E+C Network



Note: E+C = Existing + Committed - Projects completed since 2007
 Capacity vs Planning Capacity (LOS D (good Design Capacity))

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14
 rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.
Project Name: **Cast road new 2 lane road from the bridge/dam to Beltner**

Category	Expected Impacts			Comments
	No Impact	Minimal Impact	Major Impact	
Social	Public Influence			
	Alternate Travel Modes		X	
	Low income /minority populations		X	
	Adjacent Land Use	X		
Model	Regional Mobility		X	Duplicates Keystone and US-31 function
	Local Mobility		X	
	Future capacity to meet future demand		X	
	Funding availability		X	
Financial				
Safety				
	Safety		X	Intersection with Beltner road is a problem
Environmental	Natural systems		X	
	Historic Properties		X	
	Water Quality		X	
	Air Quality		X	
	Noise		X	location in valley may cause problems
Economic	Access to employment		X	
	Economic Development		X	
	Relocation of People or Businesses		X	
	Additional Right of Way required		X	
Complete Streets	Accommodates all users		X	
	Promotes Transportation Mode Choice		X	
Other Modes	Freight/trucking	X		
	Air	X		
	Water	X		
	Transit	X		

TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 12 Network

Project 12: New two lane road along Boardman River from Betner Road to Cass Road.



2035 Socio-Economic Data with E+C Network



Prepared for TC-TALUS Technical Committee by J. Odams, MDOOT
Date: November 5, 2013

For Boardman Purpose Only

Note: E+C = Existing + Committed - Projects completed since 2007
Capacity in Planning; Capacity LOS D (and Design Capacity)

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14
 rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

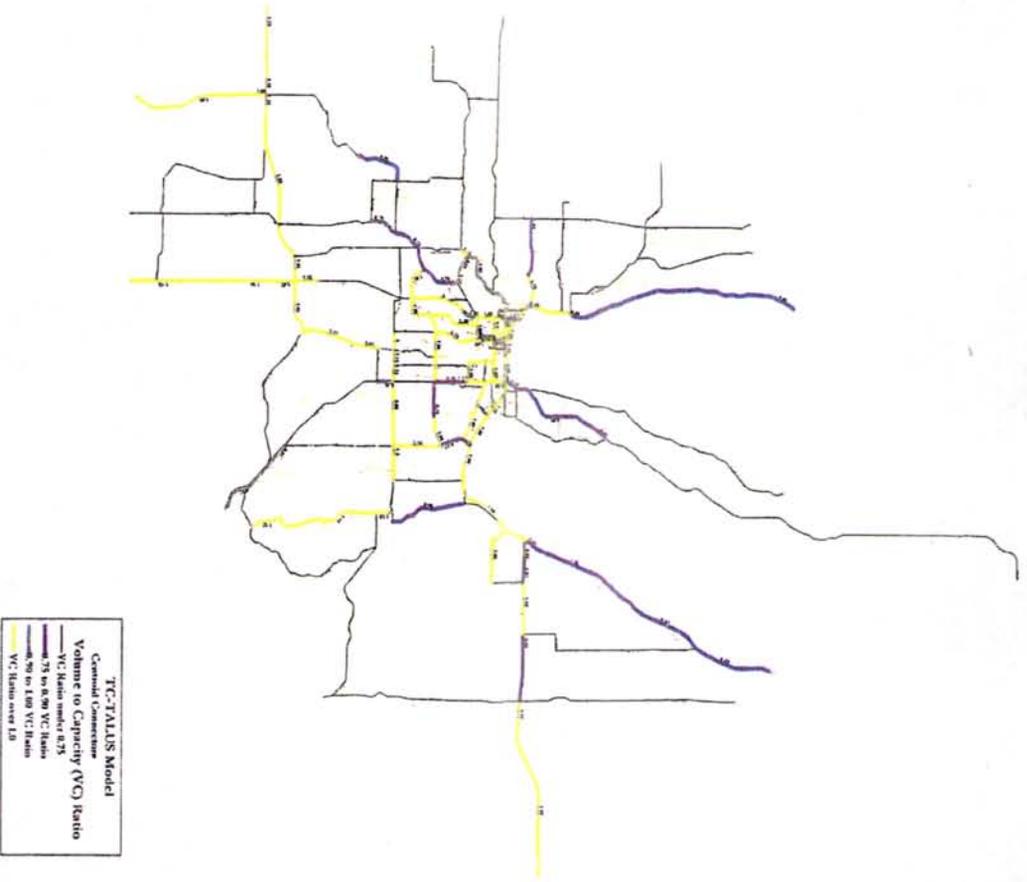
Project Name: Hartman-Hammond connection to Silver Lake Road - no connection to Cass Rd.

Category	Expected Impacts		Comments
	No Impact	Minimal Impact	
Social	Public Influence		
	Alternate Travel Modes	X	
	Low Income /minority populations	X	
	Adjacent Land Use		
Model	Regional Mobility		
	Local Mobility	X	
	Future capacity to meet future demand	X	
Financial	Funding availability	X	
	Safety		
Environmental	Natural systems		
	Historic Properties		
	Water Quality		
	Air Quality	X	
	Noise		
Economic	Access to employment		
	Economic Development	X	
	Relocation of People or Businesses	X	
Complete Streets	Additional Right of Way required	X	
	Accommodates all users	X	
Other Modes	Promotes Transportation Mode Choice	X	depending on design
	Freight/Trucking		
	Air	X	
	Water	X	
Transit	X		

TC-TALUS Travel Demand Model Result Comparison

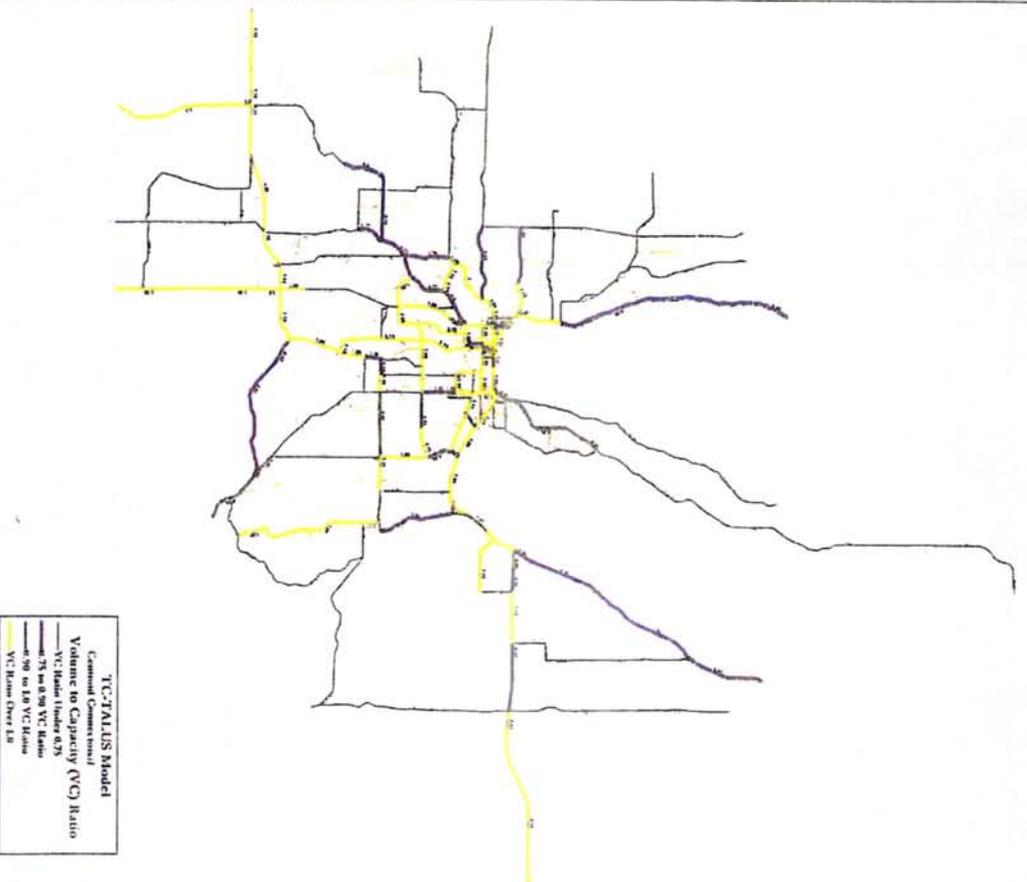
2035 Socio-Economic Data with Project 8 Network

Project 8: Hartman-Hammond Road connection - extend two lanes from US-31 to Silver Lake Road



Prepared for TC-TALUS Technical Committee by T. Osborne, SARCOT
 Date: August 5, 2013

