



Notice

City Commission Regular Meeting

7:00 pm

Monday, January 5, 2015

Commission Chambers, Governmental Center

400 Boardman Avenue

Traverse City, Michigan 49684

Posted and Published 12-31-14

Meeting informational packet is available for public inspection at the Traverse Area District Library, City Police Station, City Manager's Office and City Clerk's Office.

The City of Traverse City does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. Penny Hill, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan, 49684, 922-4440, TDD: 922-4412, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator.

If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

City Commission:

c/o Benjamin C. Marentette, CMC, City Clerk

(231) 922-4480

Email: tcclerk@traversecitymi.gov

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 individual consideration by the Commission; 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 City Commission meeting of December 15, 2014. (Approval recommended) (Jered Ottenwess, Benjamin Marentette)

- b. Consideration of authorizing the annual purchasing process for the acquisition of fuel for city operational use. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- c. Consideration of authorizing a confirming purchase order for gasoline for city operational use. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- d. Consideration of authorizing a change order to the contract for the 2014 Opera House Dressing Room Project for the replacement of the roof membrane system at the City Opera House. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- e. Consideration of authorizing a consultant agreement for a storm sewer structure inventory and benchmark survey of storm sewer structures and benchmarks in connection with the Stormwater and Wastewater Grant (SAW Grant), with the majority of costs to be paid for by the SAW Grant. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- f. Consideration of authorizing an agreement with The Watershed Center Grand Traverse Bay for services related to the Boardman Lake Watershed Study and Watershed Protection Plan, with the costs to be paid for by the SAW Grant, which greatly increases eligibility for future grant funds. (Approval recommended) (Jered Ottenwess, Timothy Lodge) (5 affirmative votes required)
- g. Consideration of authorizing a change order to the contract for Water Treatment Plant SCADA Improvement Project to expand the professional design services associated with the project. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)
- h. Consideration of declaring a 2001 John Deere tractor surplus and authorizing a purchase order for its replacement for operation use by Traverse City Parking Services. (Approval recommended) (Jered Ottenwess, Dave Green) (5 affirmative votes required)

- i. Consideration of enacting an amendment to the Traverse City Code of Ordinances which makes various housekeeping changes to the parking meter regulations to reflect new parking meter technology and payment methods, as recommended by the Downtown Development Board of Trustees. (Enactment recommended) (Jered Ottenwess, Robert Bacigalupi)

Items removed from the Consent Calendar

- a.
- b.
- c.

3. Old Business

- a. Consideration of introducing an amendment to the Traverse City Code of Ordinances, *Public Art*, Chapter 299, as recommended by the Downtown Development Authority Board of Trustees. (Jered Ottenwess, Robert Bacigalupi)

4. New Business

- a. Consideration of authorizing a Funds Administration Agreement and Settlement Agreement in connection with litigation associated with the Brown Bridge Dam Deconstruction Project. (Possible closed session) (Jered Ottenwess, Lauren Tribble-Laucht) (5 affirmative votes required to authorize agreements and enter closed session)
- b. Presentation by the City Clerk of the Performance 2014 document which overviews a variety of accomplishments by the City of Traverse City. (Benjamin Marentette)

5. Appointments

None.

6. Reports, Announcements and Correspondence

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

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the Deputy 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. Minutes of the Traverse Area District Library Board meeting of November 20, 2014.
 3. Minutes of the Human Rights Commission meetings of October 13, 2014 and November 10, 2014.
 4. Minutes of the ACT 345 Retirement System Board meeting of October 29, 2014.
- e. Reports and correspondence from non-City officials.
 1. Monthly operations report for the wastewater treatment plant from CH2M Hill for November, 2014.

7. Public Comment

a. Reserved.

None.

b. General.

c. Mayor and City Commissioners.

8. Adjournment

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

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The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: MINUTES

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

- December 15, 2014, Regular Meeting

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

that the minutes of the December 15, 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
December 15, 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 Barbara D. Budros, James Carruthers, Jeanine Easterday, Gary 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 Jim Carruthers, Agenda Item 2(g) was removed from the Consent Calendar for individual consideration.

2. Consent Calendar

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

- a. the minutes of the December 1, 2014, Regular Meeting, and December 8, 2014, Study Session, be approved.
- b. the resolution recommending approval of a request from The Filling Station Microbrewery, Inc., for a New Wine Makers License, be adopted; and that the City Clerk be authorized to issue a Liquor License Registration to The Filling Station Microbrewery, Inc. to operate such license at 642 Railroad Place.

- c. the Local Governing Body Resolution for Charitable Gaming Licenses (issued by the Michigan Lottery), to recognize HANDDS to the Rescue as a local non-profit organization, be adopted.
- d. Traffic Control Order 575, which prohibits parking on the south side of 11th Street from Elmwood Avenue to Division Street and restricts the north side of 11th Street adjacent to the Grand Traverse Area Veterans Memorial Park to handicap parking, be adopted to be made permanent.
- e. the City Manager be authorized to issue a purchase order to Monroe Truck and Equipment of Flint, in the amount of \$78,476 for the purchase and installation of the required parts and equipment needed on two (2) 2015 Ford F350 Truck Cab and Chassis and two (2) 2015 Ford F550 Truck Cab and Chassis, with funds available in the Garage Fund.
- f. the City Manager be authorized to declare a 2001 Holder Tractor surplus, that the competitive bidding process be waived, and that the City Manager be authorized to issue a purchase order to Fredrickson Supply in the amount of \$81,686.60 for the purchase of a 2015 Wacker Neuson WL32 wheel loader with attachments, with funds available in the Garage fund.
- g. Removed from the Consent Calendar.
- h. an amendment to the Traverse City Code of Ordinances, *Parking Meter Ordinance Clarifications*, Sections 484.02, 484.03 and 484.04, which updates the ordinance to reflect the centralized pay stations as well as new payment options, as recommended by the Downtown Development Authority Board of Trustees, be introduced and scheduled for possible enactment on January 5, 2015.

CARRIED unanimously

Items removed from the Consent Calendar

a.

Consideration of approving parking permit rates for public parking lots and

the Larry C. Hardy Parking Garage and Old Town Parking Garage, as recommended by the Downtown Development Authority Board.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Howe, seconded by Budros, that the parking permit rates for surface lots and public parking garages as outlined in the Downtown Development Authority Executive Director's December 9, 2014, communication, as recommended by the Downtown Development Authority Board of Trustees, be approved.

Rob Bacigalupi, Downtown Development Authority Executive Director
Margaret Schaal, 1403 North Orchard – expressed opposition
Tomas Webb, 638 West Orchard Drive – made general comments

Roll Call:

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

No - Carruthers.

CARRIED.

3. Old Business

3(a).

Public hearing regarding the establishment of a Brown Bridge Trust Parks Improvement Fund, establishing a budget for the remainder of the fiscal year for the fund and authorizing the transfer of Brown Bridge Trust Fund principal in excess of \$12 million to the Brown Bridge Trust Parks Improvement Fund and consideration of approving the related actions.

The following addressed the Commission:

Jered Ottenwess, City Manager

Mayor Michael Estes opened the public hearing.

There being no one present desiring to speak, Mayor Michael Estes closed the public hearing.

Moved by Richardson, seconded by Carruthers, that the establishment of a Brown Bridge Trust Parks Improvement Fund, effective January 1, 2015, and the budget amendments for Fiscal 2014/2015 as outline in the City Treasurer/Finance Director's memo of December 5, 2014, be approved.

CARRIED unanimously

3(b).

Public hearing regarding allocating \$75,000 for seasonal employees to augment sidewalk and trail snow removal efforts and consideration of authorizing the allocation.

The following addressed the Commission:

Jered Ottenwess, City Manager

Mayor Michael Estes opened the public hearing.

There being no one present desiring to speak, Mayor Michael Estes closed the public hearing.

Moved by Richardson, seconded by Howe, that the budget amendment to increase the budgeted revenue and budgeted expenses in the General Fund by \$75,000 for seasonal employees to augment snow removal operations, be approved.

CARRIED unanimously.

4. New Business

None.

5. Appointments

5(a).

Consideration of establishing an ad hoc interview committee to make a recommendation regarding two appointments to the Board of Tax Review.

The following addressed the Commission:

Jered Ottenwess, City Manager

Moved by Richardson, seconded by Carruthers, that Barbara Rishel (seat held by Barbara Rishel) be reappointed to one three-year term expiring December 31, 2017, on the Board of Tax Review, and that Nathan Miller be appointed to one three-year term (seat held by Thomas Carney) effective January 1, 2015, and expiring December 31, 2017, on the Board of Tax Review.

CARRIED unanimously.

5(b).

Consideration of approving the Mayor's appointment to the Traverse Area District Library Board.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Carruthers, that the Mayor's reappointment of Geoff Streit to a four-year term (seat previously held by Geoff Streit), expiring December 31, 2018, on the Traverse Area District Library Board, be approved.

CARRIED unanimously.

5(c).

Consideration of approving the Mayor's appointment to the Planning Commission.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Budros, seconded by Howe, that the Mayor's appointment of Linda Koebert to a three-year term (seat previously held by Cecil McNally), expiring November 13, 2017, on the City Planning Commission, be approved.

Rick Buckhalter, 932 Kelley Street – expressed support

Roll Call:

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

No - Richardson, Werner.

CARRIED.

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. Minutes of the Planning Commission meetings of November 4 and 18, 2014.
 3. Minutes of the Traverse City Light and Power Board meeting of November 11, 2014.
- e. Reports and correspondence from non-City officials.
1. Minutes of the Traverse Area District Library Board meeting of October 23, 2014.
 2. Fractile Emergency Response Reports from North Flight for October and November 2014.

7. Public Comment

The following addressed the Commission:

1. Reserved.

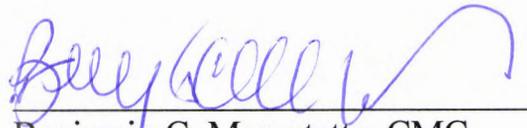
None
2. General.
3. Mayor and City Commissioners.

Commissioner Jim Carruthers
Jered Ottenwess, City Manager

General public comment:

Linda Koebert, 319 Washington Street
Rick Buckhalter, 932 Kelley Street

There being no objection, Mayor Michael Estes declared the meeting adjourned at 7:56 pm.



Benjamin C. Marentette, CMC
City Clerk

Approved: _____, _____
(Date) (Initials)

DRAFT



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: FUEL PURCHASE PROCESS

Attached is a memo from Director of Public Services Dave Green regarding the purchasing process for fuel.

I recommend that the City Commission approve this process through this calendar year. Staff will revisit this issue again at the end of the year and determine if this remains the best way to get the best price.

I recommend the following motion:

that the City Commission approves the purchasing process for fuel as described in the Director of Public Services December 22, 2014, communication through December 31, 2015.

JJO/bcm

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e-copy: Dave Green, Director of Public Services

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager

FROM: Dave Green, DPS Director 

DATE: December 22, 2014

SUBJECT: 2015 Annual Fuel Purchases

Last year, an inquiry was made as to why the City Commission is asked to approve confirming purchase orders for delivery of fuel. Once the fuel purchase process was explained to the Commission they approved the process for the entire 2014 calendar year. It is time to get the approval for the 2015 calendar year and in lieu of redrafting a new memorandum to explain it I will use last years.

For most non-emergency transactions performed by the City, the Commission has an opportunity to approve the purchase price in advance of delivery. Fuel has been purchased through the confirming purchase order process for over 20 years because it has proven to be the most effective process to make certain that fuel is available to the fleet when needed.

Gasoline and Diesel fuel are commodities with prices that vary from day to day. In order to ensure the City gets the best available price for fuel, a competitive process is used. Here is how the process works:

The City Garage has storage capacity of 13,500 gallons each of gasoline and diesel fuel at the Woodmere facility. All City vehicles, including Light & Power, are fueled at the Garage's fueling station. About every six weeks, on average, we have the tanks refilled. The trigger to seek bid prices is when a tank drops below 3500 gallons. There is a price break for taking delivery of a full 10,000 gallon tanker truck, and that is why we order when our tanks can accept 10,000 gallons. Our procedure is fairly standardized. We fax a memo to several (as many as 10) vendors locally and around the State who are in the business of distributing fuel. The vendors have to agree to meet our terms for quality, delivery times and methods, and insurance. The distributors perform the legwork of seeking the best available price from refineries. Those distributors that are interested then provide us with their best delivered price. They don't all always bid – it depends on their ability to meet our delivery requirements and their need for the business. We then award the bid to the vendor presenting the best price to us.

Because the amount of the purchase is above the limits of the City Manager's authority, approval for the purchase of fuel has to go to the City Commission. But it is always a "confirming purchase order", which means we have already ordered and received the fuel by the time it gets to the Commission. The reason for this is that the fuel vendors won't give us a bid for a future price. We can't get a price today, go to the City Commission

Memorandum

The City of Traverse City
Department of Public Services



next week for approval, and then order the fuel. The price quoted for fuel is today's delivery price, and is only good for today.

