



Notice

City Commission Special Meeting

7:00 PM

Monday, August 10, 2015

Commission Chambers, Governmental Center

400 Boardman Avenue

Traverse City, Michigan 49684

Posted and Published: 08-07-2015

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.

At the request of City Manager Marty Colburn, City Clerk Benjamin Marentette has called this special meeting.

City Commission:

c/o Benjamin C. Marentette, MMC, 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!

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.

Agenda

Pledge of Allegiance

Roll Call.

1. Consideration of adopting a resolution approving the ballot language for a proposal to be submitted to the City electorate at the November 3, 2015, election for permission from the voters to place a conservation easement on 3.61 acres of parkland adjacent to Silver Drive, which would require, in perpetuity, that the parkland remain natural and undeveloped. (Marty Colburn, Lauren Tribble-Laucht, Timothy Lodge)
2. Adjournment. (Note: General public comment is welcome at the conclusion of the Study Session, which immediately follows this Special Meeting.)

(See next page for Study Session agenda)

**Notice
City Commission
Study Session**

Immediately following the Special Meeting

At the request of City Manager Marty Colburn, City Clerk Benjamin Marentette has called this study session.

Agenda

1. Update regarding fundraising efforts for Hickory Hills. (Marty Colburn)
2. Update from the Boardman River Implementation Team. (Marty Colburn)
3. Presentation and overview of the Boardman River Plan. (Marty Colburn, Robert Bacigalupi)
4. Announcements from the City Clerk. (Benjamin Marentette)
5. Public comment.



Communication to the City Commission

FOR THE SPECIAL CITY COMMISSION MEETING OF AUGUST 10, 2015

DATE: AUGUST 6, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: AUGUST 10 SPECIAL MEETING AND STUDY SESSION

On Monday evening, the City Commission will begin with a Special Meeting, followed by a study session. General public comment for the evening is scheduled for the conclusion of the study session. This memo covers all of Monday evening's agenda items.

Special Meeting:

1. Consideration of adopting a resolution approving the ballot language for a proposal to be submitted to the City electorate at the November 3, 2015 City General Election.

Attached you will find the previously submitted memo from City Attorney Lauren Tribble-Laucht which details the proposed conservation easement on City Parkland located near Silver Drive. You will also find the resolution and its attachments which contain the official ballot language for the November 3, 2015, election.

As you are aware, this item was previously considered on August 3, 2015, where it was carried unanimously. With the written request of at least two City Commissioners, this item is being reconsidered by the City Commission for adoption. The reason for this reconsideration is to give the Commission as well as the public the opportunity to review and comment on the ballot language.

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

that the Resolution Approving Ballot Language Authorizing a Conservation Easement on Parkland Adjacent to Silver Drive, Which Requires the

Parkland Remain Natural and Undeveloped, which would schedule the proposal to be placed before the City electorate on November 3, 2015, be adopted.

Study Session (immediately following the Special Meeting):

1. Update regarding fundraising efforts for Hickory Hills – I will be giving an update of the Hickory Hills Advisory Committee’s activities, focusing on their efforts for fundraising. We will also discuss the Hickory Hills Advisory Committee’s request for a memorandum of understanding.
2. Update from the Boardman River Implementation Team – Kim Balke from the Conservation Resource Alliance and Frank Dituri, Chairperson of the Implementation Team, will be present an overview of the Boardman River Plan.
3. Presentation and overview of the Boardman River Plan – on March 16th, the City Commission considered the Boardman River Plan for possible adoption, however, asked that a summary of the plan and its importance for the City be presented at a later Study Session. The Downtown Development Authority will be in attendance on Monday to give an overview of the plan and explain its importance as a guide to enhancing the riverfront. We have not included a copy of the plan within the packet due to its size, however, if you would prefer a hard copy, please let me know and I will be sure to get one for you; instead please view the plan in its entirety at www.traversecitymi.gov/downloads/boardmanriverplan.pdf.