2035 Socio-Economic Data with E+C Network



For Discussion Purposes Only

Note: E+C = Existing + Comments - Projects completed since 2011
 Capacity at Dynamic Capacity (2035 D (not Design Capacity))

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14

rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

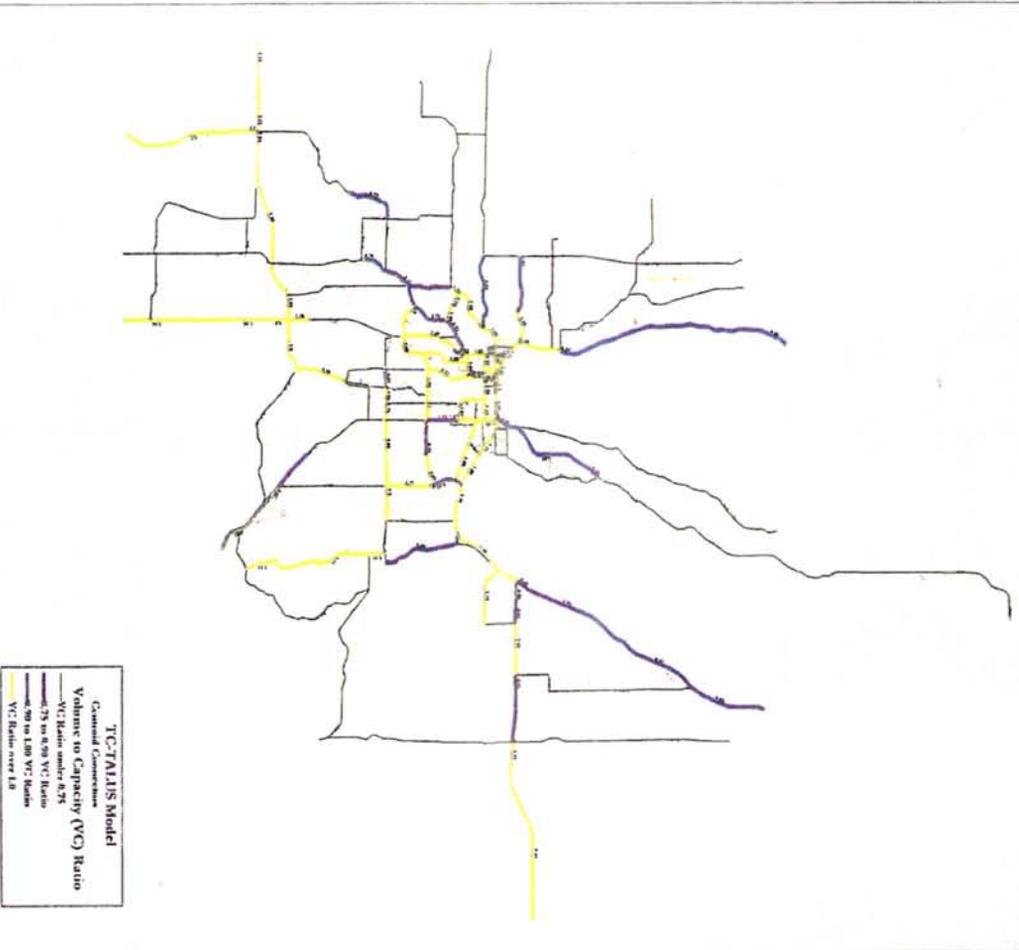
Project Name: Hartman-Hammond connection to Keystone Rd no connection to Cass rd.

Category	Expected Impacts	Expected Impacts		Comments
		No Impact	Major Impact	
Social	Public Influence		X	
	Alternate Travel Modes		X	
	Low Income /minority populations		X	
	Adjacent Land Use	X		
Model	Regional Mobility		X	
	Local Mobility		X	
	Future capacity to meet future demand		X	
Financial	Funding availability		X	
	Safety		X	
Environmental	Natural systems		X	
	Historic Properties	X		
	Water Quality	X		
	Air Quality	X		
Economic	Noise		X	
	Access to employment		X	
	Economic Development		X	
	Relocation of People or Businesses	X		
Complete Streets	Additional Right of Way required		X	
	Accommodates all users		X	
	Promotes Transportation Mode Choice		X	
Other Modes	Freight/Trucking		X	
	Air	X		
	Water		X	
	Transit		X	

TC-TALUS Travel Demand Model Result Comparison

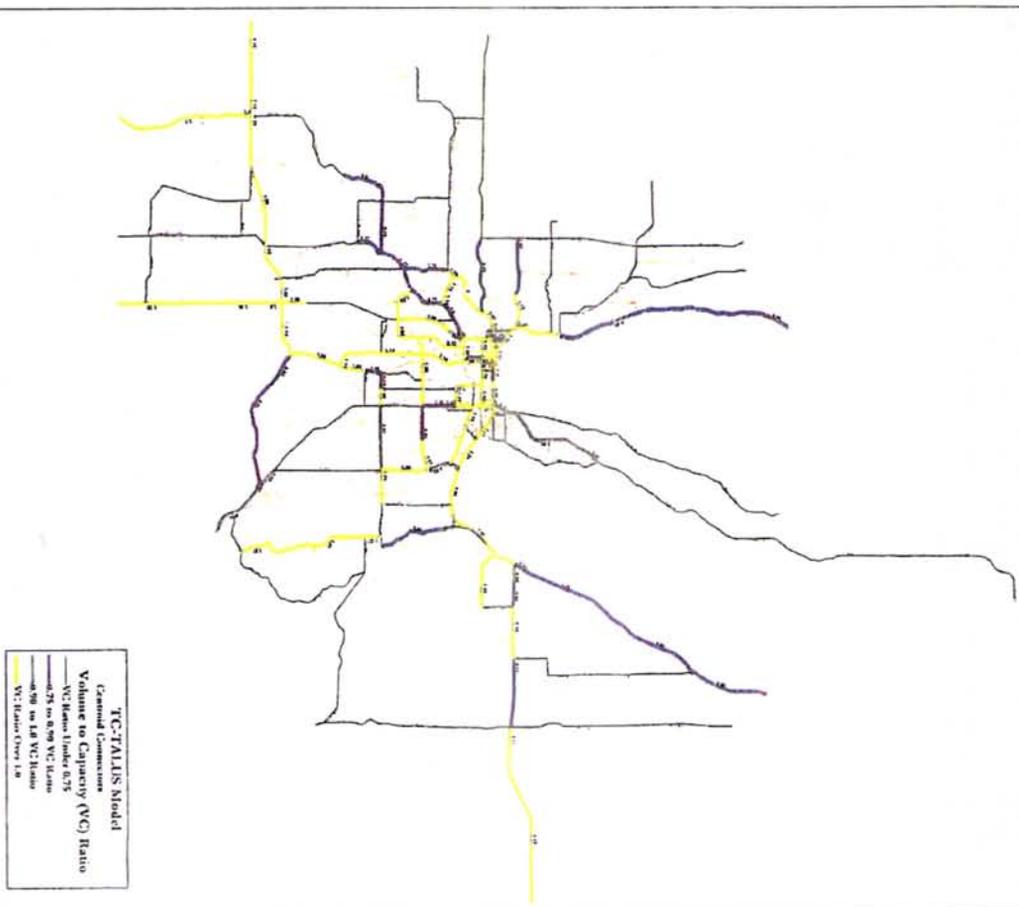
2035 Socio-Economic Data with Project 6 Network

Project 6: Hartman-Hammond Road connection - Four lanes from US-31 South and Keystone Road
Remove Cass Road connection to Keystone Road



Prepared for TC-TALUS Technical Committee by J. Odolone, MDOCT
13011, August 1, 2013

2035 Socio-Economic Data with E+C Network



For Discussion Purposes Only

Note: E+C = Existing + Committed - Projects completed since 2007
Capacity is Planning Capacity (ASD from Design Capacity)

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/20/14
 rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