There are a couple of other ways to purchase fuel. One is to award a long-term contract with a sole supplier for a guaranteed quantity and price. This strategy may be beneficial if you could predict annual fuel price trends, but likely would not be the best strategy in a year with falling fuel prices – like the current one. Another option is to award an annual bid to the vendor who will deliver the fuel at the lowest markup over Rack. (Rack price is the price at which refineries sell fuel to wholesale clients.) This is the process we use at the marina, where the fuel tanks are smaller and we cannot take advantage of the price break inherent in 10,000 gallon tanker deliveries. (Marine fuel is also a special blend, which reduces the number of vendors.) The weakness in using this strategy for fleet fuel is that the vendor does not have an incentive to deliver fuel from the refinery with the lowest cost – you end up with a low delivery cost (markup), but not necessarily the lowest overall cost.

For these reasons, I believe the current process for acquiring fuel for the fleet is the best option available and request that the City Commission approve the process for calendar year 2015.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION REGULAR MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: UNLEADED GASOLINE PURCHASE

The Garage department received telephone / fax bids for unleaded gasoline for use by various city departments.

The following is a summary of these bids.

<u>Vendor</u>	<u>City</u>	<u>Price/gallon</u>
Brenner Oil	Mount Pleasant	\$1.54875
Lemmen Oil	Coopersville	\$1.55675
Crystal Flash	Traverse City	\$1.573
Blarney Castle	Traverse City	Did not bid
Fick & Sons	Grayling	Did not bid
Gilberts Service Oil	Traverse City	Did not bid
Schmuckal Oil	Traverse City	Did not bid

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

that the City Manager be authorized to issue a confirming purchase/service order in the amount of \$15,487.50 to Brenner Oil Co. for 10,000 gallons of unleaded gasoline priced at \$1.54875 per gallon with funds available in the Garage Fund.

JJO/wb

The previous purchase price on 10/30/14 was \$2.40375 per gallon.

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The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: OPERA HOUSE ROOF

Attached is a memo from City Engineer Timothy Lodge recommending a change order to the contract for the 2014 Opera House Dressing Room Project to add replacement of the existing roofing system with a more durable system to the scope of work. The Opera House Fund has a \$109,000 fund balance; therefore, there are sufficient funds available to cover this additional work.

As explained by the City Engineer, he obtained pricing from the contractor for the currently underway dressing room project for the roof replacement to ensure coordination of the necessary removal of HVAC equipment. This contractor is already working on items such as extension of existing mechanical, electrical and plumbing systems into the renovated spaces, window replacement, electrical work, etc. Therefore, I recommend that the competitive bidding process be waived.

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

that the competitive bidding policy be waived; and that the Mayor and City Clerk execute a unit prices change order to the contract with Eckler Building Solutions in the amount of \$34,535, more or less, (originally authorized October 6, 2014), for the 2014 Opera House Dressing Room Project for the replacement of the City Opera House roof system, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Opera House Fund.

JJO/bcm

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copy: Timothy Lodge, City Engineer

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager

FROM: Timothy J. Lodge, City Engineer *TJ Lodge*

DATE: December 23, 2014

SUBJECT: 2014 Opera House Dressing Room Project
Roofing Replacement Change Order

In preparing the existing second floor of the Saddle Shop for the Dressing Room Project we experienced roof leaks that were previously unknown. We investigated the source of the leak and found that the roofing membrane system that was installed in 2001 has reached the end of its warranty period of 10 years and is not repairable. We have attempted repairs on three separate occasions and finally have determined that our best course of action is to replace the roofing membrane system with a more durable roofing system, after consulting with two independent roofing contractors.

Unfortunately, there is a significant amount of HVAC equipment and ducting that will have to be removed and replaced to be able to access the roofing membrane system. To ensure the proper level of coordination between the mechanical contracting work and the roofing system replacement we asked the Contractor for the Dressing Room Project to provide costs for the work. They have provided a cost of \$34,535 for completing this work.

We have concluded that this work is required and deferring and performing the work independently of the Dressing Room Project would not result in significantly lower costs. Therefore, it is recommended that a Change Order be issued for this work to the low bidder for the project, Eckler Building Solutions, LLC. and that the proper City officials be authorized to execute a Change Order in the amount of \$34,535.00, more or less, with funds therefore available in the Opera House Fund.

**City of Traverse City, Michigan
SPECIAL REVENUE FUND
CITY OPERA HOUSE FUND
For the Budget Year 2014-15**

	FY 11/12 Actual	FY 12/13 Actual	FY 13/14 Budget	FY 13/14 Projected	FY 14/15 Requested
REVENUES					
Rental Income	\$ 104,327	\$ 93,263	\$ 93,500	\$ 93,500	\$ 93,500
Interest Revenue	3	22	500	500	500
Reimbursements	2,738	3,840	4,000	4,000	4,000
Miscellaneous Income	175	625	-	-	-
TOTAL REVENUES	107,243	97,750	98,000	98,000	98,000
EXPENDITURES					
Salaries and wages	-	-	-	-	-
Office/Operation Supplies	-	270	-	-	-
Professional/Contractual	5,270	12,714	11,200	11,200	11,200
Insurance and Bonds	4,193	3,783	4,500	4,500	4,500
Public Utilities	5,930	7,084	8,000	8,000	38,000
Repairs and Maintenance	6,172	5,138	9,000	9,000	9,000
Miscellaneous	12,569	12,906	13,000	13,000	13,000
Capital outlay	-	-	-	-	-
Interest - Interfund Loan	9,860	-	-	-	-
TOTAL EXPENDITURES	43,994	41,895	45,700	45,700	75,700
EXCESS OF REVENUES OVER/ (UNDER) EXPENSES	63,249	55,855	52,300	52,300	22,300
OTHER FINANCING SOURCES					
Transfer out	-	(30,000)	-	(30,000)	-
Transfer in - Economic Development	90,000	-	-	-	-
TOTAL OTHER FINANCING SOURCES	90,000	(30,000)	-	(30,000)	-
NET CHANGE IN FUND BALANCE	153,249	25,855	52,300	22,300	22,300
Beginning Fund Balance	(141,494)	11,755	37,610	37,610	89,910
Ending Fund Balance	\$ 11,755	\$ 37,610	\$ 89,910	\$ 59,910	\$ 112,210

This fund was created to reflect the lease revenues and related expenses for the general operation of the City Opera House. In 2005 the Opera House received an inter-fund loan from the Economic Development Fund. That loan was repaid in April 2007. Another inter-fund loan from the Economic Development Fund was granted in 2007 and was converted to a transfer in from the Economic Development Fund to meet the requirements of the deficit reduction plan filed with the Michigan Department of Treasury. In future years when this fund accumulates a large enough fund balance, the transfer will be made back to the Economic Development Fund via City Commission approval.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: J^o JERED OTTENWESS, CITY MANAGER

SUBJECT: TOPOGRAPHIC SURVEYING AND MAPPING – FOR SAW GRANT

Attached is a memo from City Engineer Timothy Lodge recommending an agreement for professional services to complete an inventory of the City's storm sewer structure and a benchmark survey. This work is part of the large-scale Stormwater and Wastewater (SAW) Asset Management Grant. \$30,000 of the \$38,950 project cost will be reimbursed by the SAW Grant, with the remaining funds coming from the Public Improvements Fund.

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

that the Mayor and City Clerk execute a consultant agreement with Leading Edge Surveying, LLC, in the amount of \$38,950 for professional services to complete an inventory of the City's storm sewer structure and a benchmark survey, in connection with the Stormwater and Wastewater Grant (SAW Grant), with \$30,000 to be reimbursed by the SAW Grant and the remaining \$8,950 available in the Public Improvement Fund, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

JJO/bcm

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copy: Timothy Lodge, City Engineer

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager

FROM: Timothy J. Lodge, City Engineer *[Signature]*

DATE: December 22, 2014

SUBJECT: Request for Proposals- 2013-14 Public Improvement Projects
Topographic Surveying and Mapping

We have solicited proposals from professional surveying consultants for completing a Storm Sewer Structure Inventory and Benchmark Survey for the 2014-15 SAW Grant Project. As part of the grant, the City must complete an inventory of our storm sewer system. That includes surveying approximately 760 storm sewer structures (i.e. manholes, catch basins) of the 1800 structures in our inventory and 270 of the 489 benchmarks city-wide. This survey will focus on collecting rim elevations for the storm water collection system manholes and catch basins to facilitate the development of a hydraulic model and collecting elevations of the City-Wide benchmarks within the area to convert historic data to current standards. The City budgeted \$30,000 in the SAW Grant and \$10,000 in the CIP of the General Fund (Project ID 777) for this work.

The RFP was issued on November 17, 2014 with nine firms responding to our request on December 17, 2014 as follows:

Consultant	Location	Cost
Leading Edge Surveying	Traverse City	\$ 38,950.00
UP Engineering	Ishpeming	\$ 44,300.00
Abonmarche	Benton Harbor	\$ 46,400.00
Metro Consulting Associates	Traverse City	\$ 49,075.10
Tri-Media	Marquette	\$ 50,075.00
Prein & Newhof	Grand Rapids	\$ 66,362.90
Gourdie Fraser	Traverse City	\$ 67,015.00
Gosling Czubak	Traverse City	\$ 70,781.00
Fleis & Vandenbrink	Traverse City	\$ 92,570.00

After reviewing the submittals, we recommend that the Mayor and City Clerk be authorized to execute a consultant agreement with Leading Edge Surveying, LLC., in the amount of \$ 38,950.00 with funds available in the Public Improvements Fund and reimbursement of up to \$30,000 from the SAW Grant, subject to approval as to substance by the City Manager and as to form by the City Attorney.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: BOARDMAN LAKE WATERSHED STUDY AND WATERSHED PROTECTION PLAN – SAW GRANT WORK

Attached is a memo from City Engineer Timothy Lodge recommending an agreement with the Watershed Center Grand Traverse Bay (TWC) for it to complete work associated with updating the Boardman Lake Watershed Study and Watershed Protection Plan. Because the TWC prepared these documents initially, I recommend the competitive bidding process be waived and that we engage them for the work associated with updating the plans. The cost of the work will be covered by the SAW Grant.

As explained by the City Engineer, having these documents have proven vital in our receipt of grant awards.

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

that the competitive bidding process be waived; and that the Mayor and City Clerk execute a contract with the Watershed Center Grand Traverse Bay in the amount of \$23,500 for services associated with updating the Boardman Lake Watershed Study and Watershed Protection Plan, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, with the cost of the contract to be covered by the SAW Grant.

JJO/bcm

K:\tcclerk\city commission\agreements\watershed study and watershed protection plan update copy: Timothy Lodge, City Engineer

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager

FROM: Timothy J. Lodge, City Engineer 

DATE: December 29, 2014

SUBJECT: Agreement with The Watershed Center Grand Traverse Bay
for Services Associated with SAW Grant

In preparation of the Stormwater Management Plan (SMP) portion of the SAW Grant we solicited input from The Watershed Center Grand Traverse Bay (TWC) for several scope items in the grant. Some key outcomes of the SMP are updating the 2003 Boardman Lake Watershed Study and the 2005 Grand Traverse Bay Watershed Protection Plan (GTBWPP). The current versions of these documents can be found on the TWC website at <http://www.gtbay.org/resources/>. These documents are essential in keeping our eligibility to receive water quality grants from the State and EPA.

We incorporated several opportunities to partner with TWC in the SMP Scope of Work as follows:

- Task 1 - Coordinate the review of the existing studies and plans (\$900)
- Task 2 - Coordinate/perform the existing and proposed stream bank and shoreline inventories (\$3,700)
- Task 4 - Coordinate the water quality considerations of the GTBWPP and attend key stakeholder meetings (\$900)
- Task 5 - Update the Traverse City portion of the GTBWPP (\$18,000)

The City budgeted the \$23,500 in the SAW Grant for this work to be performed by TWC. Therefore, we recommend that the Mayor and City Clerk be authorized to execute an agreement with The Watershed Center Grand Traverse Bay (TWC) in the amount of \$23,500 with reimbursement from the SAW Grant, subject to approval as to substance by the City Manager and as to form by the City Attorney.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: 2014 WATER TREATMENT PLANT SCADA IMPROVEMENT PROJECT

Attached is a memo from Director of Public Services Dave Green recommending that the scope of work being performed by our SCADA Improvement Project consultant, Prein & Newhof be expanded to include nine additional items in the scope of design services. Because Prein & Newhof is currently engaged for work associated with this project, I recommend that the competitive bidding process be waived.

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

that the competitive bidding policy be waived; and that the Mayor and City Clerk execute a change order to the contract with Prein & Newhof (originally authorized July 7, 2014), in the amount of \$10,360 for the 2014 Water Treatment Plant SCADA Improvement Project, to include nine additional items in the scope of design services, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Water Fund.

JJO/bcm

K:\tcclerk\city commission\agreements\SCADA project change order
copy: Dave Green, Director of Public Services
Art Kruger, Water Plant Superintendent

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Ottenwess, City Manager
FROM: Dave Green, DPS Director 
DATE: December 29, 2014
SUBJECT: 2014 Water Treatment Plant SCADA Improvement Project

Attached is a memorandum from Art Krueger, Water Treatment Plant Superintendent, explaining his request for additional funding to increase the scope of work our consultant, Prein & Newhof undertook to improve the overall SCADA (Supervisory Control and Data Acquisition) Project by including nine significant additions to the original project. These additions were discovered during weeks of design work which consisted of onsite investigations, including crawling around every corner and floor of the plant, meetings and research in order to make sure we have a complete, well planned project. Remember, there are numerous pieces of equipment and parts in our plant that are 50 years old and nearing or exceeding their useful life. I believe it is prudent to replace these items as well as improve the operation of the plant when we can, before an emergency situation or failure occurs.