MC/kes

k:\tcclerk\city commission\study sessions\20150810.doc

copy: Timothy Lodge, City Engineer
Russell Soyring, City Planning Director
Robert Bacigalupi, Executive Director of the Downtown Development Authority

Memorandum

The City of Traverse City



TO: City Commission

FROM: Lauren Tribble-Laucht, City Attorney *LL*

CC: Marty Colburn, City Manager

DATE: July 28, 2015

SUBJECT: Conservation Easement on City Parkland

In the early 1990s the City purchased certain property in the general vicinity of the Commons and the Barns from the State of Michigan. The 1993 Memorandum of Understanding between the State of Michigan and the City included requirements for a street connection between the Grand Traverse Commons area and Silver Lake Road. In other words, as part of the property purchase, the City promised and was required to build a street on the property (Silver Drive). In 2009 the City conducted a wetland assessment, which identified portions of the required street connection that were protected under state wetland protection regulations. In 2011 the City constructed Silver Drive (also known as the "Franke Road Extension") in order to fulfill its commitment to the State for the street connection between the Commons and Silver Lake Road.

Because Silver Drive crossed a tributary of Kids Creek and the wetland areas identified previously, the City was required to obtain a DEQ permit to construct the road. MDEQ issued Permit No. 11-28-0004-P on April 11, 2011 to allow the City to build Silver Drive and a non-motorized trail extending from the intersection of Silver Lake Road and Franke Road to 11th Street. Construction of Silver Drive and the non-motorized trail was completed in 2012. A condition of the DEQ permit requires the City to perform wetland mitigation and preservation on the mitigation areas (approximately 7 acres), which are identified on the attached map (**Attachment A**). Part of the mitigation area is owned by the Recreational Authority (identified as Area #2 on Attachment A). The City has been performing mitigation activities in accordance with the Mitigation Plan submitted to and approved by the DEQ through a consultant who was engaged by the City for that purpose.

An additional condition of the Permit requires the City to place a conservation easement on all mitigation areas. A conservation easement is a property interest conveyed to the State of Michigan for the purpose of insuring protection of wetlands on the property and requiring the City to maintain the property in its natural and undeveloped condition forever. A conservation easement would prevent the City from developing the property in any way. Because the property where the wetland mitigation areas are located is city parkland, it is not possible for the City to grant this property interest (conservation easement) without first submitting the question to a vote of the electors subject to Charter Section 128 for approval. Therefore I recommend the City request permission of the electors at the upcoming election in November to grant a

conservation easement interest to the State of Michigan on the property identified on Attachment A. This action, if approved by the voters, would require the property to be maintained in its natural and undeveloped state in perpetuity and would prevent the City from developing the property. In other words it would be an additional protection for the parkland, requiring it to be maintained as natural parkland in perpetuity. If the Commission does not wish to place the issue before the voters, or if the ballot proposal were to fail, Staff has been working to identify alternative locations for wetland mitigation and placement of a conservation easement that would satisfy the State's requirements. However an alternative location would necessitate additional costs because the mitigation requirements that have been initiated already would need to start anew at the alternative location. The City's consultant for the wetland mitigation on the site recently reported that the mitigation work to date has been successful. I recommend the Commission adopt the attached resolution to place the question before the voters at the November election. As always, if there are questions, please contact me. Thank you.



**Resolution Approving Ballot Language
Authorizing a Conservation Easement on
Parkland Adjacent to Silver Drive,
Which Requires the Parkland Remain
Natural and Undeveloped**