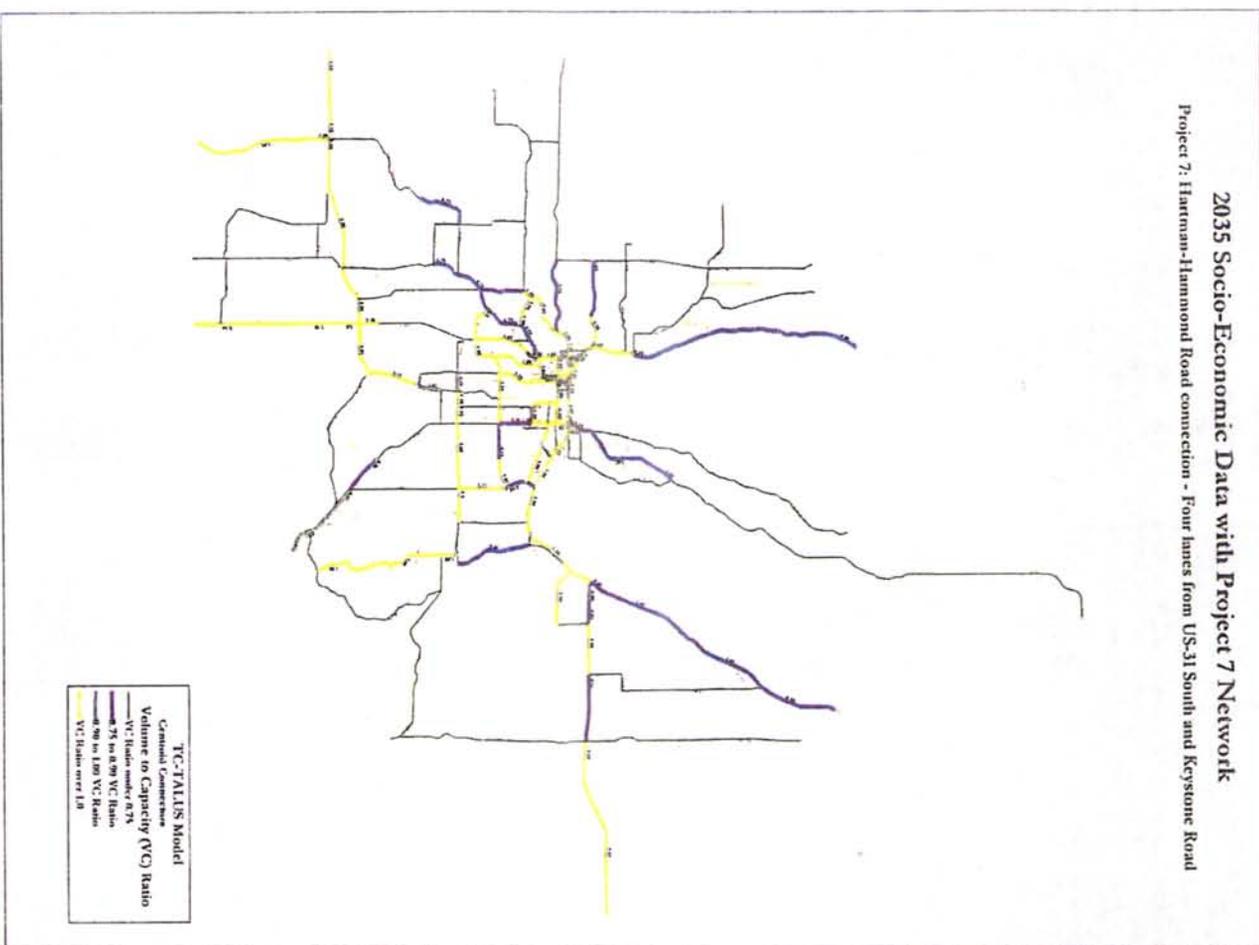
Project Name: Hartman-Hammond connection to Keystone with connection to Cass rd.

Category	Expected Impacts			Comments
	No Impact	Minimal Impact	Major Impact	
Social	Public Influence		X	
	Alternate Travel Modes		X	
	Low Income /minority populations		X	
	Adjacent Land Use	X		
	Regional Mobility		X	
Model	Local Mobility		X	
	Future capacity to meet future demand		X	
	Funding availability		X	
Financial			X	
Safety			X	
Environmental	Natural systems		X	
	Historic Properties	X		
	Water Quality		X	
	Air Quality	X		
	Noise		X	
Economic	Access to employment		X	
	Economic Development		X	
	relocation of People or Businesses		X	
	Additional Right of Way required		X	
Complete Streets	Acommodates all users		X	
	Promotes Transportation Mode Choice		X	
Other Modes	Freight/Trucking		X	
	Air	X		
	Water		X	
	Transit	X		

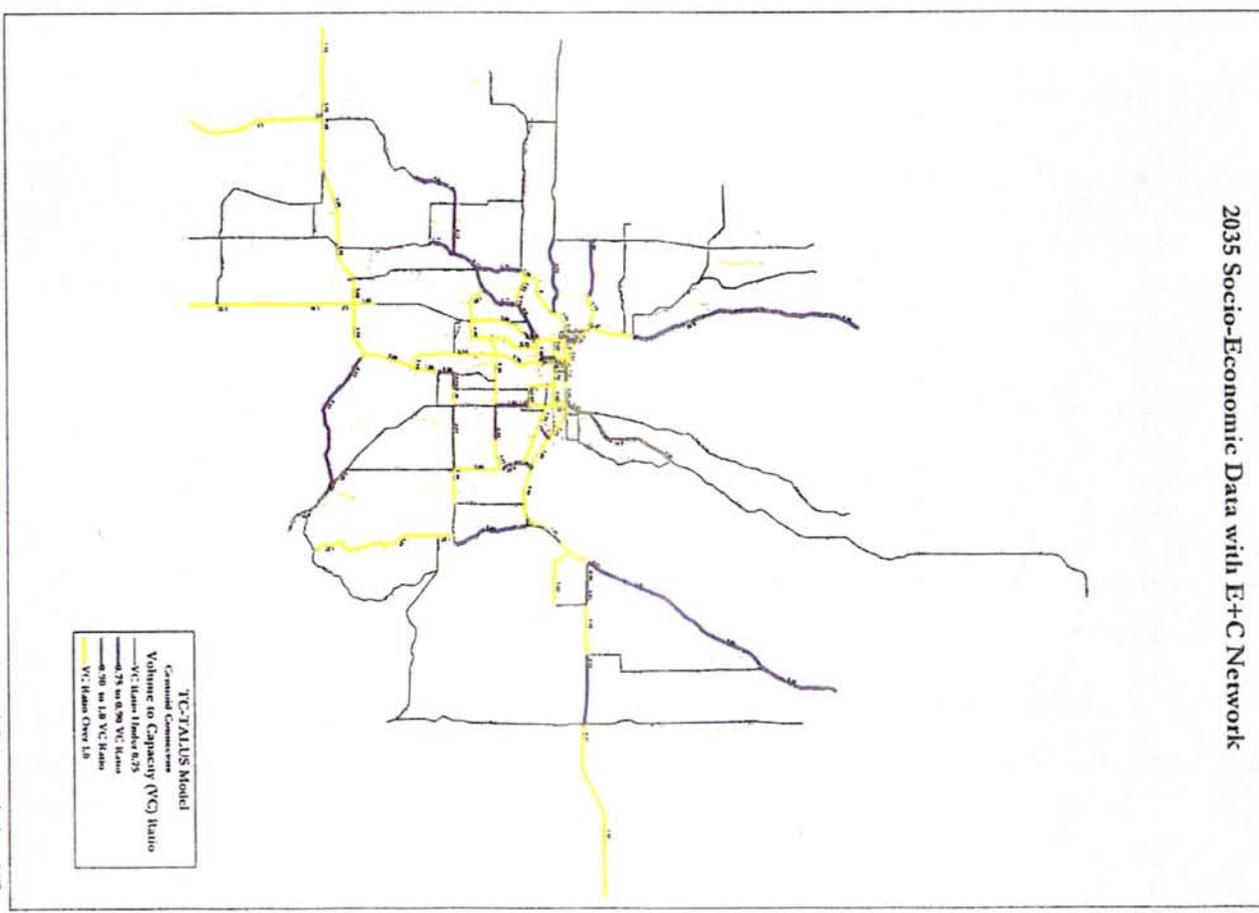
TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 7 Network

Project 7: Hartman-Hammond Road connection - Four lanes from US-31 South and Keystone Road



2035 Socio-Economic Data with E+C Network



Prepared for TC-TALUS Technical Committee by J. Osborne, AECOT
 Date: August 1, 2013

For Discussion Purpose Only

Note: E+C = Existing + Connected - Projects completed since 2007
 Capacity's Planning Capacity (LSD) (not Design Capacity)

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14
 rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