I concur with our Water Plant Superintendent on his request to add to the scope of work to the original Consultant Agreement.

Therefore, please request City Commission approval to issue a change order to Prein & Newhof for professional services in the amount of \$10,360.00 for the Water Treatment Plant SCADA Project 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: December 22, 2014

SUBJECT: Additional Design Services for Water Treatment Plant Monitoring and Control Improvements Project

This design work for this project was approved in June 2014 by the City Commission. During the design phase of this project with our engineering consultant, Prein & Newhof, some important controls, alarms and operating features that were out of the original scope of work were discovered and were incorporated into the project design.

Following is a list of nine design additions to the project:

1. System pressure transmitter in High Service Pump (HSP) pipe room (to eliminate water supply to the Main Control Panel (MCP)).
2. HSP open limit switch monitoring (to lessen the potential that the HSP will dead head).
3. Reservoir bubbler system and transmitter in MCP were reworked to replace bubbler panel and transmitter to address antiquated and less than reliable equipment.
4. Wash water flow transmitter replacement – address MCP revisions and allow electric signals rather than pneumatic lines to run to the MCP.
5. Inline Mixer and Floc Mixer electrical fault condition monitoring.
6. Barlow Tank Valve Position Control Improvements.
7. Barlow Vault Intrusion Monitoring for security purposes.
8. Water Treatment Plant - Backup Cellular for Alarm auto-dialer.

Mr. Dave Green
December 22, 2014
Page 2 of 2

9. Replacement of the Head Loss transmitters at Filters No. 1, 2 & 3.

Design related work included coordination with Owner representative, additional field work, research, design activity, technical specification additions, and drawing modifications.

Total cost for additional services: \$10,360.00

Therefore, I am requesting that a service order be awarded to Prein & Newhof for professional services as outlined above in the amount of \$10,360.00 for the Water Treatment Plant Monitoring and Control Improvements Project with funds available in the Water Fund.



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰JERED OTTENWESS, CITY MANAGER

SUBJECT: TRACTOR – PARKING SERVICES MAINTENANCE TASKS

Attached is a memo from Director of Public Services Dave Green recommending that a 2001 John Deere be declared surplus and the purchase of a replacement tractor and related equipment for use by Parking Services in connection with maintenance tasks.

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

that a 2001 John Deere 445 be declared surplus; and that the City Manager be authorized to issue a purchase order to Ginop Sales in the amount of \$27,999 for a 2014 Kubota and related equipment as outlined in the December 29, 2014, communication from the Director of Public Services, with funds available in the Garage Fund.

JJO/bcm

K:\tcclerk\city commission\purchase orders\tractor and equipment 2015 for parking services
copy: Dave Green, Director of Public Services

Memorandum

The City of Traverse City
Department of Public Services



TO: Jered Otterwess, City Manager

FROM: Dave Green, DPS Director 

DATE: December 29, 2014

SUBJECT: 2014 Equipment Replacement

Bids were solicited for and received on a replacement tractor to be used by the Traverse City Parking Services for maintenance tasks around their parking lots and two structures. Two bids were opened with the following results:

- Ginop Sales Williamsburg \$27,999.00
- Classic Farm Equipment Williamsburg \$29,216.93

Please request City Commission approval to issue a purchase order to Ginop Sales of Williamsburg in the amount of \$27,999.00 for the purchase of a new 2014 Kubota BX2670TV including snow blower, lawn mower, plow blade, pallet forks, bucket and sweeper attachments.

Also, please request that the City Commission declare our 2001 John Deere 445, # 163, surplus so that it may be disposed of.

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

City of Traverse City, Michigan
INTERNAL SERVICE FUND
GARAGE FUND
2014--15 Vehicle Replacement Schedule

Department	Vehicle Description	Estimated Replacement Costs
Police	2008 Ford Crown Vic.	\$ 26,500
Police	Ford Crown Vic. Patrol Vehicle	26,500
Police	Harley Davidson Patrol	20,000
Police	Harley Davidson Patrol	20,000
Hickory/Marina	Ford Ranger	28,000
Street	Ford F450 Dump	60,000
Park	Chevrolet S10 Pick up	27,500
Street	Chevrolet C&C W/util. body	65,000
Park	Chevy Van	75,000
Water Dist.	Ford C&CF250	32,000
Park	F350 Dump	55,000
Street	Ford L9000 Plow/Dump	210,000
Park	Dakota Pickup	27,500
Street	F350 Dump Wplow	60,000
Street	Komatsu WA 200-6 2Yr Loader	168,000
Street	Komatsu WA 200-6 2Yr Loader	168,000
Park	Bomardier Traxter (Hickory)	13,000
Street	Holder C9700	176,000
Street	Caterpuillar 950H 4 Year Loader	260,000
#163 TCPS	John Deere 445	40,000
Street	Western Star 4700 Dump U.Body Plow	275,000
Street	Solartech Flashing Arrow	10,000
Water Dist.	Sullivan Air Compressor	25,000
Park	Bean 2020 Sprayer	6,000
Street	Swensen Sander Body	20,000
Street	Swensen Sander Body	25,000
Street	Holder 50" Snow Blower	7,500
Street	Holder 50" Snow Blower	7,500
Street	Holder 50" Snow Blower	7,500
Park	Holder Broom	7,500
Street	Holder Flail Mower	8,000
Park	Holder Flail Mower	8,000
Street	Holder Broom	8,000
Street	Wasau Front Plow	9,000
Street	Gledhill Front End Plow	9,000
Street	Asphalt Recycler	200,000
Estimated Total Replacement Cost		\$ 2,191,000

Memorandum

The City of Traverse City
Department of Public Works



TO: Dave Green

CC:

FROM: Dave Courtad Garage Superintendent

DATE: December 23, 2014

SUBJECT: Equipment Purchase

Bids were solicited to purchase and deliver a Sub-Compact Tractor and Implements to be used by the Traverse City Parking Services for snow, sand removal and mowing services this equipment is to replace the current #163 a 2001 John Deere 445.

The following bids were received:

1: Ginop Sales of Williamsburg, Mi.: \$27,999.00

2: Classic Farm Equipment of Williamsburg, Mi.: \$29,216.93

Would you please request of the City Commission permission to issue a purchase order to Ginop Sales in the amount of \$27,999.00 to purchase a 2014 Kubota BX2670TV with implements and to request the current #163 John Deere be deemed surplus.

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

A handwritten signature in black ink, appearing to be "D. Courtad".



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: PARKING METER ORDINANCE – UPDATES TO REFLECT
NEW TECHNOLOGY

Attached is a previously-submitted memo from Parking Administrator Nicole VanNess recommending various changes to the parking meter ordinance necessary to reflect the centralized pay stations as well as new payment options.

I recommend the following motion:

that an amendment to the Traverse City Code of Ordinances, *Parking Meter Ordinance Clarifications*, Sections 484.02, 484.03 and 484.04, which updates the ordinance to reflect the centralized pay stations as well as new payment options, as recommended by the Downtown Development Authority Board of Trustees, which was introduced on December 15, 2014, be enacted with an effective date of January 15, 2015.

JJO/kes

K:\tcclerk\city commission\ordinance amendments\parking meter technology_enact_20150105

copy: Rob Bacigalupi, Downtown Development Authority Executive
Director
Nicole VanNess, Parking Administrator

memo



Traverse City Parking Services

To: Rob Bacigalupi, DDA Executive Director
Lauren Tribble-Laucht, City Attorney

From: Nicole VanNess, Parking Administrator

Date: December 9, 2014

Re: Ordinance Revisions – Chapter 484.04 Parking Meters

We are preparing for our Digital Payment Technologies multi-space meter installation. We have reviewed the sections relating to Parking Meters, and will need to update the ordinance in order to include these new devices since customers will pay for their stall number at the centrally located pay station. Additional changes are needed to update the ordinances to acknowledge payments via the mobile app, Parkmobile.

A summary of the changes include:

- Update all language to include single space and multi-space meters.
- Update to include multi-space stalls being identified by a numbered sign or painted number (meter number).
- Update to include additional payment options of credit card and virtual account (Parkmobile).
- Update to include “parking time indicated on such meter” for multi-space pay station payments to include printed time on receipts or virtual account receipts.

I recommend that the City Commission move to approve the ordinance revisions to Chapter 484.04 Parking Meters that have been updated to include the multi-space pay stations and additional payment options.

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: PARKING METER ORDINANCE CLARIFICATIONS

THE CITY OF TRAVERSE CITY ORDAINS:

That Sections 484.02, *Installation and Operation*; and 484.03, *Lines and Markings; Manner of Parking*; and 484.04, *Parking Meters*, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

484.01 ESTABLISHMENT OF ZONES.

Zones to be known as parking meter zones may be established by traffic control orders issued as provided in the Uniform Traffic Code for Cities, Townships and Villages, as adopted in Section 410.01, on any street or City operated off-street parking area. (1976 Code Sec. 25.041; Ord. 40. Passed 11-21-77.)

484.02 INSTALLATION AND OPERATION.

a) Single space parking meters installed in parking meter zones shall be placed adjacent to each parking place space. Each parking meter shall display by a signal that the parking space adjacent thereto is or is not legally in use. Each parking meter shall indicate by a proper legend the coins currency or accepted credit card types to be deposited and the time limitations for each denomination of coin payment method deposited. Virtual account payments may reflect date and paid duration in the account without visible reflection on the meter. Upon the expiration of the time limit for payments made at the meter rather than by virtual account, the parking meter shall indicate by a signal that the lawful parking period has expired. In such the case of the expired meter, the right of the motor vehicle to occupy such a space shall cease and the driver, possessor or person having control thereof shall be subject to the penalties provided in Section 484.99. (1976 Code Sec. 25.042; Ord. 40. Passed 11-21-77.)

b) Multi-space (pay station) parking meters installed centrally within streets or surface lots. Each parking space shall be identified by a stall number. Each parking meter shall indicate by proper legend the currency or accepted credit card types to be deposited and the time limitations for each payment method deposited. Virtual account payments will reflect date and paid duration in the account. Upon the expiration of the time limit for payments made at the meter, the printed receipt will indicate that the lawful parking period has expired. In the case of the expired meter, the right of the motor vehicle to occupy such a space shall cease and the driver, possessor or person having control thereof shall be subject to the penalties provided in Section 484.99.

484.03 LINES AND MARKINGS; MANNER OF PARKING.

The City Manager is hereby authorized to install single-space and multi-space in parking meters

in ~~zones and~~ spaces and to have lines or markings painted upon the curb, street or lot surface controlled by each parking space for which the meter is to be used. No person shall park any vehicle upon or across any such line or marking. The vehicle, insofar as possible, shall be centered within the designated parking space. The City Manager is hereby authorized to install numbered stall signs or stall numbers painted within the parking space to designate the stall number of the space. (1976 Code Sec. 25.043; Ord. 40. Passed 11-21-77.)

484.04 PARKING METERS.

- a) *Meter activation required.* Except for fully-electric vehicles which are not required to activate the parking meter, whenever a vehicle is parked within a designated parking meter space in the space adjacent to a parking meter, the operator of the vehicle shall activate the meter by depositing in the meter a United States currency coin of a denomination indicated on the parking meter legend, or using a credit card type accepted by the parking meter, or by activating the meter through the virtual account and if the meter is a manual type by turning or pressing the lever, handle, crank or other device provided upon such meter. Thereupon such parking space may be lawfully occupied by such vehicle during the period of parking time indicated on such meter, printed receipt or virtual paid duration. The parking meters must be activated from 8:00 a.m. until 6:00 p.m., Monday through Saturday except holidays and except such other times or circumstances as designated by the City Manager.
- b) *Overtime parking.* Except for a Mobile Food Vendor with a valid license issued under these codified ordinances. No person shall leave any vehicle in any metered parking space place when the meters must be activated for longer than the time indicated on the parking meter, printed receipt or virtual paid duration. Fully-electric vehicles shall not remain in any metered parking space place for a period of time longer than legal parking time established for the parking space adjacent to the meter. No person shall make any form of payment deposit or cause to be deposited in a parking meter a coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space or stall number adjacent to the parking meter. It shall be a separate offense to park at a metered space or stall for each period of time equal to the maximum allowed on the meter.
- c) *Civil infraction.* A person who violates this section is responsible for a civil infraction subject to the fine indicated in Section 488.06. (1976 Code Sec. 25.044; Ord. 40. Passed 11-21-77; Ord. 109. Passed 6-2-80. Ord. 477. Passed 7-6-99. Ord. 543. Passed 10-1-01. Ord. 751. Passed 5-21-07. Ord. 696. Passed 6-3-13)

484.05 PARKING METER DAMAGE.

No person shall:

- a) Deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a United States currency coin; or
 - b) Remove, deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter.
 - c) A person who violates section is guilty of a misdemeanor.
- (1976 Code Sec. 25.045. Ord. 40. Passed 11-21-77. Ord. 478. Passed 7-6-99.)