- BECAUSE, the 1993 Memorandum of Understanding between the State of Michigan and the City of Traverse City includes requirements for a street connection between the Grand Traverse Commons area and Silver Lake Road; and
- BECAUSE, in 2009 the City of Traverse City conducted a wetland assessment, which identified portions of the above referenced street connection that are protected under state wetland protection regulations; and
- BECAUSE, in 2011 the City constructed Silver Drive, which crosses an unnamed tributary of Kids Creek and a wetland, and
- BECAUSE, construction of Silver Drive required the City to obtain a permit from the Michigan Department of Environmental Quality (MDEQ) prior to construction; and
- BECAUSE, the MDEQ issued Permit No. 11-28-0004-P on April 11, 2011 (the "Permit"); and
- BECAUSE, the Permit authorized the City to construct Silver Drive and a non-motorized trail extending from the intersection of Silver Lake Road and Franke Road to 11th Street; and
- BECAUSE, construction of Silver Drive is complete; and
- BECAUSE, a condition of the Permit requires the City to perform wetland mitigation and preservation on the mitigation areas, which are identified on the attached map (**Attachment A**); and
- BECAUSE, the City has been performing mitigation activities in accordance with the Mitigation Plan submitted to the DEQ; and
- BECAUSE, a condition of the Permit requires the City to place a conservation easement on all mitigation areas; and
- BECAUSE, a conservation easement is a property interest conveyed to the State of Michigan for the purpose of insuring protection of wetlands on the property and requiring the City to maintain the property in its natural and undeveloped condition; and

BECAUSE, the conservation easement would prevent the City from developing the property in any way; and

BECAUSE, the property subject to the Permit is City parkland; and

BECAUSE, pursuant to Section 5 of the Home Rule City Act and Section 128 of the Charter of the City of Traverse City, disposal of City parkland or portions thereof requires voter approval;

NOW, THEREFORE, BE IT RESOLVED that the following ballot language for the November 3, 2015, Regular City Election, be approved and submitted to the electors of the City of Traverse City:

“Should the City be authorized to place a conservation easement on parkland adjacent to Silver Drive between East Silver Lake Road and 11th Street for the purpose of maintaining the parkland in its natural and undeveloped condition in perpetuity?”

Yes: _____ No: _____

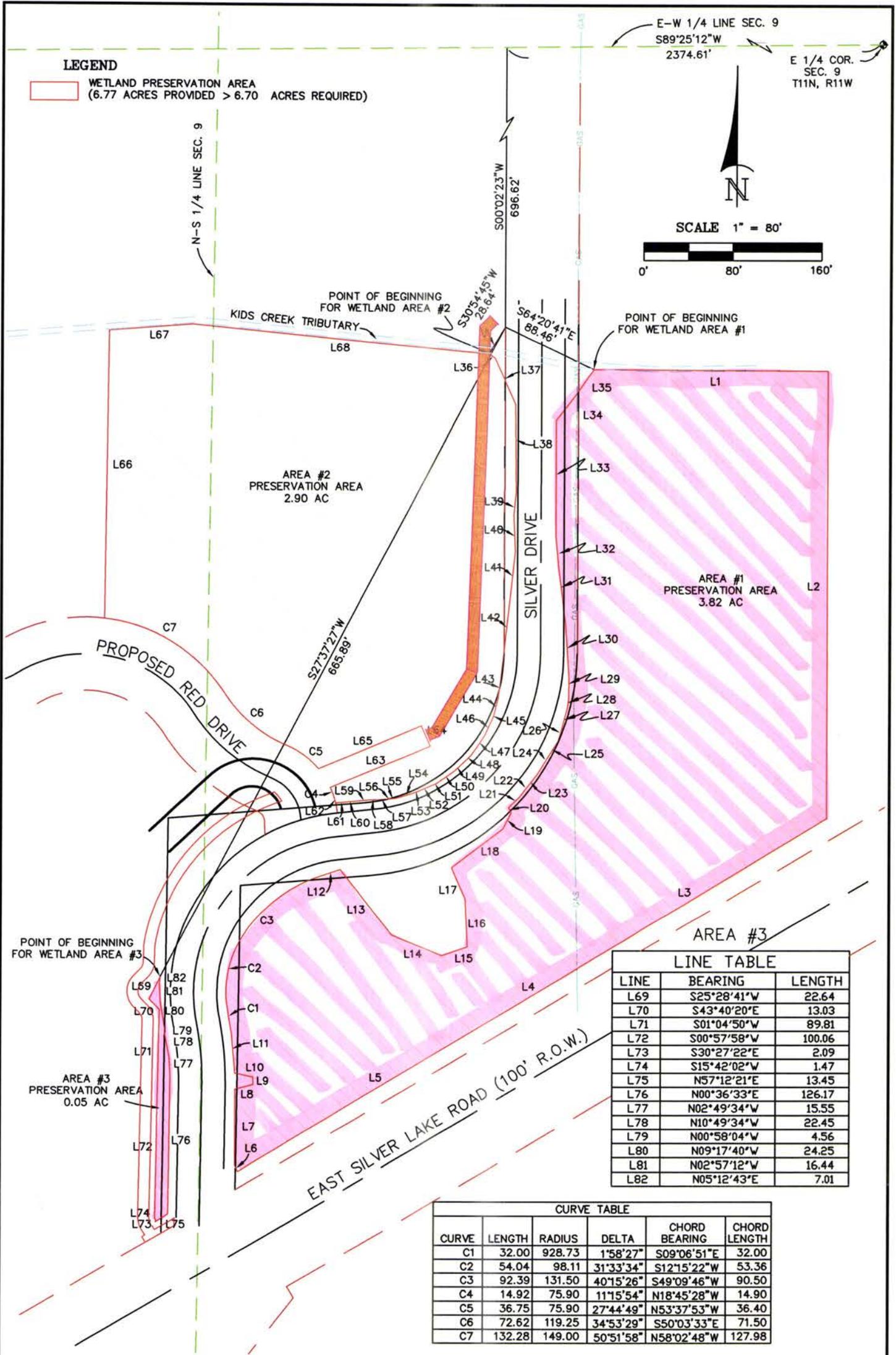
BE IT FURTHER RESOLVED that the City Clerk be directed to take all appropriate and necessary steps to properly place this proposal on the November 3, 2015 ballot.