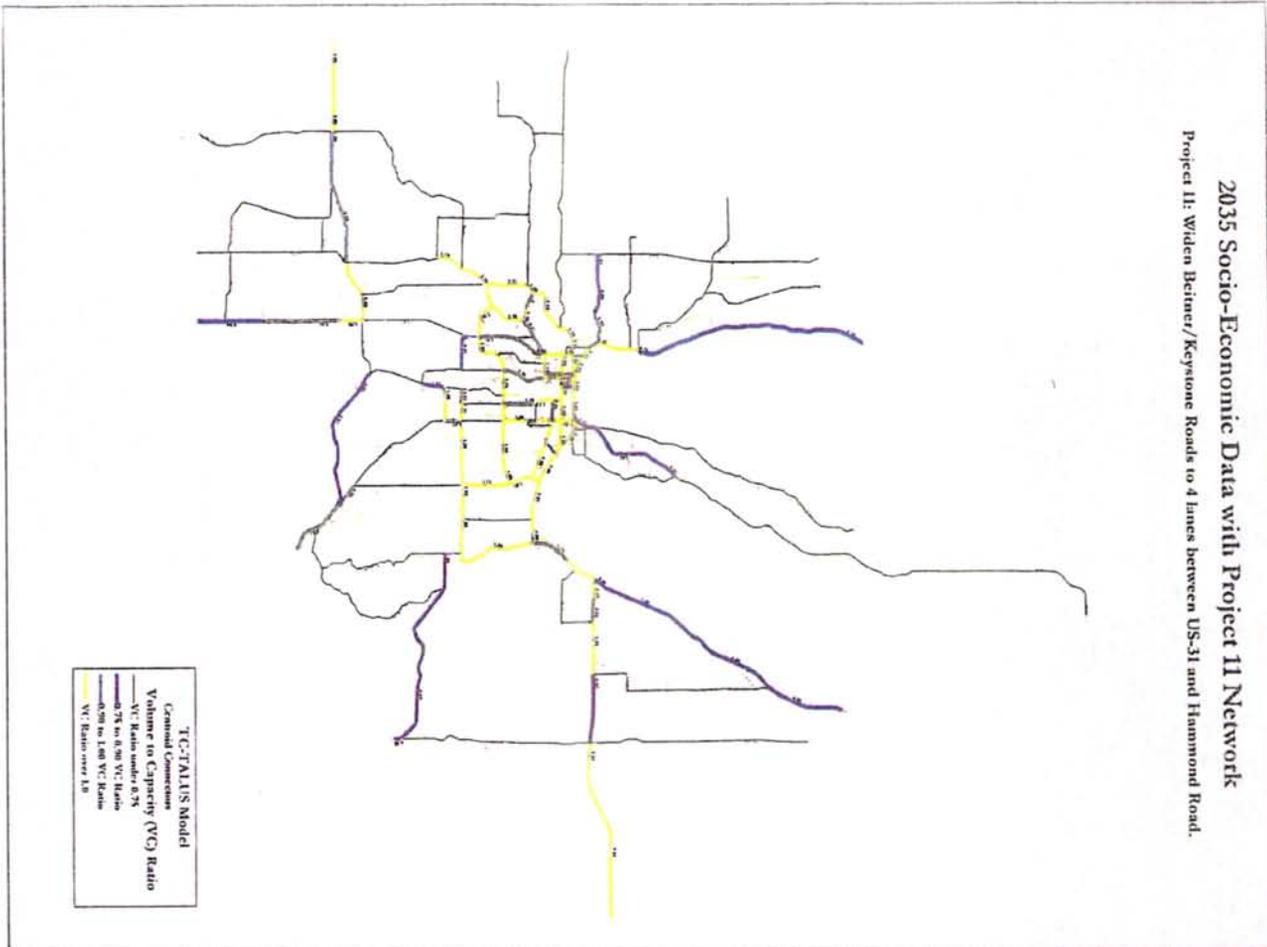
Project Name: **Walden Betner /Keystone road to 4 lanes from US-31 to Hammond rd**

Category	Expected Impacts			Comments
	No Impact	Minimal Impact	Major Impact	
Social				
	Public Influence		X	
	Alternate Travel Modes		X	
	Low Income /minority populations	X		
	Adjacent Land Use		X	
Model	Regional Mobility		X	
	Local Mobility		X	
	Future capacity to meet future demand		X	
Financial	Funding availability		X	
Safety	Safety		X	vertical profile
Environmental	Natural systems		X	
	Historic Properties		X	
	Water Quality		X	
	Air Quality	X		parallel to and crosses Boardman River
	Noise		X	
Economic	Access to employment		X	
	Economic Development		X	
	Relocation of People or Businesses		X	
	Additional Right of Way required		X	
Complete Streets	Accommodates all users		X	
	Promotes Transportation Mode Choice		X	depending on design
Other Modes	Freight/Trucking		X	
	Air		X	
	Water	X		
	Transit		X	

TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project II Network

Project II: Widen Beltner/Keystone Roads to 4 lanes between US-31 and Hammond Road.



2035 Socio-Economic Data with E+C Network



Prepared for TC-TALUS Technical Committee by J. Osborne, AECOM
 Date: August 5, 2013

For Discussion Purpose Only

Note: E+C = Existing + Committed - Projects completed since 2007
 Capacity is Planning Capacity LOS D (not Design Capacity)

TC-TALUS Project Evaluation Criteria

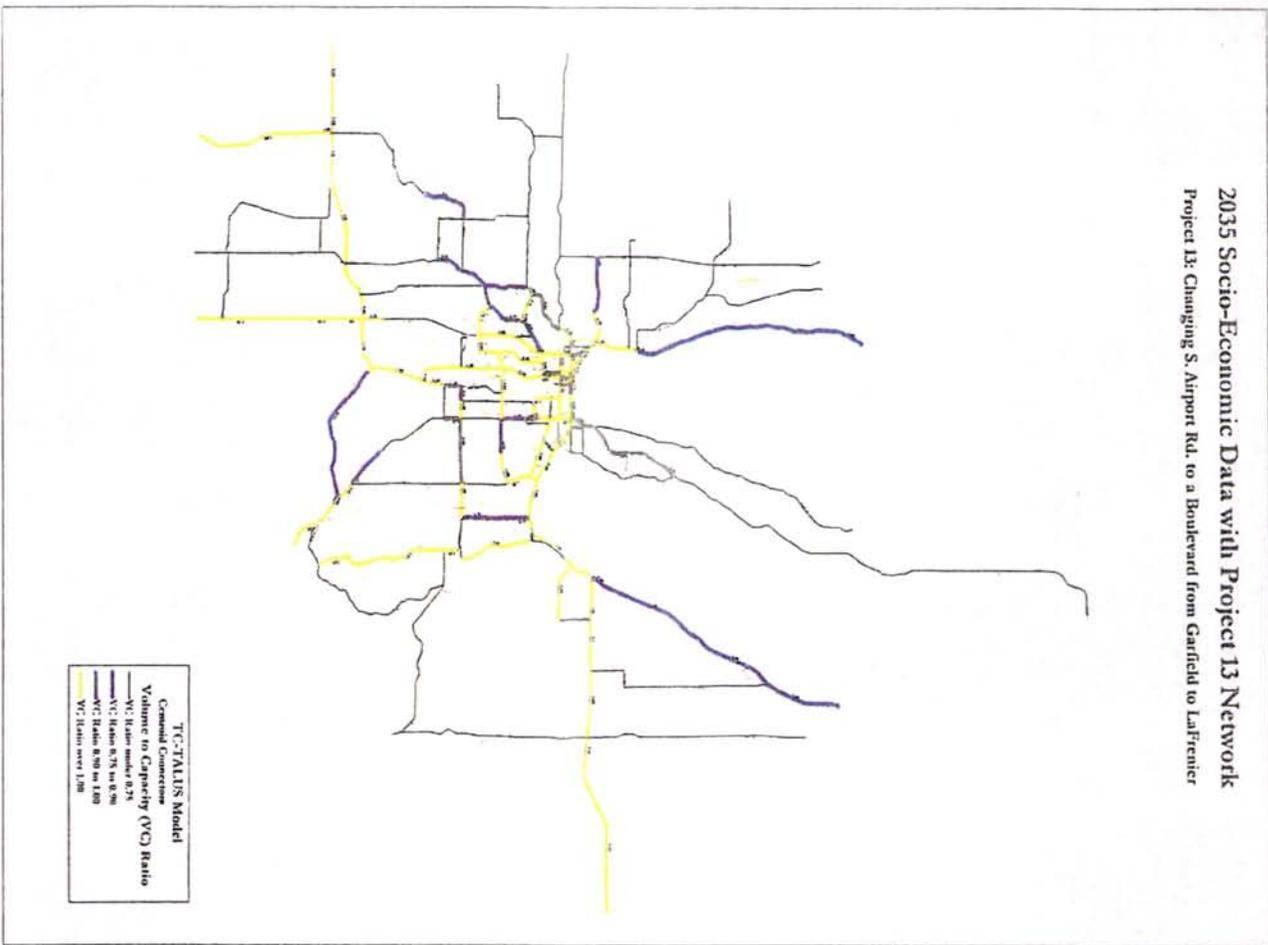
TC-TALUS Technical Committee rankings approved 4/10/14

rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

Project Name:	Expected Impacts			Comments
	No Impact	Minimal Impact	Major Impact	
Social	Public Influence		X	
	Alternate Travel Modes		X	
	Low income /minority populations	X		
	Adjacent Land Use		X	
Model	Regional Mobility	X		
	Local Mobility		X	
	future capacity to meet future demand	X		
Financial	Funding availability		X	
	Safety		X	crosswalks and left turns
Environmental	Natural systems		X	
	Historic Properties	X		
	Water Quality	X		
	Air Quality	X		
	Noise	X		
Economic	Access to employment	X		
	Economic Development		X	
Complete Streets	Relocation of People or Businesses		X	
	Additional Right of Way required		X	assume lane extension beyond current curb
	Accommodates all users		X	
	Promotes Transportation Mode Choice		X	
Other Modes	Freight/Trucking		X	
	Air	X		
	Water			
	Transit	X		

TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 13 Network
 Project 13: Changing S. Airport Rd. to a Boulevard from Garfield to LaFrenier



2035 Socio-Economic Data with E+C Network



Prepared for TC-TALUS Technical Committee by J. Odense, MPOJ
 Date: September 24, 2013

For Discussion Purpose Only

Note: E+C = Existing + Comments - Projects completed since 2007
 Capacity is Planning Capacity (LUS E) (not Design Capacity)

TC-TALUS Project Evaluation Criteria

TC-TALUS Technical Committee rankings approved 4/10/14
 Rankings are intended to be relative measures of EXPECTED impacts of each project - further investigation of detailed impacts will be the responsibility of the implementing agency.

Project Name:	Expected Impacts			Comments
	No Impact	Minimal Impact	Major Impact	
Social				
Public Influence			X	
Alternate Travel Modes			X	
Low Income /Minority populations		X		
Adjacent Land Use			X	
Model				
Regional Mobility			X	
Local Mobility			X	
Future capacity to meet future demand			X	
Financial				
Funding availability			X	
Safety				
Safety			X	
Environmental				
Natural systems		X		
Historic Properties			X	
Water Quality			X	
Air Quality		X		
Noise			X	
Economic				
Access to employment			X	
Economic Development			X	
Relocation of People or Businesses			X	
Additional Right of Way required			X	
Complete Streets				
Accommodates all users			X	
Promotes Transportation Mode Choice			X	
Other Modes				
Freight/Trucking		X		
Air			X	
Water	X			
Transit			X	

assume lane extension beyond current curb

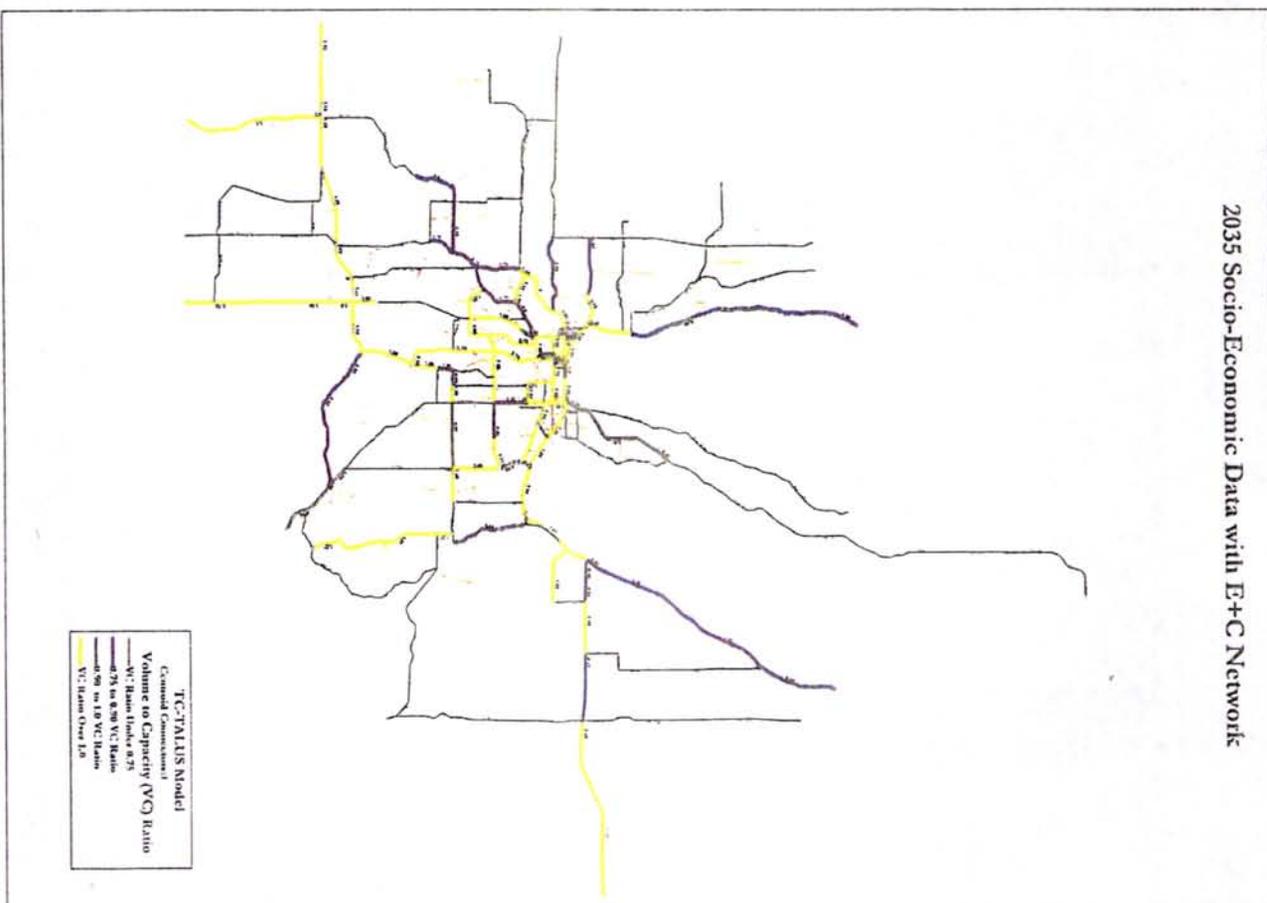
TC-TALUS Travel Demand Model Result Comparison

2035 Socio-Economic Data with Project 14 Network

Project 14: Changing S. Airport Rd. to a Boulevard from Garfield to Cass



2035 Socio-Economic Data with E+C Network



Prepared for TC-TALUS Technical Committee by J. Odense, MDOT
Date: September 24, 2013

For Discussion Purposes Only

Notes: E+C = Existing + Commitment - Projects completed since 2007
Capacity is Planning Capacity (LOS D) (not Design Capacity)

The following is a complete set of data output from the Travel Demand Model that was summarized in the information provided above.