484.06 USE OF REVENUES.

All revenues derived from the use of parking meters as provided in this chapter shall be used to provide for the proper regulation and control of traffic on the streets, to cover the costs of developing and purchasing or leasing parking facilities, and to cover the costs of supervision, inspection, installation, operation, maintenance, control and use of the parking spaces, lots and meters. (1976 Code Sec. 25.046; Ord. 40. Passed 11-21-77.)

484.07 COLLECTION FROM METERS.

Collections of money deposited in parking meters shall be made as provided by direction of the City Treasurer. (1976 Code Sec. 25.046; Ord. 40. Passed 11-21-77.)

484.99 PENALTY.

- a) Whoever violates any of the provisions of this chapter, for which no penalty is otherwise provided, is responsible for a civil infraction and shall be assessed a civil fine of not more than one hundred dollars (\$100.00), provided, however, that the offense may be disposed of as provided in Section 488.06 if it is an offense listed as disposable under such section and if the civil fine is paid within the periods stipulated therein.
- b) Whoever violates Section 484.05 is guilty of a misdemeanor and should be subject to the penalty provided in Section 202.99 of the Administration Code.

The effective date of this Ordinance is the _____ day of _____, 2015.

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 JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: J^o JERED OTTENWESS, CITY MANAGER

SUBJECT: ESTABLISHING A PUBLIC ART ORDINANCE

Attached is a previously-submitted memo from Downtown Development Authority Executive Director Rob Bacigalupi outlining the proposed Public Art Ordinance. This ordinance would establish an Arts Commission and certain guidelines for placement of public art in Traverse City.

At the December 8, 2014 Study Session concerns were raised relating to the proposed Public Art Ordinance. The concerns noted are as follows; give flexibility in the dollar amount being transferred from the General Fund and deposited into a Public Arts Trust, adjust the timeframe for the first transfer taking place and allow more flexibility of the City Commission. All concerns have been addressed by City Attorney Lauren Tribble-Laucht within Sections 299.04 and 299.09 of the proposed ordinance. Finally, an additional change was made in Section 299.06, to reflect an additional Arts Commission member to alleviate chances of a tie vote.

If the City Commission introduces this ordinance and schedules it for possible enactment on January 20th, at that meeting the Commission could establish a nominating committee to work on filling the seats on the Arts Commission.

I recommend the following motion:

that an amendment to the Traverse City Code of Ordinances, *Public Art*, Chapter 299, which would establish an Arts Commission and certain guidelines for placement of public art in Traverse City as recommended by the Downtown Development Authority Board of Trustees, be introduced and scheduled for possible enactment on January 20, 2015.

JJO/kes

K:\tcclerk\city commission\ordinance amendments\Public Art_Intro_20150105

copy: Robert Bacigalupi, Executive Director



To: Jered Ottenwess, City Manager

From: Rob Bacigalupi, Executive Director

RMB

Re: Public Art Ordinance

Date: Tuesday, December 2, 2014

The DDA Board, at their October 17, 2014 Board meeting, approved a draft public art ordinance prepared by a committee with the City Attorney's help. We look forward to discussing this in detail with the City Commission at their December 8 Study Session. Attached are the following documents related to the proposed public art ordinance:

- Public Art Ordinance FAQ
- Current Monument and Public Art Policy
- Proposed Traverse City Public Arts Commission Public Art Guidelines
- Proposed Public Art Ordinance
- One Percent For Art (estimating how much revenue one percent of eligible capital improvements would generate for public art annually)

I look forward to discussing this on Monday!

Traverse City Public Art Ordinance Frequently Asked Questions (FAQ)

A. Public Art and Placemaking go hand-in-hand

What is Public Art, and what is its role in Placemaking?

“Public Art” is government sponsored or funded artwork created by or with professional artists and legally sited in publicly-accessible venues. It improves our quality of life because it makes us stop and open our eyes... it ignites conversation. Public Art and Placemaking go hand-in-hand.

B. Traverse City has the opportunity to strategically evolve its current Public Art Policy

Does Traverse City have a Public Art Policy today?

Yes. Currently, there is a *Monument and Public Art Policy* that was adopted by the Traverse City Commission on January 6, 2003. This Policy details how the public or an organization shall make requests for donated monuments and public art pieces to be located within on public property within the city. The city’s Parks and Recreation Commission then the City Commission react and respond to these requests as they occur.

Could Traverse City benefit by evolving its current Policy into a more *proactive* one?

Yes. Traverse City has the opportunity to strategically and consciously expand its collection of public art and monuments. By developing a *proactive* Public Art Ordinance that builds upon the 2003 Policy, Traverse City will have a process in place to plan for, professionally seek out, and evaluate opportunities for locating commissioned, leased, and donated artwork and monuments within the city limits. Over 350 cities throughout the United States have successfully developed and implemented Public Art Policies, and Traverse City can benefit from established best practices.

What would be the objectives of a proactive Public Art program?

A planned, strategic Public Art Ordinance would help to ensure that Traverse City:

- Builds a diverse collection of permanent and temporary artworks, accessible to all
- Engages local, regional, and national artists from multiple disciplines
- Includes artworks of highest design quality – not necessarily highest costs
- Fosters an environment where diverse viewpoints are welcomed and shared
- Provides artists the opportunity to explain their work and help broaden understanding
- Leaves a legacy of artwork for future generations

C. Start with a city-wide approach that serves as catalyst for a regional arts destination

Where would this Public Art Ordinance apply?

It is envisioned that the Public Art Ordinance and Traverse City Arts Commission would serve the entire City of Traverse City. And while the DDA has taken the lead in researching best practices for Public Art Ordinances and how a tailored program may ideally work for Traverse City, the DDA has created a committee consisting of various stakeholders with the intention of successful implementation.

Could bordering townships review and adopt this Policy if they choose?

Yes. Area townships may not have a Public Art Policy today and it may save them time to take implement Traverse City's program, when confirmed, and tailor it to meet their needs if they choose to do so. Subsequently, if neighboring townships institute a policy, there may be opportunities to collaborate with the city on traveling art exhibits or leased artworks to save costs while bringing higher-quality artwork from regionally and nationally-acclaimed artists to our local audiences.

D. Appoint an Arts Commission that has complete responsibility and authority to act

Who would oversee the Public Art Program in Traverse City?

The Public Art Ordinance has been drafted that a dedicated Arts Commission, appointed by the City Commission, would be identified with the responsibility and authority to own the process, manage, and execute for the city.

The Traverse City Arts Commission will consist of seven members who will be registered electors of the City or members of the Downtown Development Authority Board of Directors and will have evidenced interest in the advancement of Public Art in the City of Traverse City. The City Commission will appoint four members from the following public bodies of the City: one from the Parks and Recreation Commission, one from the Downtown Development Authority Board of Directors, one from the Planning Commission, and one from the City Commission. The City Commission will appoint the remaining three members of the Traverse City Arts Commission from the registered electors of the City. The City Manager, or the designee of the City Manager, shall be a member of such an advisory committee with full authority of vote.

A five-member Art Selection Panel would also be appointed to review proposals and make recommendations to the Arts Commission.

What would be some of the main responsibilities of this Arts Commission?

While the Arts Commission would be responsible to identify its own processes and practices, a summary of duties would be:

- Develop a Public Art Master Plan for the City
- Recommend the purchase of works of Public art or commission the design, creation, execution and/or placement of Public Art
- Responsible for promoting the arts in the community
- Advise the City Commission on matters pertaining to the arts program
- Manage all competitions for commissioned artwork

Is there a point in the "process" where public input would be sought?

Yes. Following other cities' best practices, there would be several opportunities for the public to be involved in various parts of the process, such as:

- The development of the Public Art Master Plan would be thoughtfully communicated and seek public input throughout the process
- The make up of the Arts Commission will have representatives from not only the City Commission, but DDA and Parks and Recreation, creating additional opportunities to keep the public informed on the public art programs by discussing all proposals and engaging the public in the process
- Meeting agendas would be posted on the City's web site; every meeting is open to the public

If the Arts Commission is effective, what would they deliver to the community?

The Arts Commission would have full responsibility and authority to act, including setting its annual goals and effectively communicating to the public and city stakeholders. Given this, a possible goal might be to execute one commissioned artwork piece per calendar year. Execution of commissioned artwork could be complemented by adding leased or temporary art in selected Master Plan locations as these opportunities arise.

E. Identify a reliable funding mechanism based on best practices

What are the funding sources that the Arts Commission would be considering?

How a Public Art Policy is set up and funded will help to ensure its success.

Many cities use a 1% or ½% CIP budget to enable a reliable funding mechanism for public art. The Traverse City Arts Commission would consider and seek funding from the DDA and City based on the projections of 1% for Art.

Why public funding?

The arts are an important educational component to foster our community in a positive direction and also serve as an economic development tool. Developing a stable source of funding for public art will ensure community access to arts and instill community pride.

Research shows that youth who participate in comprehensive, sequential, and rigorous arts programs are:

-More likely to be recognized for academic achievement, to be elected to class office within their schools, participate in a math and science fair, to win an award for school attendance, to win an award for writing an essay or poem, and to have improved scores on ACT and SAT tests

F. Communicate consistently and clearly how the process works so that individuals and organizations can become actively involved

How will the Public Arts Commission Process work?

Phase One: Assess the Project
Phase Two: Call for Proposals or Artists
Phase Three: Artist Selection
Phase Four: The Artist and Work of Art
Phase Five: Public Education/Information
Phase Six: Contracts and Budget
Phase Seven: Documentation/Evaluation

What is an example for how “Leased Art and Traveling Exhibitions” would work?

For example, “Leased/temporary Art and Traveling Exhibitions” may be located on a designated site within the Master Plan for a period of time.

Will there be an opportunity for monetary and artwork donations?

Yes. The Public Art Guidelines specifically address how artwork donations and monetary donations will be handled. All artwork donations or monetary donations proposed for a specified project will be evaluated based on the goals of the public art program and the Public Art Master Plan.

G. Ensure everyone understands, up front, how every project cost will be covered

There are many costs associated with public art. Who is responsible for what?

While the Arts Commission would have the responsibility and authority to establish processes and practices and make the final decisions, best practices have identified the following guidelines:

Commissioned Art – The Arts Commission identifies and seeks approval from the City Commission for a budget to commission an artwork: Expenditures would include payment to artist; artwork including transportation to site; installation and lighting; signage; maintenance; insurance; artist's travel and lodging to Traverse City for public education/speaking purposes.

Leased Artwork and Traveling Exhibitions – The Arts Commission identifies and secures all funds to cover: lease payment to artist or institution; transportation to site; installation and lighting; signage; maintenance; insurance; artist's travel and lodging to Traverse City for public education/speaking purposes.

Donation of Existing Art and Donation of a Memorial or Monument – The Donor(s) is responsible for all funds to cover: transportation to site; installation and lighting; signage; maintenance; insurance; artist's travel and lodging to Traverse City for public education/speaking purposes.

###



MONUMENT AND PUBLIC ART POLICY

This policy is designed to allow for the managed placement of monuments, memorials and public pieces of art in Traverse City parks and public spaces. The intent of this policy is to provide a structured procedure for the review of the proposal and the subsequent placement of items in parks and other City property (excluding road rights-of-way and alleys). Monuments will be limited to events and groups of historic or local significance and will be limited in total size, including base, to four feet wide, three feet tall and one foot deep.

Monument-free areas on specific monument zones may be designated by the City Commission to protect natural features or the character of a park or public area.

Requests for proposed items will first be reviewed by the Parks and Recreation Commission followed by the City Commission with opportunity at both levels for public input.

1. Monument and Public Art Review Process.

A. Review Criteria:

The Parks and Recreation Commission will consider several factors before making a recommendation. These will include but not be limited to:

1. Location, develop list of possible locations.
2. Character of area.
3. Safety factors to pedestrians, park users, motorists.
4. Size of item versus area of proposed installation.
5. Proximity and density of other monuments and/or public art.
6. Blocking of view corridors to bay or other significant natural features.
7. Appropriateness of item for public display.
8. Impact on park and public land usage.

The types of proposed installations to be sent to the Commission would be monuments of historic or local significance recommended by individuals, groups or organizations, and public art pieces. Items to be reviewed only by City Staff would be trees and landscape features, benches, tables, play equipment, drinking fountains, or other simple public improvements.

B. Recommendation Process:

At the conclusion of a favorable review process by the Parks and Recreation Commission, a recommendation to approve the proposed installation would be made to the City Commission. If there were no support from the Parks and Recreation Commission, at the request of the applicant, the request would be forwarded to the City Commission.

C. Upkeep of Monuments and Public Art:

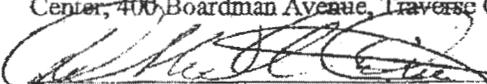
As part of the approval process, the individual or group proposing the installation shall enter into an agreement with the City to provide the necessary financial and/or physical resources to keep the monument or art piece in good condition.

If the monument or public art is damaged due to vandalism, storm, vehicular accidents, or various acts of God, the party responsible for installation of the piece will be responsible to repair or replace it in such a manner and time period deemed acceptable by the City. If the group is unable or unwilling to make the needed repair or replacement, the City may remove the item with no responsibility to repair or replace the item.

D. Public Recognition of the Item Installed:

A small plaque or other identification method may be placed on or near the item as space allows. The size, type and location of such recognition is subject to review by the Parks and Recreation Commission and the City Commission. The recognition could indicate by whom the item is being donated, or in whose honor or memory the item is being donated.

