



**Minutes of the**  
**City Commission for the City of Traverse City**  
**Regular Meeting**  
**February 17, 2015**

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.

**2. Consent Calendar**

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

- a. the minutes of the February 2, 2015, Regular Meeting, and February 9, 2015, Study Session, be approved.
- b. the Resolution Scheduling Public Hearing on Special Improvement District No. 2014-008, be adopted, scheduling the public hearing for March 23, 2015.
- c. the Mayor and City Clerk execute a contract with Continental Linen Services for a two-year term, with the option to renew for up to two, two-year subsequent terms for uniform supply and cleaning for Department of Public Services employees, at a rate of \$4.75 per employee, per week (approximately \$11,362 annually), with funds available in the Garage Fund,

- such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.
- d. the City Manager be authorized to declare two (2) 2010 Komatsu loaders surplus, so they may be sold back to the dealer at the guaranteed buyback price of \$116,000; and that the City Manager be authorized to issue a purchase order to Alta Equipment LLC in the amount of \$329,180 for the purchase of two (2) 2015 Volvo L60G wheel loaders, with funds available in the Garage Fund.
  - e. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$17,909.29 to Lemmen Oil Company for 10,001 gallons of dyed #2 ultra low sulfur diesel fuel without additives priced at \$1.79075 per gallon with funds available in the Garage Fund.
  - f. the Mayor and City Clerk execute a Permission of Encroachment Agreement with TCWC Holding Company, LLC (Traverse City Whiskey Company) for an encroachment into the City easement adjacent to the right-of-way at 201 East 14<sup>th</sup> Street, as described in the February 9, 2015, communication from the City Engineer, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney; and further subject to receipt of legal descriptions of the actual encroachments including a survey drawing prepared by a professional engineer, and receipt of the insurance policy required by the City Clerk.
  - g. an amendment to the Traverse City Code of Ordinances, *Brown Bridge Conservation*, Sections 1065.02 and 1065.03, which modifies the composition and organization of the Brown Bridge Advisory Committee and makes various housekeeping changes, as recommended by the Brown Bridge Advisory Committee, which was introduced on February 2, 2015, be enacted with an effective date of February 27, 2015.
  - h. the City Commission wholeheartedly supports the men and women of the United States Coast Guard and the City of Traverse City renewal application for designation as a Coast Guard City and further authorizes the Mayor to sign the letter of application.
  - i. the Local Governing Body Resolution for Charitable Gaming Licenses

(issued by the Michigan Lottery), to recognize BrickWays Paths to Independence (Grand Traverse Area Community Living Management) as a local non-profit organization, be adopted.

- j. an amendment to the Traverse City Code of Ordinances, Chapter 864, *Elimination of Street Performer Permit Requirement*, which eliminates the requirement that those who engage in street performer activities obtain a permit and makes other housekeeping changes, while maintaining time, place and manner restrictions for street performers, be introduced and scheduled for possible enactment on March 16, 2015.
- k. an amendment to the Traverse City Code of Ordinances, *Amendment to Sidewalk Café Ordinance Anchoring System Requirement*, Section 1020.07, and 1020.08, which would allow the required barrier surrounding a sidewalk café to be anchored into the adjacent building with the building owner's permission as an alternative to anchoring the barrier into the sidewalk, which was introduced on February 2, 2015, be enacted with an effective date of February 27, 2015.

CARRIED unanimously.

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

None.

### **3. Old Business**

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

Consideration of enacting an amendment to the Traverse City Code of Ordinances which would establish a Public Art Ordinance, as recommended by the Downtown Development Authority Board of Trustees, and rescinding the Monument and Public Art Policy.

The following addressed the Commission:

Lauren Tribble-Laucht, City Attorney

Moved by Howe, seconded by Werner, 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, which was introduced on January 20, 2015, be enacted with an effective date of February 27, 2015; and further, that the City Commission Monument and Public Art Policy be rescinded.

Jim Sabo, 115 Blossom Avenue, Cadillac – made general comments

CARRIED unanimously.

**3(b).**

Consideration of authorizing contracts related to the purchase of membrane technology at the Wastewater Treatment Plant.

Moved by Richardson, seconded by Easterday, that the competitive bidding process be waived; and that the Mayor and City Clerk execute an Out-of-Scope Letter of Agreement with CH2MHILL in the amount not-to-exceed \$201,468, for professional services associated with the installation of three new membrane trains at the Wastewater Treatment Plant, with funds available in the Sewer Fund; and further that the competitive bidding process be waived; and that the Mayor and City Clerk execute a Service Agreement with GE/ZENON Environmental Corporation in the not-to-exceed amount of \$2,180,433, for the purchase of three membrane trains and associated equipment, and warranty at the Wastewater Treatment Plant, with funds available in the Sewer Fund, with both agreements subject to funding participation by the townships who are a party to the Master Sewer Agreement and subject to approval as to their substance by the City Manager and their form by the City Attorney.

CARRIED unanimously.

**4. New Business**

**4(a).**

Consideration of introducing amendments to the Traverse City Code of

Ordinances which would allow accessory dwelling units in R-1a, R-1b, RC and MU Districts, and repealing Chapter 1377, which allows accessory dwelling units in the Traverse Heights Neighborhood, and scheduling the ordinances for possible enactment on March 16, 2015, as recommended by the Planning Commission.