TC-TALUS Volume to Capacity Comparison

Corridor ID*	Name	From	To	2035 Project Run VC Ratios														
				2007 VC	2035 VC	Project 2	Project 3	Project 4	Project 6	Project 7	Project 8	Project 9	Project 11	Project 12	Project 13	Project 14		
1.02	Traverse/M-72	Green	Benzonia State	0.51	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.82	0.82	0.82
1.03	Traverse/M-72	Benzonia State	W of Bay	0.66	1.13	1.13	1.13	1.13	1.14	1.14	1.13	1.13	1.13	1.13	1.13	1.13	1.14	1.14
1.04	Traverse/M-72	W of Bay	Grandview	0.61	0.93	0.93	0.94	0.94	0.94	0.91	0.90	0.94	0.94	0.93	0.93	0.95	0.94	0.93
1.05	Grandview SE	Traverse/M-72	Division	1.15	1.35	1.34	1.34	1.34	1.35	1.34	1.35	1.34	1.35	1.34	1.35	1.35	1.35	1.35
1.06	Grandview NW	Division	Traverse/M-72	1.15	1.36	1.37	1.36	1.37	1.37	1.37	1.37	1.37	1.37	1.37	1.37	1.37	1.37	1.37
1.07	Grandview SE	Division	Hall	1.15	1.45	1.45	1.46	1.46	1.46	1.39	1.43	1.43	1.43	1.45	1.49	1.45	1.45	1.45
1.08	Grandview NW	Hall	Division	1.15	1.49	1.51	1.51	1.51	1.39	1.39	1.47	1.47	1.49	1.49	1.55	1.50	1.50	1.50
1.09	Grandview	Hall	Union	1.07	1.37	1.38	1.38	1.37	1.27	1.27	1.29	1.35	1.37	1.37	1.41	1.37	1.37	1.37
1.10	Grandview SE	Union	Front	1.15	1.44	1.45	1.46	1.44	1.31	1.31	1.49	1.49	1.41	1.41	1.50	1.44	1.44	1.44
1.11	Grandview NW	Union	Front	1.15	1.40	1.42	1.42	1.42	1.30	1.29	1.28	1.49	1.40	1.40	1.47	1.40	1.40	1.41
1.12	Front	Grandview	Garfield	1.15	1.48	1.48	1.49	1.47	1.37	1.37	1.63	1.63	1.48	1.53	1.48	1.53	1.47	1.47
1.13	Front/Munson	Garfield	Airport Access	0.99	1.28	1.29	1.30	1.28	1.29	1.28	1.32	1.32	1.28	1.27	1.27	1.25	1.25	1.25
1.14	US-31	Airport Access	3 Mile	0.98	1.24	1.24	1.24	1.25	1.24	1.24	1.23	1.24	1.24	1.24	1.24	1.23	1.23	1.24
1.15	US-31	3 Mile	4 Mile	1.19	1.54	1.30	1.28	1.55	1.54	1.54	1.54	1.53	1.54	1.54	1.54	1.54	1.54	1.54
1.16	US-31	4 Mile	M-72	1.18	1.57	1.57	1.51	1.57	1.58	1.58	1.58	1.57	1.57	1.57	1.57	1.55	1.56	1.56
1.17	M-72	US-31	Hilltop	1.02	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	1.10
1.18	M-72	Hilltop	Lautner	1.02	0.81	0.80	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.81	0.80	0.80	1.09	1.10
1.19	M-72	Lautner	Rates	1.02	1.15	1.14	1.14	1.15	1.14	1.14	1.16	1.15	1.15	1.15	1.14	1.14	1.10	1.10
1.20	M-72	Bates	Eik Lake	1.02	0.77	0.77	0.76	0.77	0.77	0.77	0.78	0.77	0.77	0.77	0.76	0.76	1.05	1.05
1.21	M-72	Eik Lake	Richardson	0.84	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17
2.01	South Airport	Silver Lake	US-31	0.99	1.23	1.21	1.19	1.24	1.30	1.30	1.32	1.28	1.28	1.23	1.18	1.25	1.25	1.25
2.02	South Airport	US-31	Garfield	1.15	1.58	1.61	1.62	1.57	1.44	1.38	1.64	1.64	1.58	1.65	1.61	1.61	1.61	1.61
2.03	South Airport	Garfield	Townline	0.68	0.81	0.86	0.87	0.82	0.76	0.76	0.78	0.79	0.81	0.85	0.85	0.76	0.76	0.76
2.04	South Airport	Townline	3 Mile	0.93	1.11	1.19	1.21	1.14	1.07	1.07	1.08	1.10	1.11	1.17	1.17	1.05	1.05	1.05
3.01	M-37	Norton	Hamlin	0.98	1.13	1.13	1.13	1.13	1.14	1.14	1.13	1.14	1.13	1.14	1.13	1.14	1.14	1.14
3.02	M-37	Sweetwater	Sweetwater	0.98	1.14	1.14	1.13	1.14	1.15	1.15	1.14	1.15	1.14	1.14	1.14	1.14	1.14	1.14
3.03	M-37	Bethner	Bethner	0.98	1.50	1.49	1.50	1.49	1.50	1.50	1.47	1.51	1.50	1.45	1.50	1.50	1.50	1.50
3.04	US-31	Foster	Bethner	0.80	1.09	1.10	1.13	1.08	1.16	1.16	1.12	1.09	1.09	1.06	1.12	1.12	1.12	1.12
3.05	US-31	South Airport	Foster	0.37	0.54	0.55	0.57	0.54	0.60	0.59	0.53	0.54	0.54	0.51	0.55	0.55	0.55	0.55
3.06	US-31	Fitzhugh	South Airport	0.83	1.08	1.08	1.08	1.10	1.07	1.07	1.00	1.09	1.08	1.10	1.09	1.09	1.09	1.09
3.07	US-31	14th	Fitzhugh	0.83	0.99	1.00	1.00	1.01	0.98	0.98	0.91	1.00	0.99	1.04	1.01	1.01	1.01	1.01
3.08	Division	Front	14th	1.43	1.08	1.09	1.09	1.10	1.07	1.07	1.07	1.08	1.10	1.10	1.09	1.09	1.09	1.09
3.09	Division	Grandview	Front	1.13	0.89	0.90	0.89	0.90	0.83	0.83	0.82	0.85	0.89	0.89	0.89	0.89	0.89	0.89
4.01	US-31	Blackford	M-137	0.93	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12	1.12
4.02	US-31	M-137	West Silver Lake	1.11	1.29	1.28	1.27	1.28	1.34	1.34	1.32	1.33	1.33	1.29	1.28	1.30	1.30	1.30
4.03	US-31	West Silver Lake	M-37	1.15	1.42	1.42	1.41	1.42	1.44	1.44	1.42	1.44	1.42	1.40	1.42	1.42	1.42	1.42
4.04	Bethner	US-31	River	1.16	1.74	1.72	1.70	1.74	1.60	1.61	1.62	1.76	1.74	1.74	1.96	1.72	1.72	1.72
4.05	Keystone	Cass	River	1.24	1.38	1.46	1.51	1.37	1.15	1.17	1.17	1.40	1.38	1.66	1.36	1.36	1.36	1.36
4.06	Keystone	Birmley	Cass	1.48	1.99	1.99	2.01	1.98	1.00	0.93	1.01	2.06	1.99	1.39	1.97	1.97	1.98	1.98
4.07	Keystone	Hammond	Birmley	0.25	0.85	0.87	0.92	0.84	0.55	0.55	0.88	0.88	0.85	0.60	0.86	0.86	0.87	0.87
4.08	Keystone	South Airport	Hammond	0.29	0.35	0.33	0.32	0.38	0.20	0.24	0.36	0.37	0.35	0.72	0.40	0.40	0.40	0.40
5.01	Garfield	Rusch	3 Mile	0.48	0.70	0.66	0.61	0.68	0.75	0.76	0.75	0.66	0.70	0.50	0.77	0.77	0.77	0.77
5.02	Garfield	Birmley	Rusch	0.32	0.49	0.46	0.43	0.48	0.51	0.51	0.50	0.46	0.49	0.34	0.53	0.53	0.53	0.53
5.03	Garfield	Hammond	Birmley	0.86	0.74	0.77	0.81	0.71	0.72	0.72	0.78	0.73	0.74	0.79	0.77	0.77	0.76	0.76
5.04	Garfield	South Airport	Hammond	0.31	0.37	0.38	0.40	0.35	0.54	0.54	0.60	0.42	0.37	0.44	0.41	0.40	0.40	0.40
5.05	Garfield	Boon	South Airport	0.65	0.83	0.82	0.83	0.73	0.88	0.88	0.89	0.86	0.83	0.80	0.85	0.85	0.85	0.85
5.06	Garfield	Carver	Boon	0.75	0.82	0.81	0.82	1.22	0.87	0.86	0.87	0.85	0.82	0.82	0.79	0.86	0.86	0.86