I hereby certify that the above Policy was adopted by the Traverse City City Commission at its regular meeting held on January 6, 2003, in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.


Debra A. Curtiss, CMC, City Clerk

Adopted:
Effective:

Traverse City Arts Commission Public Art Guidelines

Introduction

In 2014, the City of Traverse City embarked on a public art program, and joins cities around the country that have enlivened their appearance and their appeal through the placement of art where the community gathers such as parks, buildings, plazas, pedestrian and vehicular access paths.

Funding

The Public Art Ordinance provides the City Commission shall annually appropriate an amount not to exceed \$45,000 from the general fund to the Public Arts Trust starting in fiscal year 2015/16 to be used in accordance with this Chapter. The Downtown Development Authority shall annually appropriate an amount not to exceed \$25,000 to the Public Arts Trust starting in fiscal year 2015/16 to be used for in accordance with this Chapter within the Downtown District Funds collected in the Public Arts Trust will be expended consistent with Chapter 299 of the City of Traverse City's Codified Ordinances.

Statement of Purpose

The City Commission of Traverse City finds that the presence of public art advances the interests of the City, increases its desirability, aids in the enhancement of property values, promotes economic growth, and contributes to the general welfare of the City's citizens. The City Commission believes that public art should be encouraged and, therefore, establishes the following regulations to direct the inclusion of the works of art in the public spaces of the City.

The public art program enhances life in Traverse City. Art in public places provides opportunity for visual delight; it can stimulate community dialogue by challenging familiar experience. Public art enriches lives as it creates a more cultural urban environment.

Goals of the Public Art Program

The goals of the City of Traverse City's Public Art Program are to:

- promote the visual arts in Traverse City.
- include works of art representing a broad variety of media, styles and community interests.
- provide opportunities for artists of all racial, ethnic and cultural backgrounds, disabilities and other diverse groups.
- enhance the urban environment and public spaces throughout the City.
- pursue opportunities to inform the public regarding public art including public participation in all phases of the public art process.

- document, maintain and conserve works of art in the public art collection.

Traverse City Arts Commission

The Traverse City Arts Commission will develop a Public Art Master Plan and recommend its adoption to the City of Traverse City Planning Commission and then City Commission. The Arts Commission shall regularly assess its consistency with the City Master Plan and Parks and Recreation five-year plan.

The Traverse City Arts Commission is responsible for the administration and overall management of the City of Traverse City's Public Art Program, implementation of the Public Art Master Plan, including budget supervision, securing a site location; releasing a call for proposals or call for artists, identifying and contracting with the artist, supervising fabrication and placement, creating signage, coordinating public art dedication and carrying out an educational program.

Art Selection Panel

The Art Selection Panel (ASP), a five-member panel appointed by the Traverse City Arts Commission, will review proposals and make a recommendation to the Traverse City Arts Commission.

The Art Selection Panel members must:

- be art professionals familiar with the special characteristics of Traverse City;
- have a strong background in the visual arts and have been involved in a public art selection process previously;
- be free of conflict of interest or the potential for financial gain from either the project or the purchase of that specific work of art by the City;
- be willing to sign a conflict of interest statement.

The ASP will have a strong working knowledge of public art, including aesthetic concerns, community involvement, compatibility issues, funding and contracts, documentation, placement, landscaping, cost for maintenance and site concerns. The members may consult with landscape architects or other project design professionals as needed.

The ASP is composed of arts professionals to assure objective judgment based on the critical success and professional accomplishments of the artists under consideration and to find the best possible match between the site, the community and artist.

The Traverse City Arts Commission will solicit proposals for specified projects and the ASP will evaluate the proposals based on the goals of the public art program and make a recommendation to the Traverse City Arts Commission.

In cases where there are multiple stakeholders, the Arts Commission may choose to appoint additional non-voting members representing stakeholders to the ASP.

Donations

Groups or individuals may request that the Traverse City Arts Commission consider the placement of a donated work of art or funds to initiate a new public art project.

The following parameters apply:

Artwork Donations

A potential donor of artwork will submit a written proposal, including an example of the proposed artwork, for initial review to the Traverse City Arts Commission. The donor will present the actual artwork or an image of the artwork for approval.

Following the initial Arts Commission review, the artwork will be reviewed by the ASP, which will evaluate the proposal based on the goals of the public art program and the Public Art Master Plan. The Arts Commission does reserve the right to reject artwork donations.

After evaluating the proposal, the ASP will make its recommendation to the Traverse City Arts Commission.

Gift proposals should include:

1. A site plan that locates the artwork if a specific location is proposed
2. Description of materials included in the artwork
3. Installation details
4. Recommended maintenance plan
5. Source of funding, if any, for installation and maintenance

Monetary Donations

A financial donor may contribute monetary gifts to the Public Arts Trust for use in a future public art project.

If the donor proposes a specific project or commission, a written proposal must be submitted to the Traverse City Arts Commission for review and approval.

Following Traverse City Arts Commission approval, the commission will solicit proposals for the specified project and the ASP will evaluate the proposals based on the goals of the public art program and the Public Art Master Plan and make a recommendation to the Traverse City Arts Commission.

In cases where there are multiple stakeholders, the Arts Commission may choose to appoint additional non-voting members representing stakeholders to the Art Selection Panel.

Public Arts Commission Process

The phases below outline the process for carrying out a commissioned public art project. The Arts Commission will engage the public at various stages of the process.

Phase 1: Assess the Project

At the earliest stage, the Traverse City Arts Commission discusses the feasibility of a proposed public art project. These discussions include, but are not limited to, the following questions:

1. How would the public art project serve the goals of the public art program and Public Art Master Plan and the needs of the community?
 - What art is currently included in the City's program?
 - What themes, materials and style will add to the diversity of public art in Traverse City?
 - Is there an expressed interest of style preference for this site or project?
 - What site would work for this placement?
2. What site is currently available for placement and is a feasible, visible location for public art?
3. Will the community have sufficient access to the art once it is placed and will its placement enhance the public art program as a whole?
4. If a site is first chosen, what medium would be best suited for this space?
5. Is the budget sufficient to pay for this placement or will additional funds be required from another source? If other funds are to be sought, will these funds come from a grant, contribution or by collaboration with a private sector entity such as a developer?
6. What difficulties or resistance are likely to be met?
7. What time lines and other site factors that may affect placement need to be considered?
8. What are the maintenance considerations?
9. Who besides the Traverse City Arts Commission will be actively involved in this project? Will there be architects, landscape architects, engineers, residents, affected property owners (commercial or resident), other City staff or donors involved?
10. What is the proposed budget for the project, including the cost of the public art, installation costs, signage and all other associated costs?
11. What is the timeline for the project?

Once the Traverse City Arts Commission has considered the above, it may choose to formally pursue the project by a majority vote of the commission. If the commission is unable to achieve a majority vote of its members for a project, it may continue with the discussion to resolve issues of concern.

Phase Two: Call for Proposals or Artists

Prior to sending out a Request for Proposal (RFP) or Request for Qualifications (RFQ), the Traverse City Arts Commission will seek authorization from the City Commission for expending funds and for the Arts Commission to enter into an agreement with recommended artists. The Arts Commission will then assess the project, establish selection criteria and meet with stakeholders, if any, to be involved in the vision. The Arts Commission will seek approval of a site plan from the appropriate staff. It is suggested that selection criteria be included in the RFP or RFQ.

The selection criteria could include originality of artwork, credentials of artist(s), relevance of artwork's theme, sustainability and maintenance. Criteria can be changed or modified depending on the needs in the RFP. The creation of selection criteria will set up an agreed upon expectation as to what basis the RFP or RFQ should be judged upon.

Upon agreement, the Traverse City Arts Commission will prepare and send out the RFP or RFQ. This call includes project specifics regarding the location, style or nature of the placement, type and theme of project, maintenance considerations and a budget. It is distributed to artists locally, throughout Michigan and nationally, so that the best possible pool of candidates can be assembled.

Applicants may be asked to provide examples of work (2D or 3D), a resume, a statement of interest in the project, an artist's statement and a budget. Artists are free to include other materials as they wish.

The Traverse City Arts Commission staff will catalog all the artists and/or proposals.

Phase Three: Artist Selection

The ASP is called upon by the Traverse City Arts Commission to review the proposals. The ASP will review the proposals and other artist materials. It may choose to interview artists to gather additional information on the proposals, including revisions to artwork.

After deliberating on the proposals, the ASP will make a recommendation to the Traverse City Arts Commission. The ASP may choose to recommend one artist and/or proposal or a list of finalists. The Arts Commission may recommend that the finalists be displayed to the public for community feedback.

Phase Four: The Artist and the Work of Art

Once the ASP has made its recommendation to the Traverse City Arts Commission, the commission then reviews the recommendation and votes to accept or reject the recommendation. Once the recommendation has been approved by the Traverse City Arts Commission, the artist will be notified that he/she is a finalist in the competition.

The Traverse City Arts Commission may also arrange a site visit for the artist(s) so that she/he may learn about the project in more detail, its location and specific features, budget and any architectural/engineering information that is pertinent. In addition, the Traverse City Arts Commission may choose to have the artist meet with community members, stakeholders and City staff involved in the project.

Phase Five: Public Education/Information

A public art program can only be as successful as its community support. This requires an ongoing educational program that provides ample opportunities for community discussion, analysis and debate about the significant topics involved with public art. It must also provide for the informational needs of the community as a particular project is developed. The educational program is a part of the responsibilities of the commission and should be an ongoing part of the commission's annual activities.

Phase Six: Contracts and Budget

Once an artist is selected and a final budget agreed upon, the Traverse City Arts Commission will enter into a contract with the artist. The dollar amount of the contract is subject to the funds approved by City Commission and allocated to the project and the artists' fees and fabrication costs, as well as other expenses as allowed under the terms of the public art ordinance.

The contract itself is completed under the supervision of the City Manager and the City Attorney. It is a standard contract for services and transfers ownership of the art to the City at the time of installation. The contract should ensure that the art becomes the full property of the City, with no rights remaining with the artist, and should also provide for the removal of the art at such time that this is deemed necessary. The contract may also protect the City from the artists duplicating the exact work for sale to others.

The Traverse City Arts Commission and its staff liaison work together with the artist to bring the project to completion. Commissioners may enhance their understanding of the work as it is fabricated by visiting the artist's studio, exchanging photographs or inviting the artist to a meeting for an update. Other City staff, community members and professionals related to the project also collaborate to complete the project. This process may take a number of months, depending on the complexity of the art, the extent of fabrication, and the time needed to install the art.

Once the art is installed, the City may hold a dedication ceremony to formally introduce the art and the artist to the community. City Commission members, the City Manager and the commission will work together to assure this event is appropriate to the art and the location and that the dedication event will be open to the public. The art and artist will be identified with an appropriate plaque on the site.

Phase Seven: Documentation/Evaluation

The Traverse City Arts Commission will periodically review the Public Art Guidelines and Public Art Master Plan to determine how they can be improved to better meet the community's needs and interests, and the goals of the public art program, especially immediately following a selection.

The Traverse City Arts Commission will be responsible for documenting the City of Traverse City's public art. This will include art placed through the public art program and other art that is either donated to the City for public display or is otherwise owned by the City. This documentation will include a file on each work with basic information including date, acquisition process, artist and photographs. It may also include a public art brochure, video tapes and other records of the City's art works.

DRAFT

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. _____

Effective date: _____

TITLE: ESTABLISHING A PUBLIC ART ORDINANCE

THE CITY OF TRAVERSE CITY ORDAINS:

That Chapter 299, *Public Art*, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

299.01 PURPOSE AND INTENT

The City Commission of Traverse City finds that the presence of public art advances the interests of the City, increases its desirability, aids in the enhancement of property values, promotes economic growth, and contributes to the general welfare of the City's citizens. The City Commission believes that public art should be encouraged and, therefore, establishes the following regulations to direct the inclusion of the works of art in the public spaces of the City.

299.02 DEFINITIONS

- A. "Arts Commission" shall mean the Traverse City Arts Commission established pursuant to Section 30 of the City Charter.
- B. "Eligible Fund" shall mean a source fund for construction projects from which art is not precluded as an object of expenditure. Eligible Funds shall exclude those funds expended for construction of utilities.
- C. "Public Arts Trust" shall mean a fund established by the City Treasurer to be used consistent with its duties as outlined in this Chapter.
- D. "Public Art" shall mean Works of Art located in highly visible public areas or private property areas that are highly visible from public areas. These are:
 - a. Outdoor areas on public property or outdoor areas on private property that are highly visible from public areas.
 - b. Interior areas that are highly traveled public areas in public or private buildings. Specifically excluded are interior areas not accessible to the general public (offices, work stations, cafeterias).
 - c. Interior and exterior wall surfaces on or in public or private buildings when the work of art is attached to the wall surface, such as a mosaic or mural and the wall surface is visible from an area that is highly traveled by the public.
 - d. Notwithstanding anything to the contrary contained in this Chapter, unless funding from the Public Arts Trust is provided for the Public Art, this Chapter shall not apply to Public Art to be located on real property not otherwise subject to City authority.

