



Minutes of the
City Commission for the City of Traverse City
Regular Meeting
July 21, 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.

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

As requested by Rick Buckhalter, 932 Kelley Street, Agenda Items 2(c) and 2(i) were removed from the Consent Calendar for full discussion.

2. Consent Calendar

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

- a. the minutes of the July 7, 2014, Regular Meeting and July 14, 2014, Study Session, be approved.
- b. Removed from the Consent Calendar.

- c. Removed from the Consent Calendar.
- d. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$29,494.55 to Crystal Flash Energy for 9,999 gallons of unleaded gasoline priced at \$2.94975 per gallon with funds available in the Garage Fund.
- e. the City Manager be authorized to declare old plows #275 and #283 surplus, and that the City Manager be authorized to approve a purchase order to Truck and Trailer Specialties of Boyne Falls in the amount of \$13,272, for two new Monroe MP38-64-11-RGD large front end plows, with funds available in the Garage Fund for these planned replacements.
- f. an amendment to the Traverse City Code of Ordinances, *Redevelopment Liquor License Clarification*, Section 834.06, which clarifies that all non-conflicting sections of Chapter 834 apply to redevelopment liquor licenses, which was introduced on July 7, 2014, be enacted with an effective date of July 31, 2014.
- g. the request from applicant Sandy Oliver for Special Land Use Permit 14-SLUP-01, to allow for a Group Day Care Home at 1012 Centre Street, as recommended by the City Planning Commission, provided that the general and specific standards in sections 1364.02 and 1364.08 (i) respectively are met, any violations noted by the Fire Marshal are corrected, all necessary State licenses are obtained and “Approved Child Care Provider” identification is prominently displayed in a street-side window, be scheduled for public hearing on August 18, 2014.
- h. the resolution recommending approval of a request from the Traverse City Whiskey Company, LLC, for a New Small Distillers License, be adopted; and that the City Clerk be authorized to issue a Liquor License Registration to Traverse City Whiskey Company, LLC to operate such license at 201 E. Fourteenth Street.
- i. Removed from the Consent Calendar.

- j. the Resolution Scheduling Public Hearing on Special Improvement District No. 2014-005 be adopted, scheduling the public hearing for August 18, 2014.
- k. the Resolution Scheduling Public Hearing on Special Improvement District No. 2014-01 be adopted, scheduling the public hearing for August 18, 2014.

CARRIED unanimously.

Items removed from the Consent Calendar

a.

Consideration of authorizing a service order for the 2014 Preventative Maintenance Crack Sealing Project to increase the service life of various streets, with a portion to be reimbursed by the Michigan Department of Transportation.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Werner, seconded by Carruthers, that the City Manager be authorized to issue a service order to Scodeller Construction, for crack sealing operations on approximately 14 miles of the City's street system and 1.2 miles of MDOT highway, in the amount of \$66,512.40, with funds available in the Capital Improvement Project Funds, and \$6,512.40 to be reimbursed by MDOT.

CARRIED unanimously.

b.

Consideration of adopting a resolution granting settlement authority to the City Manager regarding class action litigation associated with noncompetitive pricing for automotive parts.

The following addressed the Commission:

Jered Ottenwess, City Manager

Lauren Tribble-Laucht, City Attorney

Moved by Budros, seconded by Richardson, that the Resolution Granting Settlement Authority to City Manager, in connection with class action litigation regarding price fixing and anticompetitive activity associated with the prices of automotive parts, be adopted.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously.

c.

Consideration of adopting a resolution authorizing the city to participate in the Michigan Economic Development Corporation's *Redevelopment Ready Communities Program* and authorizing the related memorandum of understanding.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Budros, that the Resolution Authorizing the City of Traverse City to Approve and Fully Participate in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program and Approve the Memorandum of Understanding, be adopted.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously.

3. Old Business

3(a).

Presentation of the report from the City Commission Ad Hoc Committee regarding Sidewalk Cafes and consideration of introducing an ordinance amendment which would make various changes to the sidewalk café ordinance;

and consideration of establishing a City Commission ad hoc committee to consider making a recommendation regarding public parklets.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Howe, seconded by Richardson, that an amendment to the Traverse City Code of Ordinances, *Sidewalk Café Regulation Changes*, Sections 1020.07 and 1020.08, which make various changes to the regulations regarding sidewalk cafés (outdoor cafés), as recommended by the City Commission Ad Hoc Committee Regarding Sidewalk Cafés, be introduced and scheduled for possible enactment on August 4, 2014.

CARRIED unanimously.

John McGee, 1749 East Front Street, City business owner - made general comments

3(b).

Consideration of entering into closed session to discuss the periodic personnel evaluation of City Manager Jered Ottenwess, as requested by Mr. Ottenwess.

Moved by Budros, seconded by Easterday, that the City Commission enter into closed session immediately following the public comment portion of the agenda to consider the periodic personnel evaluation of City Manager Jered Ottenwess as requested by the City Manager as allowed by MCL 15.268(a).

Roll Call:

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

No - Richardson.

CARRIED.

3(c).

Consideration of entering into closed session to discuss the periodic personnel evaluation of City Attorney Lauren Tribble-Laucht, as requested by Ms. Tribble-Laucht.

Moved by Budros, seconded by Werner, that the City Commission enter into closed session immediately following the public comment portion of the agenda to consider the periodic personnel evaluation of City Attorney Lauren Tribble-Laucht as requested by the City Attorney as allowed by MCL 15.268(a).

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

No - None.

CARRIED unanimously.

4. New Business**4(a).**

Consideration of adopting an amendment to the Infrastructure Strategy Policy to incorporate the National Association of City Transportation Officials *Urban Street Design Guide* as a technical resource as part of the City's Infrastructure Strategy Policy and amending the policy regarding sidewalk spending.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Werner, that the Infrastructure Strategy Policy be amended to adopt the Urban Street Design Guide (2013) by the National Association of City Transportation Officials as a resource document.

CARRIED unanimously.

5. Appointments

None.

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 1. Reports from members of the Commission serving on boards.
 2. Quarterly Financial Report from the City Treasurer/Finance Director for the Fiscal Quarter ended March 31, 2014.
 3. Minutes of the June 3, 2014, and June 17, 2014, meetings of the Planning Commission.
 4. Minutes of the May 23, 2014, and May 29, 2014, meetings of the Historic Districts Commission.
 5. Minutes of the June 10, 2014, meeting of the Board of Zoning Appeals.
 6. Minutes of the June 11, 2014, meeting of the Traverse City Light and Power Board.
- e. Reports and correspondence from non-City officials.

- 1. Fractile Emergency Response Report from North Flight for June 2014.

7. Public Comment

The following addressed the Commission:

- 1. Reserved.

None

- 2. General.

Rick Buckhalter, 932 Kelley Street
 Charlene Hunt, 10630 South Timberlee Drive, Elmwood Township
 Dale Newman, 401 Washington Street

- 3. Mayor and City Commissioners.

Jered Ottenwess, City Manager

The Commission entered into closed session at 8:04 p.m.

The Commission returned to open session at 8:45 p.m.

There being no objection, Mayor Michael Estes declared the meeting adjourned at 8:46 p.m.

Benjamin C. Marentette, CMC
 City Clerk

Approved: _____, _____
 (Date) (Initials)