TC-TALUS Volume to Capacity Comparison

Corridor ID*	Name	From	To	2007 VC	2035 VC	2035 Project Run VC Ratios													
						Project 2	Project 3	Project 4	Project 6	Project 7	Project 8	Project 9	Project 11	Project 12	Project 13	Project 14			
5.07	Garfield	Front	Carver	0.84	1.01	0.99	0.99	1.35	1.13	1.13	1.13	1.13	1.13	1.01	0.97	1.06	1.06		
5.08	Garfield	3 Mile	River	0.52	0.99	0.93	0.86	0.99	0.97	0.97	0.97	0.97	0.99	0.89	1.02	1.01	1.01		
5.11	Garfield	Peninsula	Front	0.37	0.43	0.41	0.40	0.34	0.70	0.70	0.70	0.47	0.43	0.29	0.43	0.43			
6.01	Hammond	Keystone	LaFrenier	0.00	0.78	0.78	0.79	0.79	1.14	1.15	1.13	0.83	0.78	0.78	0.80	0.81			
6.02	Hammond	La Franer	Garfield	0.42	1.35	1.34	1.36	1.36	1.72	1.72	1.73	1.29	1.35	1.32	1.39	1.40			
6.03	Hammond	Garfield	3 Mile	0.62	0.97	0.98	1.01	0.97	1.08	1.09	1.08	0.98	0.97	0.98	0.98	0.99			
6.04	Hammond	3 Mile	4 Mile	0.80	1.25	1.03	1.09	1.24	1.30	1.30	1.30	1.24	1.25	1.26	1.26	1.26			
6.05	Hammond	4 Mile	5 Mile	0.39	0.66	0.68	0.43	0.66	0.66	0.66	0.66	0.65	0.66	0.67	0.65	0.65			
7.01	3 Mile	Hammond	Garfield	0.19	0.27	0.26	0.26	0.29	0.30	0.30	0.30	0.29	0.29	0.21	0.19	0.19			
7.02	3 Mile	South Airport	Hammond	0.65	1.06	1.12	1.15	1.08	1.11	1.11	1.14	1.09	1.06	1.10	0.68	0.68			
7.03	3 Mile	US-31	South Airport	1.15	0.83	0.56	0.58	0.83	0.82	0.82	0.82	0.82	0.83	0.85	1.22	1.21			
8.01	West Bay Shore	Cherry Bend	M-72	1.08	1.47	1.47	1.47	1.47	1.48	1.47	1.48	1.47	1.47	1.47	1.48	1.48			
8.02	West Bay Shore	Shady	Cherry Bend	0.62	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.86	0.85	0.85	0.85	0.85			
9.01	West Silver Lake	Village	US-31	0.06	0.28	0.28	0.27	0.28	0.26	0.26	0.30	0.28	0.28	0.28	0.28	0.28			
9.02	West Silver Lake	Boone	Village	0.31	0.60	0.61	0.60	0.60	0.59	0.59	0.71	0.60	0.60	0.60	0.60	0.60			
9.03	West Silver Lake	Barnes	Boone	0.59	0.77	0.77	0.77	0.77	0.76	0.76	0.78	0.76	0.76	0.77	0.77	0.77			
9.04	Silver Lake	Barnes	Division	0.54	0.80	0.81	0.81	0.81	0.77	0.77	0.75	0.78	0.80	0.82	0.80	0.80			
9.05	Silver Lake	Division	Cass	1.21	1.66	1.67	1.67	1.65	1.54	1.54	1.56	1.65	1.66	1.69	1.66	1.66			
9.06	Cass	8th	14th	0.94	1.23	1.25	1.25	1.25	1.11	1.11	1.09	1.16	1.23	1.30	1.23	1.23			
9.07	8th	Cass	Lake	0.82	1.04	1.05	1.06	1.05	0.94	0.95	0.94	0.91	1.04	1.09	1.04	1.04			
9.08	8th	Lake	Woodmere	0.90	1.19	1.20	1.21	1.20	1.06	1.06	1.06	1.06	1.35	1.19	1.19	1.19			
9.09	8th	Woodmere	Garfield	1.04	1.39	1.41	1.42	1.38	1.24	1.24	1.24	1.10	1.39	1.48	1.40	1.41			
9.10	8th	Garfield	Munson	0.10	0.18	0.18	0.18	0.18	0.17	0.17	0.17	0.17	0.18	0.18	0.13	0.13			
9.11	8th	Division	Cass	1.03	1.23	1.23	1.23	1.23	1.11	1.11	1.11	1.16	1.23	1.27	1.22	1.21			
9.12	Cass	Grandview	8th	0.75	0.96	0.95	0.95	0.97	0.89	0.88	0.92	0.92	0.96	0.98	0.97	0.97			
10.01	North Long Lake	Richardson	Zimmerman	0.44	0.62	0.62	0.62	0.63	0.61	0.61	0.64	0.62	0.62	0.61	0.62	0.62			
10.02	North Long Lake	Zimmerman	Barnes	0.99	1.44	1.44	1.42	1.46	1.42	1.42	1.15	1.15	1.44	1.42	1.54	1.54			
10.03	Barnes	North Long Lake	Briarcliff	0.54	1.12	1.12	1.11	1.13	1.15	1.15	1.36	1.34	1.12	1.10	1.12	1.12			
10.04	Barnes	Briarcliff	Silver Lake	0.73	1.32	1.31	1.30	1.31	1.36	1.36	1.19	1.34	1.32	1.29	1.31	1.32			
11.01	Cass	South Airport	Keystone	0.51	1.14	1.16	1.17	1.14	0.35	0.39	0.63	1.16	1.14	0.95	1.15	1.14			
11.02	Cass	14th	South Airport	0.91	1.14	1.14	1.14	1.19	1.11	1.12	1.13	1.16	1.14	1.16	1.15	1.15			
12.00	US-31	M-72	Bayshore	0.53	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.82	0.85	0.85			
13.00	Bates	US-31	M-72	0.06	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09			
14.01	Elk Lake	Hanel	M-72	0.14	0.19	0.19	0.19	0.19	0.19	0.19	0.19	0.19	0.19	0.19	0.19	0.19			
14.02	Williamsburg	M-72	Supply	0.22	0.60	0.61	0.61	0.60	0.61	0.61	0.58	0.60	0.60	0.61	0.66	0.66			
15.10	Supply	High Lake	S. of Williamsburg	0.35	0.65	0.65	0.61	0.66	0.64	0.64	0.63	0.65	0.65	0.65	0.66	0.66			
16.01	Hobbs	Garfield	Supply	0.07	0.33	0.31	0.26	0.33	0.30	0.30	0.30	0.34	0.33	0.35	0.34	0.33			
17.01	High Lake	Hammond	Hobbs	0.39	1.27	0.95	0.59	1.26	1.11	1.09	1.12	1.37	1.27	0.66	1.31	1.30			
18.01	Burnley	Keystone	Garfield	0.57	0.48	0.48	0.46	0.48	0.60	0.61	0.59	0.48	0.48	0.35	0.48	0.47			
19.01	Hartman	US-31	Cass	0.14	0.30	0.30	0.30	0.30	0.42	0.42	0.42	0.32	0.30	0.30	0.30	0.30			
20.01	Sleights	Keystone	Garfield	0.21	0.82	0.75	0.69	0.81	0.66	0.66	0.66	0.87	0.82	0.92	0.84	0.84			
21.01	Lautner	M-72	Bunker Hill	0.05	0.39	0.39	0.35	0.39	0.38	0.36	0.40	0.39	0.39	0.38	0.47	0.42			
21.02	Bunker Hill	US-31	Lautner	0.12	1.23	1.23	1.11	1.23	1.19	1.15	1.26	1.26	1.23	1.20	1.56	1.38			
22.01	4 Mile	US-31	Hammond	0.29	0.33	0.54	0.54	0.33	0.42	0.41	0.46	0.35	0.42	0.75	0.50	0.50			
23.01	5 Mile	Holiday	Hammond	0.63	0.84	0.85	0.72	0.83	0.85	0.85	0.84	0.84	0.84	1.22	1.31	0.86			
23.02	Holiday/5 Mile	US-31	US-31	0.34	0.70	0.71	0.66	0.71	0.72	0.72	0.72	0.71	0.70	0.71	0.70	0.70			
24.01	M-137	Benzie	Youker	0.48	1.10	1.09	1.09	1.09	1.10	1.09	1.09	1.09	1.10	1.09	1.09	1.10			