- A. “Works of Art” shall mean all forms of original creations of visual art, including, but not limited to:
- a. Sculpture: In the round, bas relief, high relief, mobile, fountain, kinetic, electronic, etc., in any material or combination of materials.
 - b. Painting: All media, including portable and permanently affixed works, such as murals and frescoes.
 - c. Architectural Design Features: Visual interest that may be freestanding or placed on roadway structural features such as noise walls, retaining walls, sidewalks, bridges, bike paths or approved engineered structures.
 - d. Mosaics
 - e. Mixed media: Any combination of forms or media including collage.
 - f. Digital art: An artistic work or practice that uses digital technology as an essential part of the creative or presentation process.
 - g. Photography

299.03 ESTABLISHMENT

There is hereby established an Arts Commission pursuant to Section 30 of the City Charter and upon recommendation of the City Manager.

299.04 ESTABLISHMENT OF PUBLIC ARTS TRUST

There is hereby established a “Public Arts Trust” fund into which will be deposited the funds appropriated pursuant to this Chapter and from which expenditures may be made for the acquisition, commission, exhibition, and maintenance of works of art consistent with this Chapter.

- A. Funding For Public Art: The City Commission shall annually appropriate funds from the general fund to the Public Arts Trust following adoption of the Public Arts Master Plan by the City Commission to be used in accordance with this Chapter. The Downtown Development Authority shall annually appropriate funds to the Public Arts Trust following adoption of the Public Arts Master Plan by the City Commission to be used for in accordance with this Chapter within the Downtown District. The amounts contained in this subsection may be amended through amendment of this Ordinance.
- B. Private Funding of Public Art: All funds placed into the Public Art Fund through private donations or donations creating an exemption shall be expended for Public Art as hereafter provided.

Comment [KS1]: This section was updated to address concerns regarding funds from the General Fund.

299.05 INCLUSIONS AND EXCLUSIONS RELATIVE TO EXPENDITURES FOR PUBLIC ART

- A. Inclusions. The portion of the Public Arts Trust reserved for Works of Art may be expended for the following:
 - a. The cost of the Public Art and its installation
 - b. Identification plaques and labels.

- c. Waterworks, electrical and mechanical devices and equipment which are an integral part of the Public Art.
 - d. Frames, mats, and simple pedestals necessary for the proper presentation of the Public Art.
 - e. Maintenance and repair of the surface of the Public Art.
 - f. Fees to artists for the execution of final proposals for the arts commission to select from.
 - g. Honoraria for art selection panel members and reimbursement for travel and lodging expenses which are approved in advance by the City Manager.
 - h. Exhibitions, marketing and educational programs.
 - i. For the support of artistic special events at a cost not to exceed five percent of the appropriation reserved for the Public Art.
 - j. Administrative expenses at a cost not to exceed fifteen percent of the appropriation reserved for the Work of Art.
- B. Exclusions. The portion of the Public Arts Trust reserved for Works of Art may not be expended for the following:
- a. Reproductions by mechanical or other means of original Works of Art, however, limited editions controlled by the artist may be included.
 - b. Art objects which are mass produced or of standard designs, such as playground sculpture or fountains.
 - c. Exhibitions, marketing and educational programs beyond that allowed in subparagraph (a)(h) of this section.

299.06 TRAVERSE CITY ARTS COMMISSION; COMPOSITION; TERMS OF OFFICE; COMPENSATION; EXPENSES

The Traverse City Arts Commission will consist of seven members who will be registered electors of the City or members of the Downtown Development Authority Board of Directors and will have evidenced interest in the advancement of Public Art in the City of Traverse City. The City Commission will appoint four members from the following public bodies of the City: one from the Parks and Recreation Commission, one from the Downtown Development Authority Board of Directors, one from the Planning Commission, and one from the City Commission. The City Commission will appoint the remaining four members of the Traverse City Arts Commission from the registered electors of the City. The City Manager, or the designee of the City Manager, shall be a member of such an advisory committee with full authority of vote.

Comment [KS2]: This section was updated to reflect an additional member to the Arts Commission to alleviate chances of tie votes.

All members of the Traverse City Arts Commission, excluding those appointed from the Parks and Recreation Commission, Downtown Development Authority Board of Directors, Planning Commission, and City Commission, will be appointed to terms of three years. All members of the Traverse City Arts Commission appointed from the Parks and Recreation Commission, Downtown Development Authority Board of Directors, Planning Commission, and City Commission will be appointed to terms of three years or for the length of their terms on their respective public bodies, whichever is shorter. Members will be eligible for reappointment. Members will serve without compensation, but may be reimbursed for actual expenses incurred

in Commission activities consistent with this Chapter.

The Art Selection Panel, a five-member panel appointed by the Traverse City Arts Commission, will review proposals and make a recommendation to the Traverse City Arts Commission. The Art Selection Panel shall be comprised of one representative from the Arts Commission and four arts professionals, who have knowledge of the visual arts and/or design (public art administrators, artists, architects, landscape architects, art historians, museum and exhibition curators, art critics, educators) and who understand the challenges of Public Art, actively participate in the selection process of artists and/or artists teams. Members of the Art Selection Panel will be appointed to terms of three years.

In cases where there are one or more stakeholders, the Arts Commission may choose to appoint additional non-voting members representing stakeholders to the Art Selection Panel.

299.07 VACANCIES

In the event of a vacancy on the Arts Commission that cannot otherwise be filled consistent with this section, the City Commission will appoint a replacement to serve the remainder of the unexpired term.

299.08 ORGANIZATION

- a) The Arts Commission will schedule regular meetings to be held at least once each month and at other times as necessary. All meetings shall comply with the Open Meetings Act.
- b) At the first regularly scheduled meeting, the Arts Commission will develop by-laws governing the operations of such Commission.
- c) At the first regularly scheduled meeting, a Chairperson and a Vice-Chairperson will be elected to a term of one year. Administrative staff may act as the Recording Secretary and Administrative Manager of the Arts Commission. Officers thereafter will be elected to one-year terms upon the expiration of the terms of the previously elected officers.
- d) The Arts Commission will develop a Public Art Master Plan and recommend its adoption to the City of Traverse City Planning Commission, Parks & Recreation Commission and City Commission. The Arts Commission shall regularly assess its consistency with City Master Plan and Parks and Recreation five-year plan.
- e) Four members will be considered a quorum for the transaction of business of the Arts Commission.

299.09 DUTIES

- a) It will be the duty of the Arts Commission to study and recommend a policy and guidelines to carry out the City's public art program and Public Art Master Plan, and any amendment thereto, which will include, but will not be limited to, a method or methods for the selection of artists or works of art and for the placement of Public Art in the City.

b) Recommend the purchase of works of Public Art or commission the design, creation, execution, and/or placement of works of Public Art and the payment therefore from the Public Arts Trust pursuant to the following procedure:

- i) Prior to sending out a Request for Proposal (RFP) or Request for Qualifications (RFQ), the Arts Commission shall present a conceptual project to the City Commission and seek authorization from the City Commission for an authorized budget of funds from the Public Arts Trust and for authorization for the appropriate signatories to enter into an agreement on behalf of the City with an artist to be selected and recommended by the Arts Commission for the specific project under consideration. If the City approves the conceptual project the City Commission shall authorize the necessary individuals to execute documents necessary to carry out the project subject to recommendation of the artist by the Arts Commission.
- ii) The Arts Commission will then assess the project, establish selection criteria and meet with stakeholders, if any, to be involved in the vision.
- iii) The Arts Commission will seek approval of a site plan from the appropriate staff.
- iv) The Arts Commission will prepare and send out the RFP or RFQ.
- v) The Arts Commission shall evaluate the proposals submitted in response to the RFP/RFQ and select an artist for the project.
- vi) Once an artist is selected and a final budget agreed upon, the Traverse City Arts Commission will enter into a contract with the artist. The dollar amount of the contract is subject to the funds approved by City Commission and allocated to the project and the artists' fees and fabrication costs, as well as other expenses as allowed under the terms of this Chapter.

Comment [KS3]: This section was revised to give additional flexibility to the City Commission.

- C. The Arts Commission shall be responsible for promoting arts in the community, to include, but not limited to, dissemination of knowledge with regard to arts, recognizing local artists and their work when appropriate, and cooperation with metropolitan agencies also dealing in the arts.
- D. The Arts Commission shall be responsible for reviewing Public Art proposed to be donated to be in compliance with the public art program and Public Art Master Plan. If the Arts Commission determines the proposed Public Art is not in compliance, it shall advise and provide steps to have the proposed donated Public Art comply with the applicable requirements and standards.
- E. Recommend that site plans be approved by department heads.
- F. Recommend that any proposed Public Art requiring extraordinary operation or maintenance expenses will be reviewed by the department head responsible for such operation or maintenance;
- G. Study and recommend rules and regulations consistent with this Chapter to facilitate the implementation of its duties and responsibilities under this Chapter.

- H. Advise the City Commission on matters pertaining to the arts programs within the city including review of requests for support, monetary or otherwise, submitted to the City; advise on the priority of such requests for or donations and placement of Public Art.
- I. The Arts Commission will have such other duties as designated by the City Commission from time to time.

The effective date of this Ordinance is the _____ day of January, 2015.

I hereby certify the above ordinance amendment was introduced on January 5, 2015, 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 JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: ⁵⁰ JERED OTTENWESS, CITY MANAGER

SUBJECT: BROWN BRIDGE DAM LITIGATION

Under separate cover, City Attorney Lauren Tribble-Laucht has distributed an attorney-client privileged communication in connection with the Brown Bridge Dam litigation.

If the City Commission wishes to discuss this matter with legal counsel in detail in closed session, a motion appears on the second page of this memo to do so.

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

that the Mayor and City Clerk execute a funds administration agreement in substantially the same form provided with the City Attorney's attorney-client privileged communication for administration of funds associated with the settlement of Brown Bridge Dam litigation (Brown Bridge Dam Deconstruction Project) against the City, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney; and further

that the Mayor and City Clerk execute a release of cross claim against AMEC in connection with Brown Bridge Dam litigation (Brown Bridge Dam Deconstruction Project), as provided with the City Attorney's attorney-client privileged communication, such release subject to approval as to its substance by the City Manager and its form by the City Attorney.

-See following page for motion to go into closed session, if desired by the City Commission-

If the City Commission wishes to discuss this matter with legal counsel in detail, the following motion would be appropriate to go into closed session (requires a roll call vote with five affirmative votes). If the Commission enters into closed session, it is likely that action will be taken in open session immediately following the closed session.

that the City Commission enter into closed session to discuss an Attorney-Client Privileged communication from the City Attorney in connection with Brown Bridge Dam litigation (Case No. 14-30150-CZ Consolidated) , as authorized by MCL 15.268(e) and (h).

JJO/bcm

K:\tcclerk\city commission\agreements\brown bridge dam settlement



The City of Traverse City

Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF JANUARY 5, 2015

DATE: DECEMBER 31, 2014

FROM: JERED OTTENWESS, CITY MANAGER

SUBJECT: 2014 VERSION OF *THE PERFORMANCE*

For the past few years, the City Clerk's Office, in collaboration with my office and all departments, has published *The Performance*, a document highlighting various accomplishments by the City organization in 2014. Clearly, these accomplishments are not possible without the support, resources and energy of the City Commission, volunteer boards and committees and City staff.

On Monday evening, City Clerk Benjamin Marentette will distribute a copy of *The Performance* to each member of the Commission and provide a very brief overview of the document. It will also be published on the City's website, and is distributed widely – to neighborhood associations, the Library, the Chamber of Commerce, the Visitor and Convention Bureau, and many other venues.

This document provides an excellent opportunity for us to celebrate some of the many accomplishments over the past year.

JJO/bcm

K:\tcclerk\city commission\performance 2014



Board of Trustees Regular Meeting
Minutes (approved)
Thursday, November 20, 2014 at 5:30pm
McGuire Community Room
610 Woodmere Ave., Traverse City, MI 49686

1. Call to Order

The meeting was called to order by President Kachadurian at 5:32pm. Present were Kachadurian (President), Gillman (Vice President), Streit (Treasurer), Beasley (Secretary), Marek, Jones, and Payne (Trustees). Also present were Judson (Counsel), Parsons (Interim Director), and Carpenter (Staff).

2. Approval of agenda

Kachadurian announced an amendment to the agenda to include item 7d under Old Business, payment for the AWE computers which were approved at a prior meeting. It was MOVED by Marek, SUPPORTED by Payne, to accept the agenda with the aforementioned amendment. Motion CARRIED.

3. Approval of minutes

It was MOVED by Gillman, SUPPORTED by Marek, to approve the regular board meeting minutes of October 23, 2014 as distributed. Motion CARRIED.

4. Public Comment

Kachadurian opened the floor for public comment. There was none.