I hereby certify that the above Resolution was adopted by the Traverse City City Commission at a special meeting held on August 10, 2015, in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

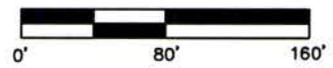
Benjamin C. Marentette, MMC
City Clerk

LEGEND

WETLAND PRESERVATION AREA
(6.77 ACRES PROVIDED > 6.70 ACRES REQUIRED)



SCALE 1" = 80'



LINE TABLE		
LINE	BEARING	LENGTH
L69	S25°28'41"W	22.64
L70	S43°40'20"E	13.03
L71	S01°04'50"W	89.81
L72	S00°57'58"W	100.06
L73	S30°27'22"E	2.09
L74	S15°42'02"W	1.47
L75	N57°12'21"E	13.45
L76	N00°36'33"E	126.17
L77	N02°49'34"W	15.55
L78	N10°49'34"W	22.45
L79	N00°58'04"W	4.56
L80	N09°17'40"W	24.25
L81	N02°57'12"W	16.44
L82	N05°12'43"E	7.01

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	32.00	928.73	1°58'27"	S09°06'51"E	32.00
C2	54.04	98.11	31°33'34"	S12°15'22"W	53.36
C3	92.39	131.50	40°15'26"	S49°09'46"W	90.50
C4	14.92	75.90	11°15'54"	N18°45'28"W	14.90
C5	36.75	75.90	27°44'49"	N53°37'53"W	36.40
C6	72.62	119.25	34°53'29"	S50°03'33"E	71.50
C7	132.28	149.00	50°51'58"	N58°02'48"W	127.98

LEADING EDGE SURVEYING, LLC

6164 GINAFRED SHORES DR., SW
FIFE LAKE, MI 49633
PHONE: (231) 342-5012 OR
(231) 342-9892

**SOUTH CAMPUS ENTRANCE
CITY OF TRAVERSE CITY
WETLAND PRESERVATION SHEET**

PART OF THE SE 1/4
SECTION 9, T27N, R11W
CITY OF TRAVERSE CITY
GRAND TRAVERSE COUNTY, MICHIGAN

DRN: RK
CHK: RJK
2/10/14
12-0090 WP

SHEET
1
OF 2

Attachment A cont.