Prepared for TC-TALUS Technical Committee
by: J. Osborne, MOOT

For Discussion Purposes Only

November 6, 2013

TC-TALUS Volume to Capacity Comparison

Corridor ID*	Name	From	To	2007 VC	2035 VC	2035 Project Run VC Ratios													
						Project 2	Project 3	Project 4	Project 6	Project 7	Project 8	Project 9	Project 11	Project 12	Project 13	Project 14			
24.02	South Long Lake	Foxwood	US-31	0.29	0.39	0.39	0.39	0.39	0.37	0.37	0.37	0.37	0.37	0.39	0.39	0.38	0.38		
24.03	South Long Lake	Bass Lake	Foxwood	0.60	0.80	0.81	0.82	0.81	0.77	0.77	0.79	0.78	0.80	0.81	0.81	0.80	0.80		
24.05	Secor	East Long Lake	West Silver Lake	0.60	0.75	0.75	0.74	0.76	0.73	0.73	0.71	0.74	0.75	0.75	0.75	0.75	0.80		
25.01	Center	Mission	Mapleton	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05		
25.02	Center	Mapleton	East Shore	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37	0.37		
25.03	Center	Front	Front	0.82	0.91	0.91	0.91	0.92	0.86	0.87	0.86	0.93	0.91	0.93	0.91	0.91	0.91		
26.01	Peninsula	Devils Dive	Mckeen	0.06	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.11	0.12	0.12	0.11		
26.02	Peninsula	Mckeen	Center	0.31	0.42	0.43	0.43	0.42	0.43	0.42	0.43	0.42	0.43	0.43	0.43	0.43	0.43		
27.01	East Shore	Eastern	Center	0.04	0.06	0.06	0.05	0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.05	0.05	0.05		
27.02	Eastern	Peninsula	East Bay	0.28	0.32	0.32	0.32	0.32	0.32	0.32	0.32	0.32	0.32	0.32	0.32	0.32	0.32		
28.01	Parsons	Garfield	3 Mile	0.78	1.11	1.12	1.12	1.09	1.08	1.08	1.08	1.08	1.11	1.11	1.11	1.06	1.05		
28.02	Hannah	Woodmere	Garfield	0.38	0.59	0.60	0.60	0.55	0.54	0.54	0.54	0.54	0.47	0.59	0.62	0.57	0.57		
29.00	Hastings/Boon	Parsons	Garfield	0.19	0.35	0.35	0.35	1.03	1.03	1.03	0.35	0.35	0.36	0.35	0.35	0.35	0.34		
30.01	Carver	Barlow	Garfield	0.43	1.44	1.46	1.50	1.63	1.63	1.63	1.01	1.06	1.13	1.44	1.39	1.22	1.21		
30.02	Woodmere/Carver	Barlow	Barlow	0.92	1.23	1.23	1.24	1.30	1.30	1.09	1.09	1.10	1.00	1.23	1.27	1.24	1.23		
31.00	Airport Access	US-31	Parsons	0.08	0.04	0.04	0.04	0.05	0.05	0.05	0.05	0.05	0.04	0.04	0.04	0.04	0.05		
32.01	Milliken	Eastern	Front	0.30	0.38	0.39	0.39	0.39	0.39	0.39	0.40	0.40	0.38	0.38	0.39	0.38	0.38		
33.00	Front/East Bay	Eastern	Munson	0.15	0.19	0.19	0.18	0.19	0.19	0.19	0.19	0.19	0.19	0.19	0.18	0.17	0.17		
34.01	Barlow	Carver	South Airport	0.63	0.70	0.70	0.70	0.75	0.75	0.71	0.70	0.72	0.64	0.70	0.72	0.74	0.74		
34.02	La Franier	South Airport	Hammond	0.52	0.44	0.44	0.44	0.44	0.34	0.34	0.32	0.41	0.29	0.44	0.48	0.46	0.46		
35.00	Frankie	Silver Lake	US-31	0.01	0.10	0.10	0.09	0.10	0.11	0.11	0.11	0.10	0.10	0.10	0.07	0.10	0.10		
36.00	Veterans	South Airport	14th	0.80	2.12	2.13	2.08	2.34	1.88	1.91	1.91	2.28	2.26	2.12	2.03	2.19	2.20		
37.00	Boardman	Front	8th	0.41	0.61	0.61	0.61	0.62	0.55	0.55	0.55	0.56	0.55	0.61	0.63	0.61	0.61		
38.00	Pine/State	Front	Union	1.00	1.39	1.40	1.41	1.40	1.23	1.23	1.24	1.26	1.26	1.39	1.47	1.39	1.39		
38.01	Union	8th	14th	0.61	0.86	0.86	0.87	0.88	0.81	0.81	0.79	0.81	0.86	0.89	0.86	0.86	0.86		
38.02	Union	Grandview	8th	0.82	1.31	1.28	1.32	1.45	1.22	1.22	1.31	1.41	1.41	1.31	1.38	1.37	1.36		
39.00	Bay	M-72	Division	0.26	1.34	1.34	1.34	1.33	1.34	1.34	1.35	1.38	1.32	1.34	1.37	1.35	1.35		
40.01	Elmwood	Bay	6th	0.16	0.37	0.37	0.38	0.38	0.38	0.38	0.38	0.34	0.38	0.37	0.37	0.36	0.36		
40.02	6th	Elmwood	Division	0.20	0.69	0.70	0.70	0.73	0.82	0.82	0.82	0.81	0.76	0.69	0.69	0.70	0.69		
41.01	Front	Boardman	Grandview	0.62	0.80	0.80	0.80	0.80	0.71	0.72	0.72	0.72	0.91	0.80	0.84	0.79	0.79		
41.02	Front	Union	Boardman	0.71	1.00	0.99	1.00	0.99	0.87	0.87	0.88	0.93	1.00	1.04	1.04	0.99	0.99		
41.03	Front	Division	Union	0.99	1.30	1.30	1.31	1.30	1.22	1.22	1.23	1.25	1.30	1.30	1.35	1.30	1.30		
41.04	Front	Madison	Division	1.03	1.45	1.44	1.43	1.43	1.39	1.39	1.37	1.42	1.45	1.45	1.45	1.43	1.43		
41.05	Front	Cedar Run	Madison	0.80	1.05	1.06	1.06	1.05	1.02	1.02	0.98	1.04	1.05	1.07	1.07	1.12	1.12		
41.06	North Long Lake	Barnes	Cedar Run	0.62	1.00	1.01	1.01	1.02	1.03	1.03	0.98	1.01	1.00	1.01	1.01	0.98	0.98		
42.01	Hoxie/Grandview	W of Green	West Bay Shore	0.14	0.32	0.32	0.32	0.32	0.32	0.32	0.31	0.32	0.32	0.32	0.32	0.32	0.32		
43.01	Fouch	W of Spring Lake	Center	0.15	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18		
44.01	Cherry Bend	Fouch/Center	West Bay Shore	0.30	0.33	0.33	0.33	0.33	0.33	0.33	0.34	0.34	0.33	0.33	0.33	0.33	0.33		
44.02	Center	Bingham	Fouch	0.07	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09		
45.01	Lake Leelanau	Lakeview	Fouch	0.18	0.23	0.23	0.23	0.23	0.23	0.23	0.23	0.23	0.23	0.23	0.23	0.23	0.23		
45.02	Bugal	Fouch	Hoxie	0.10	0.15	0.15	0.16	0.15	0.15	0.15	0.14	0.15	0.15	0.15	0.15	0.15	0.15		
45.03	Gray/Bugal	Hoxie	Cedar Run	0.20	0.36	0.36	0.37	0.36	0.36	0.36	0.36	0.36	0.36	0.37	0.37	0.37	0.37		
46.01	Cedar Run	Gray	Front	0.45	0.76	0.76	0.76	0.75	0.76	0.76	0.75	0.75	0.76	0.77	0.77	0.75	0.75		
46.02	Cedar Run	Cedar Valley	Gray	0.29	0.52	0.52	0.52	0.51	0.52	0.52	0.50	0.51	0.52	0.52	0.52	0.52	0.52		
47.01	Church	Cedar Run	West Long Lake	0.17	0.34	0.34	0.33	0.34	0.34	0.34	0.34	0.34	0.35	0.34	0.32	0.34	0.34		
48.01	Bass Lake/East Long Lake	North Long Lake	West Long Lake	0.19	0.33	0.34	0.35	0.33	0.32	0.32	0.40	0.33	0.33	0.34	0.34	0.33	0.33		
48.02	Boone	Bass Lake	West Silver Lake	0.04	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09		

Prepared for TC-TALUS Technical Committee
by T. Osborne, MDOE

For Discussion Purposes Only

November 6, 2013

TC-TALUS Volume to Capacity Comparison

Corridor ID *	Name	From	To	2007 VC	2035 VC	2035 Project Run VC Ratios													
						Project 2	Project 3	Project 4	Project 6	Project 7	Project 8	Project 9	Project 11	Project 12	Project 13	Project 14			
49.01	Zimmerman	North Long Lake	Silver Lake	0.55	0.76	0.76	0.77	0.77	0.76	0.76	0.73	0.77	0.76	0.75	0.77	0.76			
49.02	East Silver Lake	Silver Lake	Beltrier	0.13	0.17	0.18	0.22	0.17	0.17	0.17	0.15	0.18	0.17	0.17	0.16	0.17			
50.01	County Road 633	US-31	Hilltop	0.33	0.50	0.50	0.51	0.50	0.49	0.49	0.50	0.49	0.50	0.50	0.50	0.50			
51.01	Fall	East Duck Lake	County Road 633	0.19	0.45	0.45	0.45	0.45	0.45	0.45	0.45	0.45	0.45	0.45	0.45	0.45			
52.01	East Duck Lake	US-31	Fall	0.04	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05			
52.02	East Duck Lake	Fall	County Road 633	0.06	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18			
53.00	Hilltop	County Road 633	MA-37	0.07	0.15	0.14	0.14	0.15	0.16	0.16	0.14	0.15	0.15	0.15	0.15	0.15			
54.00	South Airport	3 Mile	4 Mile / 5 Mile	0.00	0.00	1.12	1.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
55.00	Hammond	Cass	Keystone	0.00	0.00	0.00	0.00	0.00	0.97	0.95	1.00	0.00	0.00	0.00	0.00	0.00			
56.00	Hartman	US-31	East Silver Lake	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.22	0.00	0.00	0.00	0.00	0.00			

New Roads

* Corridor ID assigned by MDOT Modeler for analysis purpose only.