5. Reports and Communications

a. *Director Report*

Parsons confirmed her written report and added the following highlights:

- The AWE Computers purchased with part of the Getty Family Trust gift have arrived. Some have already been installed at Woodmere with more to follow throughout the district.
- Alyce Riemensneider, the design architect for Woodmere's lobby reconstruction, has been secured to help ensure that the Youth Services facelift planned for Woodmere maintains a quality and consistency comparable to the rest of the building.
- The 2015 budget will be ready for the Finance Committee's review on December 2nd and will be presented to the full board at the December board meeting.

b. *Financial Report*

Parsons reviewed the September 2014 revenue and expense reports with the following highlights:

- Revenue – Revenue exceeds budgeted figures by the amount of the Getty Family Trust donation, but will be accurately reflected after year-end adjustments are made. Overdue fines are down but picking back up. Local support for the TADL Talking Book Library is under projection, but TADL has received notification from Antrim County that their contribution will be larger in 2015. Additional funding from the TADL Friends is expected which will bring up the Contributions line.
- Expenses - Personnel expenses are in good status. General building and grounds costs are up, but were expected due to necessary projects which will be referenced in Bennett's report later in the agenda. Expenses are at 81.2%, an expected percentage of the budget at this time.

c. *Member Library Reports*

- Renee Kelchak, Director of Interlochen Public Library (IPL), thanked the board for the AWE computers noting that it is a real gift to the IPL community. Patron counts and usage stats are up. Upcoming events include a Holiday Party and their annual mitten tree and holiday book sale.
- Vicki Shurly, Director of Peninsula Community Library (PCL), thanked the board for the new AWE computers noting that they will be well used in their school location setting. The 3rd annual Haunted Halloween event brought in 350 attendees. PCL's two reading therapy dogs will visit every Friday. Tumblebooks had a record 1,227 visits last month. Shurly has applied for 2 grants for 3D printers in hopes of providing a maker space.
- A written report from Julie Kintner, Director of Fife Lake Public Library, was included in the board packet.

d. *Committee Reports*

- Facilities and Services Committee – Did not meet.
- Finance Committee – Streit reported that the committee had met and discussed an overview of options for reducing the unfunded pension liability, as a matter of prudence. Gillman recommended that the remaining board members attend the next meeting when the options are discussed in more detail before any recommendations go to the full board.
- Personnel Committee – Did not meet.
- Policy Committee – Beasley reported that the committee met and recommends adoption of the two items under New Business later in the agenda.

e. *Other Reports and Communications*

- Friends' Report – Maryln Lawrence, Friends Board President, indicated that the 2015 budget has been finalized. TADL will receive \$27,850 for Ancestry software, bussing for TCAPS 3rd graders to visit TADL, and the Summer Reading Program.

6. **Presentation – Bruce Bennett, TADL Facilities Manager**

Bennett, TADL Facilities Manager, gave a brief report on the overall health of the Woodmere facility which is nearly 15 years old. He discussed repair and maintenance that has already occurred, some of the cost savings he's been able to make, and discussed several short-term as well as long-term repair and maintenance projections. Patron and staff safety are at the heart of Bennett's approach to managing the repair and maintenance of a large public facility.

7. **Old Business**

a. *TADL Organizational Chart*

An updated organizational chart was included with the packet clarifying the member library relationship to TADL Woodmere and its branches.

b. *Co-Op Board*

Kachadurian noted that there was no need for action on this item, since the board did not intend to appoint a different Mid-Michigan Library League representative than Lisa Leedy, who currently holds the position.

c. *Member Agreement Update*

All member libraries have been contacted to schedule future member agreement discussions. Meetings will take place after the first of the year.

d. *Invoice Payment to AWE, Inc.*

It was **MOVED** by Marek, **SUPPORTED** by Gillman, to pay AWE, Inc. \$29,612 for the purchase of prior approved AWE digital learning stations. Motion **CARRIED**.

8. New Business

a. Records Sharing Agreement

Beasley introduced the Records Sharing Agreement between TADL and each of the member libraries. The addendum, written by Judson (Counsel) and recommended by the Policy Committee, was created with the intent to ensure clear lines of communication and adherence to the Library Privacy Act by all parties sharing a common database. It was **MOVED** by Marek, **SUPPORTED** by Gillman, to accept the records sharing agreement between TADL and each of the member libraries. Motion **CARRIED**.

b. Email and Phone – Unpaid Leave Policy

Beasley introduced a new policy, 7.7 Discontinuance of TADL Email and Phone during Unpaid Leave, for governing access to work related operations during staff unpaid leave-time of any capacity. The policy protects both the individual and the library during such leave and was recommended by the Policy Committee for board approval. It was **MOVED** by Marek, **SUPPORTED** by Jones to approve the new policy as presented. Motion **CARRIED**.

9. Public Comment

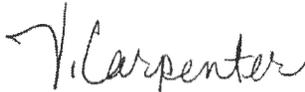
Kachadurian opened the floor for public comment. The following people addressed the board: Pat Thompson, IPL Board President, expressed her excitement to see donation responses to the new building campaign accumulating.

10. Adjournment

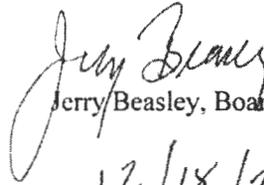
Upon a motion by Marek, with support from Beasley, President Kachadurian adjourned the meeting at 6:14pm.

Respectfully submitted,

Approved by board vote,



V. Carpenter, Recording Secretary



Jerry Beasley, Board Secretary

12/18/2014
Date

10/15/15 cc: [unclear]

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

PRESENT: Commissioners Gardner, Hornberger, Johnson, McClellan, Mentzer, Nash,
Nerone and Stinnet
ABSENT: Commissioner Nugent
STAFF PRESENT: Cindy Laurell

1. APPROVAL OF THE MINUTES OF THE SEPTEMBER 8, 2014 REGULAR MEETING

Motion by Commissioner McClellan, seconded by Commissioner Nash to approve the September 8, 2014 meeting minutes. Upon vote, motion carried 8-0.

2. PUBLIC COMMENT

Barbara Smith, Beulah in Benzie County, addressed the Commission regarding the resolution for Indigenous Peoples Day.

3. OLD BUSINESS

a. Discussion regarding the annual Educational Forum.

Commissioner Mentzer spoke regarding the upcoming Educational Forum. The commission approved the Public Service Announcement for the event which is to be released to media outlets. The event will take place on October 23, 2014 at Northwestern Michigan College at Scholar's Hall, Room 109, from 6:30pm to 8:30pm. There will be a reception with light refreshments from 5:30pm to 6:30pm.

Discussion.

b. Discussion regarding the adoption of a Resolution in support of Indigenous Peoples Day.

Commissioner Stinnet gave an update regarding the Study Group's research. Motion by Commissioner Hornberger, seconded by Commissioner Mentzer to draft a letter to the Grand Traverse Band regarding appropriate language and concerning support or opinion on the "proposed" resolution. Upon vote, motion carried 8-0.

Discussion.

4. NEW BUSINESS

a. MLK Day Celebration

Motion by Commissioner Mentzer, seconded by Commissioner Stinnet to approve \$1,000 towards the celebration.

Discussion.

b. Sara Hardy Award Celebration

Notice of nominations will be sent out in January. The award will be presented in March.

Discussion.

5. COMMISSIONER COMMENTS

6. ADJOURNMENT

The meeting adjourned at 6:18 p.m.

Cindy Laurell

Cindy Laurell, Acting Secretary

12-8-14

Date

1/5 cc reports

**MINUTES
TRAVERSE CITY HUMAN RIGHTS COMMISSION
REGULAR MEETING
MONDAY, NOVEMBER 10, 2014
5:30 P.M.
County Committee Room
Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684**

PRESENT: Commissioners Gardner, Hornberger, Johnson, McClellan, Mentzer, Nash,
Nerone, Nugent and Stinnet

STAFF PRESENT: Jamie Caroffino

1. APPROVAL OF THE MINUTES OF THE OCTOBER 13, 2014 REGULAR MEETING

Motion by Commissioner Mentzer, seconded by Commissioner McClellan to approve the September 8, 2014 meeting minutes with the replacement of the word "requesting" to be "concerning". Upon vote, motion carried 9-0.

2. PUBLIC COMMENT

Barbara Smith, Beulah in Benzie County, addressed the Commission regarding the resolution for Indigenous Peoples Day.

Ann Rogers, Traverse City resident, addressed the Commission regarding the the resolution for Indigenous Peoples Day.

3. OLD BUSINESS

a. Discussion regarding the annual Educational Forum.

Commissioner Mentzer spoke regarding the Educational Forum. The event had opened communication and the discussion was good. Attendance was lower than expected.

Discussion.

b. Discussion regarding the adoption of a Resolution in support of Indigenous Peoples Day.

Commissioner Nugent gave an update regarding contacting the Grand Traverse Band of Ottawa and Chippewa Indians and scheduling a meeting. A letter was sent to the Grand Traverse Band of Ottawa and Chippewa Indians from Commissioner Gardner. Commissioner Nash gave an update on his discussion with the City of Seattle, Washington, regarding their adoption of Indigenous Peoples Day.

Discussion.

c. Discussion regarding the MLK Day Celebration.

The event will take place on January 19 at the State Theatre. The Chair of the HRC will speak at the event. A request is to be set to the Mayor's Office regarding reading of proclamation.

Discussion.

d. Discussion regarding the Sara Hardy Award Celebration.

The Public Service Announcement will be sent out in early January.

Discussion.

4. NEW BUSINESS

a. **April Educational Forum**

Discussed the scheduling of an Educational Forum to take place in April 2015. Each Commissioner to bring one idea for the topic to the next meeting. A topic will be selected at the December HRC meeting.

Discussion.

5. COMMISSIONER COMMENTS

a. **Commissioner McClellan**

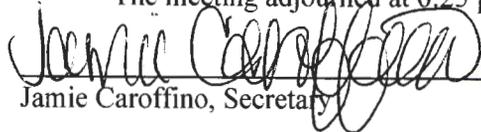
Thanked Commissioner Mentzer for all of the work involved in the Affordable Housing Fall Educational Forum.

b. **Commissioner Gardner**

Discussed the decision made by the 6th District Court banning same-sex marriage.

6. ADJOURNMENT

The meeting adjourned at 6:25 p.m.



Jamie Caroffino, Secretary

12/9/14

Date



1/3 10/10/14

MONTHLY OPERATING REPORT

TO: Jered Ottenwess, Traverse City Manager
John Divozzo, Grand Traverse County

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

FROM: Elizabeth Hart, Project Manager 

DATE: December 15, 2014

SUBJECT: Monthly Operations Report for November 2014

Attached to this report are the following items: a copy of the report to the state which has been electronically submitted, a financial summary of the TCRWWTP and the Septage Facility, and the monthly loadings for each Township within Grand Traverse County, the Septage Facility and the City. (September values have been updated using revised flow data from the County)

TRAVERSE CITY

OPERATIONS AND PROJECTS

The Treatment Plant was in compliance through the month of November.

We started calling Synagro to haul our Biosolids in September. They showed up in November and hauled for three days, and then left because they had no more farmland available. They did not attempt to haul at our facility again until December 1st, when they found that the farm land was too frozen to land apply. We are currently waiting for the ground to thaw so we can haul, and are coming up with contingency plans in the event that does not occur.

With help from Justin Roy's crew in running their vactor truck, we cleaned the grease out of the Riverine lift station wet well.

We back flushed the pumps at Birchwood, Coast Guard, TBA, and Bay St lift stations last month.

The Automatic Coarse Screen failed in November. We are currently using the manual bar screen in the Influent Screening building. The replacement part for the automatic coarse screen should arrive within the next 6 weeks.

We have hired a new mechanic. He will start December 22, 2014.

Maintenance

The Miltronics sensors for the raw influent, both grit chambers and both primary effluent flumes were inspected and calibrated.

ABI has finished inspecting and repairing all RPZs plant wide. Paperwork to be filed with City of Traverse City in December 2014.

We finished the repair of the screw pump 1 trough. It is now ready to be used in the event of an emergency.

The Membrane Building HVAC system was inspected and repairs were made to two ventilation fans. One of the makeup air flow sensors needs to be replaced. The rest of the HVAC system is operating as expected.

One West SST sump pump failed. It has been removed for repair and expected to be back in service in December 2014.

We finished the repair of the piston pump in the West SST.

Windemuller continues to work on the new control panels for the SDCs. Anticipated installation date is December 15, 2014. This could be offset by the delay in our Biosolids haul.

IPP

We issued Notices of Violation (NOVs) to Cracker Barrel and Sam's Club this month in reaction to the grease plug experienced by the DPW on October 28th. Both of their interceptors were serviced and the systems cleaned. The Inspection Manhole for Cracker Barrel was located and reportedly contained large amounts of grease, confirming that they contributed to the blockage.

We issued an NOV to Applebee's for high amounts of grease in their Inspection Manhole (IMH). The DPW had observed large amounts of grease in the Garfield 6 wet well, which is right next to Applebee's. Applebee's Regional Manager reported that they had been having trouble with their grease interceptor. As of the time of this report, no official response has been returned to the City for this violation.

We issued an NOV to La Senorita for high amounts of grease in their IMH. This issue was discovered while investigating the grease plug on October 28th. The county DPW had no

IPP Continued

record of their interceptor being serviced within the last five years. As of the time of this report, no official response has been returned to the City for this violation.

We issued a letter to Roy's General Store reminding them of their obligation to install a grease trap under their three compartment sink. The DPW crew was seeing signs of excessive grease being generated from this location.

We issued a special waste permit to Otwell Mawby to bring storm water from the Acme GTCC construction site to the Septage Plant for disposal until their storm sewer lines were connected. We received several loads from that site before discovering that the contractor ordering the storm water removal was doing so without Otwell Mawby's permission. All loads ceased at that time and no new material has been delivered.