Moved by Werner, seconded by Easterday, that an amendment to the Traverse City Code of Ordinances, Sections 1320.07, Accessory Dwelling Units Definition Amendment; 1332.01, Single Family Dwelling (R-1a, R-1b) District Uses Allowed; 1332.07, Accessory Dwelling Units in Single Family Dwelling Districts with Conditions; 1374.03, Accessory Dwelling Units No Parking Required Amendment, and 1377, Repeal of Accessory Dwelling Units Overlay Districts Ordinance Chapter 1377, as recommended by the Planning Commission, be introduced and scheduled for possible enactment on March 16, 2015.

The following addressed the Commission:

Russell Soyring, City Planning Director

Kirk Wagonlander, 736 East State Street – expressed support

Julia Wagner, 402 West 11<sup>th</sup> Street – made general comments

John Fiebing, 750 Centre Place – expressed support

Mike Jackson, 217 Sixth Street – expressed opposition

Tammy Sanderson, 100 Grand Traverse Village Boulevard, Acme Township - expressed support

Brian Haas, 227 East 10<sup>th</sup> Street – expressed support

Lynn Vanness, 3639 Matador West, Garfield Township – made general comments

Jan Cleland, 211 West 12<sup>th</sup> Street – made general comments

Rick Buckhalter, 932 Kelley Street – made general comments

Tim Sanderson, 100 Grand Traverse Village Boulevard, Acme Township - expressed support

Bill Sullivan, 2414 Lake Drive, Long Lake Township - expressed support

Peter Spaulding, 724 East State Street – expressed support

Roger Send, 300 Birchwood Avenue – expressed support

Linda Lichty, 715 Pine Street – made general comments

Roll Call:

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

No - Richardson, Budros.

CARRIED.

**4(b).**

Consideration of adopting a resolution concurring with the Brownfield Plan for 603, 605, 609 and 615 Randolph Street (Randolph Street Development), which makes the project eligible for brownfield incentives.

Moved by Richardson, seconded by Budros, the Resolution Concurring with Grand Traverse County Brownfield Plan for 603, 605, 609, and 615 Randolph Street (Randolph Street Development), be adopted.

The following addressed the Commission:

Jean Derenzy, Grand Traverse County Deputy Director of Planning and Development

CARRIED unanimously.

**5. Appointments**

**5(a).**

Consideration of appointing a City Commission Ad Hoc Committee to review the framework for administration of the Garage Fund.

Moved by Richardson, seconded by Carruthers, that a City Commission Ad Hoc Committee Regarding Administration of the Garage Fund be established to review the administration of the Fund as outlined in the City Manager's February 12, 2015, communication; and that Commissioners Richardson, Howe and Werner be appointed to the Committee, with Commissioner Richardson to serve as Chair, with the committee to expire August 17, 2015.

CARRIED unanimously.

**5(b).**

Consideration of re-establishing the City Commission Ad Hoc Committee for City Assets/Carnegie Building.

Moved by Easterday, seconded by Richardson, that a City Commission Carnegie Building/City Assets Ad Hoc Committee be re-established (originally established August 18, 2014) to make a recommendation regarding the Carnegie Building and City Assets; and that Commissioners Easterday, Howe and Richardson, be reappointed to such committee, with Commissioner Easterday to serve as Chair, with the committee set to expire August 18, 2015.

CARRIED unanimously.

**5(c).**

Consideration of appointing a City Commission Ad Hoc Committee to make a recommendation regarding appointments to the Arts Commission.

Moved by Budros, seconded by Werner, that an ad hoc interview committee be established to make recommendation regarding appointments to the Arts Commission and that Mayor Estes, Mayor Pro Tem Budros and Commissioner Carruthers be appointed to such Committee, with Mayor Pro Tem Budros to serve as Chair.

CARRIED unanimously.

**5(d).**

Consideration of adopting a resolution establishing a City of Traverse City and Traverse City Area Public Schools Collective Resource Committee, to make recommendations on areas of collaboration; and consideration of appointing two representatives of the City Commission to serve on the Committee.

Moved by Easterday, seconded by Budros, that the Resolution Establishing City of Traverse City and Traverse Area Public Schools Collective Resource Committee, be adopted, and that Commissioners Easterday and Carruthers each be

appointed to one three-year term, expiring February 17, 2018, on the City of Traverse City and Traverse Area Public Schools Collective Resource Committee.

The following addressed the Commission:

Lauren Tribble-Laucht, City Attorney  
Benjamin Marentette, City Clerk

CARRIED unanimously.

## **6. Reports and Communications**

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
  1. Reports from members of the Commission serving on boards.
  2. Minutes of the Human Rights Commission meeting of December 8, 2014.
  3. 2014 Annual Report from the Human Rights Commission.
  4. Minutes of the Planning Commission meeting of January 6, 2015 and January 21, 2015.
  5. Quarterly Financial Report from the City Treasurer/Finance Director for the quarter which ended December 31, 2014.
- e. Reports and correspondence from non-City officials.

- 1. Fractile Emergency Response Report from North Flight for January 2015.

**7. Public Comment**

The following addressed the Commission:

- 1. Reserved.

None.

- 2. General.

Rick Buckhalter, 932 Kelley Street  
Jim Sabo, 150 Blossom, Cadillac

- 3. Mayor and City Commissioners.

Commissioner Jeanine Easterday

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:17 p.m.

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Benjamin C. Marentette, CMC  
City Clerk

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