GRAND TRAVERSE SEPTAGE FACILITY

Operations

The Septage Plant discharged 573,900 gallons from the Post EQ tank in the month of November with an average strength of 98.5 mg/L BOD or 15.71 lbs/day.

The east MBR tank overflowed an estimated 3,750 gallons of decant water onto the ground in November. The root cause of the overflow was traced back to a level transducer that had become fouled with rags and a high well float that failed to close the inlet to the tank. The probe was cleaned and a new PM task created to proactively clean the level transducers on a monthly basis. The high well float was examined and tested and found to be perfectly functional. We examined the computer code that involves that float and discovered that the signal from that float to the inlet valve was actively being blocked which was likely an artifact from the plant startup that just wasn't removed. That signal block was removed from the programming and the inlet valve is now properly responding to the float.

We conducted a sludge haul and removed 175,364 gallons from the SNDR tank. There is still nearly 80,000 gallons of sludge that remains in the tank. Synagro has reported that the farmland has frozen, leaving them unable to land apply our biosolids this fall. We have calculated that we will have enough room to make it through the winter in the event Synagro won't be able to haul again until spring.

There were several incidents of our pumps plugging up with rags. Each time, we pulled the effected pumps and removed the blockage to return them to normal operating capacity. It does

Operations Continued

not take a lot of rags to plug these pumps. As a result, they give little or no lead indication that there is a problem before they stop pumping adequately. They could be functioning normally one minute and be out of service the next. Early in December, we will be conducting the annual cleaning of the Influent EQ tank, which will remove the rags in the system that are the root cause of these plugs. We are also looking into modifying the coarse screens to improve rag removal upstream of the Influent tank.

Maintenance

We completed a 5 year capital improvement plan for the Facility.

Windemuller is working on the new SCADA system. Amp draws for lift stations and EQ tank pumps are now displayed on SCADA screen. We have requested an alarm for reduced pump flow for each of the pumps, Windemuller will add programming for these alarms.

We Inspected Post EQ pumps in November. They were not plugged, their wear plates are looking somewhat worn.

Other

We continue to train the new full time operator for the facility.

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

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

PERMIT NUMBER: MI0027481
MONITORING POINT: 001A

DISTRICT: Cadillac
COUNTY: Grand Traverse

Monitoring Period : 2014-11-01 To: 2014-11-30

NO DISCHARGE FROM SITE: ()

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average	Maximum				
Flow PARAM CODE: 50050 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	4.774	5.734	MGD	*****	*****	*****	*****	0	Daily	Report Total Daily Flow
	Permit Requirement	(report) Maximum Monthly Average	(report) Maximum Daily		*****	*****	*****				
Total Suspended Solids PARAM CODE: 00530 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	0.00	0.00	lbs/day	*****	0.00	0.00	mg/l	0	3X Weekly	24-Hr Composite
	Permit Requirement	Maximum Monthly Average	Maximum 7-Day Average		*****	30 Maximum Monthly Average	45 Maximum 7-Day Average				
Carbonaceous Biochemical Oxygen Demand (CBOD5) PARAM CODE: 80082 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	0.00	0.00	lbs/day	*****	0.00	0.00	mg/l	0	3X Weekly	24-Hr Composite
	Permit Requirement	Maximum Monthly Average	Maximum 7-Day Average		*****	25 Maximum Monthly Average	40 Maximum 7-Day Average				
Total Phosphorus (as P) PARAM CODE: 00665 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	11.36	*****	lbs/day	*****	0.29	*****	mg/l	0	3X Weekly	24-Hr Composite
	Permit Requirement	Maximum Monthly Average	*****		*****	0.5 Maximum Monthly Average	*****				
Total Copper PARAM CODE: 01042 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	*****	*****	*****	*****	*G	*****	ug/l	0	Quarterly	24-Hr Composite
	Permit Requirement	*****	*****		*****	(report) Maximum Monthly Average	*****				
Total Mercury PARAM CODE: 71900 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	*****	*****	*****	*****	*G	*****	ng/l	0	Quarterly	Calculation
	Permit Requirement	*****	*****		*****	(report) Maximum Monthly Average	*****				
Fecal Coliform PARAM CODE: 74055 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	*****	*****	*****	*****	0.00	0.00	cts/100 ml	0	3X Weekly	Grab
	Permit Requirement	*****	*****		*****	200 Max Monthly Geometric Mean	400 Max 7-Day Geometric Mean				
Name/Title of Principal Executive Officer Or Authorized Agent	I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.						Signature of Principal Executive Officer Or Authorized Agent	Telephone No	Date (MM/DD/YY)		
Elizabeth Hart/Project Manager							Elizabeth Hart	231-922-4922	2014-12-14		

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

Page 1

Michigan Department of Environmental Quality Discharge Monitoring Report (DMR)

PERMITTEE NAME: Traverse City WWTP

PERMIT NUMBER: MI0027481

DISTRICT:

Cadillac

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

MONITORING GROUP: 001A
 Monitoring Period : 2014-11-01 To: 2014-11-30

COUNTY: Grand Traverse
 NO DISCHARGE FROM SITE: ()

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
		Average	Maximum		Minimum	Average	Maximum				
pH PARAM CODE: 00400 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	*****	*****		6.7	*****	7.6	S.U.	0	3X Weekly	Grab
	Permit Requirement	*****	*****	*****	6.0 Minimum Daily	*****	9.0 Maximum Daily				3X Weekly
Dissolved Oxygen PARAM CODE: 00300 Mon. Site No.: 001A Stage Code: 1	Sample Measurement	*****	*****		9.0	*****	*****	mg/l	0	3X Weekly	Grab
	Permit Requirement	*****	*****	*****	4.0 Minimum Daily	*****	*****				3X Weekly
CBOD5 Minimum % Removal PARAM CODE: 80091 Mon. Site No.: 001A Stage Code: K	Sample Measurement	*****	*****		98.9	*****	*****	%	0	Monthly	Calculation
	Permit Requirement	*****	*****	*****	85 Minimum Monthly % Removal	*****	*****				Monthly
Total Suspended Solids Minimum % Removal PARAM CODE: 81011 Mon. Site No.: 001A Stage Code: K	Sample Measurement	*****	*****		99.5	*****	*****	%	0	Monthly	Calculation
	Permit Requirement	*****	*****	*****	85 Minimum Monthly % Removal	*****	*****				Monthly
Name/Title of Principal Executive Officer Or Authorized Agent	I certify under penalty of law that I have personally examined and am familiar with the information submitted herein; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.					Signature of Principal Executive Officer Or Authorized Agent		Telephone No	Date (MM/DD/YY)		
Elizabeth Hart/Project Manager						Elizabeth Hart		231-922-4922	2014-12-14		

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

Grand Traverse County Septage Treatment Facility 2014-2015

November

Year-to-date

	November			Year-to-date		
	Budget	Actual	Variance	Total Budget	Total Forecast	Total Variance
CHEMICALS	120	0	120	1,440	1,722	-282
CLIENT PLANT EQUIPMENT	833	1,857	-1,024	10,000	11,348	-1,348
DUES AND SUBSCRIPTIONS	1	0	1	7	4	3
EDUCATION, TRAINING, MEETINGS	21	0	21	250	146	104
EMPLOYEE EXPENSE	66	0	66	793	525	268
INSURANCE	277	109	168	3,324	2,543	781
LABOR	9,880	6,687	3,193	120,211	105,949	14,261
OPERATING EXPENSES	971	503	468	11,719	12,768	-1,049
OUTSIDE SERVICES	2,167	150	2,017	26,000	16,949	9,051
SOLIDS HANDLING	2,525	527	1,998	30,300	18,772	11,528
SUPPLIES	155	245	-90	1,855	1,723	132
TRAVEL COSTS	172	0	172	2,068	1,225	843
UTILITIES-OPERATIONS	216	120	96	2,588	1,829	759
Total Cost	17,403	10,197	7,206	210,553	175,504	35,050
REPAIRS (included in the above)	833	1,857	-1,024	10,000	5,515	4,485

Traverse City Regional Wastewater Treatment Plant 2014-2015

	November			Year-to-date		
	Budget	Actual	Variance	Total Budget	Total Forecast	Total Variance
CHEMICALS	15,018	20,189	-5,172	180,210	173,914	6,296
CLIENT PLANT AND EQUIPMENT	9,583	18,786	-9,203	115,000	115,313	-313
DUES AND SUBSCRIPTIONS	66	270	-204	788	990	-201
EDUCATION, TRAINING, MEETINGS	650	263	387	7,802	8,132	-330
ELECTRICITY	38,974	71,665	-32,691	467,690	476,559	-8,869
EMPLOYEE EXPENSE	786	3,831	-3,045	9,431	15,296	-5,864
INSURANCE	2,754	2,938	-184	33,044	33,617	-574
LABOR	71,955	44,650	27,305	875,456	789,789	85,667
OPERATING EXPENSES	8,962	10,246	-1,284	108,066	123,331	-15,265
OUTSIDE SERVICES	917	8,843	-7,926	11,000	61,383	-50,383
SOLIDS HANDLING	570	638	-68	155,340	148,891	6,449
SUPPLIES	2,326	18,220	-15,895	27,906	39,072	-11,165
TRAVEL COSTS	1,460	1,804	-345	17,517	25,166	-7,649
<u>UTILITIES-OPERATIONS</u>	<u>1,213</u>	<u>751</u>	<u>461</u>	<u>14,550</u>	<u>10,753</u>	<u>3,797</u>
Total Cost	155,232	203,095	-47,862	2,023,802	2,022,206	1,596
REPAIRS (included in the above)	9,583	8,871	712	115,000	48,230	66,770

TOWNSHIP AND CITY BOD CONCENTRATIONS and LOADINGS 2014-2015

BOD average Concentrations	Limit owned	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Average to date
		*	*	*	*	*	*	*	*	*	*	*	*	*
Blair Twp	404													
Garfield Twp	3624	250	266	348	289	251	#DIV/0!							
Elmwood Twp	780	252	258	278	213	183	0	0	0	0	0	0	0	108
East Bay Twp	1309	247	273	492	1216	412	#DIV/0!							
Acme Twp	1557	165	198	176	146	122	#DIV/0!							
Peninsula twp	406	160	149	147	143	137	0	0	0	0	0	0	0	67
City	12120	274	259	150	160	224	#DIV/0!							
Septage	0	181	73	49	367	534	#DIV/0!							

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

BOD Loadings in pounds per day	Limit owned	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Average to date
Blair	404	60	59	45	39	35	0	0	0	0	0	0	0	24
Garfield Twp	3624	2784	2973	3853	3258	2880	0	0	0	0	0	0	0	1575
Elmwood Twp	780	383	380	414	355	348	0	0	0	0	0	0	0	188
East Bay Twp	1309	536	592	1065	1337	317	0	0	0	0	0	0	0	385
Acme Twp	1557	431	507	431	344	274	0	0	0	0	0	0	0	199
Peninsula Twp	406	77	72	82	78	77	0	0	0	0	0	0	0	39
Septage	0	49	17	11	94	99	0	0	0	0	0	0	0	27
City	12120	5752	5244	3203	3845	5129	0	0	0	0	0	0	0	2317
Total		10071	9844	9104	9350	9158	0	4753						

Flow values used in loading calculations for the Townships were provided by the County, and the same as the flow values the County sends to the City. Results for September were updated with revised flow data from the County.

MINUTES

ACT 345 RETIREMENT SYSTEM

DATE: October 29, 2014
LOCATION: Mayors Conference Room, Government Center, 400 Boardman Ave., Traverse City, MI 49684
TIME: 12:00 Noon.
PRESENT: W. Kuhn, W. Twietmeyer, J. Jenkins, J. Bussell
ABSENT: C. Rueckert
GUESTS: C. Kuhn
STAFF: B. Postma

J. Bussell called the regular meeting to order at 12:04 pm.

Moved by W. Kuhn, seconded by J. Jenkins that the minutes of the September 24, 2014 regular meeting be approved.

Motion approved 4-0.

Warrant No. 582 in the amount of \$192,577.64 for Retirees Benefits for November 2014 was approved and signed by W. Kuhn and J. Bussell.

Chris Kuhn of Gray & Company gave a brief report to the Board. The Board was provided a snapshot of market value with a target market value as of October 27, 2014 along with an executive summary table for the month ending September 30, 2014. The Board asked various questions. C. Kuhn also announced that this would be the last meeting he will be attending as he will be leaving Gray & Company. The Board asked various questions.

Moved by W. Kuhn, seconded by J. Bussell to approve the engagement letter with Gabriel, Roeder, Smith & Company for GASB 67 implementation.

After board discussion, the motion was withdrawn.

Moved by W. Kuhn, seconded by J. Jenkins to table the approval of the engagement letter with Gabriel, Roeder, Smith & Company for GASB 67 implementation.

Motion approved 4-0.

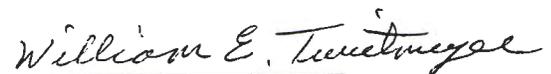
Moved by W. Kuhn, seconded by J. Jenkins to approve the actuarial funding policy.

Motion approved 4-0.

Moved by J. Jenkins, seconded by W. Kuhn to adjourn.

Motion approved 4-0.

Meeting adjourned at 12:59 pm



William E. Twietmeyer
Secretary/Treasurer