A parcel of land situated in the City of Traverse City, Grand Traverse County, Michigan, and more fully described as follows:

Area # 1:

Commencing at the East ¼ Corner of Section 9, T27N, R11W; thence along the East-West ¼ line of said Section S89°25'12"W, 2374.61 feet; thence S00°02'23"W, 696.52 feet; thence S64°20'41"E, 88.46 feet to the Point of Beginning; thence S89°37'51"E, 211.12 feet; thence S00°00'00"E, 405.25 feet; thence S58°37'08"W, 297.91 feet; thence S58°34'28"W, 24.07 feet; thence S58°44'00"W, 297.63 feet; thence N25°26'32"W, 6.48 feet; thence N00°02'55"W, 68.63 feet; thence N75°43'35"E, 16.95 feet; thence N02°21'38"W, 6.88 feet; thence N77°58'08"W, 16.65 feet; thence N04°49'50"W, 35.86 feet; thence 32.00 feet along a 928.73 foot radius curve to the right with a long chord bearing of N09°06'51"W, 32.00 feet; thence 54.04 feet along a 98.11 foot radius curve to the right with a long chord bearing of N12°15'22"E, 53.36 feet; thence 92.39 feet along a 131.50 foot radius curve to the right with a long chord bearing of N49°09'46"E, 90.50 feet; thence N70°53'48"E, 24.00 feet; thence S37°46'02"E, 75.75 feet; thence S67°20'40"E, 48.94 feet; thence N70°41'13"E, 24.35 feet; thence N02°51'41"W, 43.98; thence N23°17'49"W, 31.09 feet; thence N52°41'08"E, 57.97 feet; thence N26°47'14"E, 16.24 feet; thence N24°20'50"W, 5.05 feet; thence N44°05'48"E, 13.37 feet; thence N37°27'03"E, 12.53 feet; thence N37°27'03"E; 13.60 feet; thence N31°59'58"E, 23.73 feet; thence N31°59'58"E, 12.29 feet; thence N16°09'24"E, 10.91 feet; thence N15°02'56"E, 20.27 feet; thence N07°28'08"E, 8.30 feet; thence N00°23'52"E, 19.44 feet; thence N03°40'47"W, 48.49 feet; thence N07°17'17"W, 52.11 feet; thence N05°18'09"W, 27.87 feet; thence N00°04'41"E, 104.25 feet; thence N37°04'37"E, 28.42 feet; thence N34°49'53"E", 29.05 feet back the Point of Beginning.

Area #3:

Commencing at the East ¼ Corner of Section 9; T27N, R11W, thence along the East-West ¼ line of said Section S89°25'12"W, 2374.61 feet; thence S00°02'23"W, 696.52 feet; thence S27°37'27"W, 665.89 feet to the Point Of Beginning; thence S25°28'41"W, 22.64 feet; thence S43°40'20"E, 13.03 feet; thence S1°04'50"W, 89.81 feet; thence S0°57'58"W, 100.06 feet; thence S30°27'22"E, 2.09 feet; thence S15°42'02"W, 1.47 feet; thence N57°12'21"E, 13.45 feet; thence N0°36'33"E, 126.17 feet; thence N2°49'34"E, 15.55 feet; thence N10°49'34"W, 22.45 feet; thence N0°58'04"W, 4.56 feet; thence N9°17'40"W, 24.25 feet; thence N2°57'12"W, 16.44 feet; thence N5°12'43"E, 7.01 feet back to the Point Of Beginning.

BOARDMAN RIVER REVITALIZATION

A comprehensive vision for the future of Traverse City's river

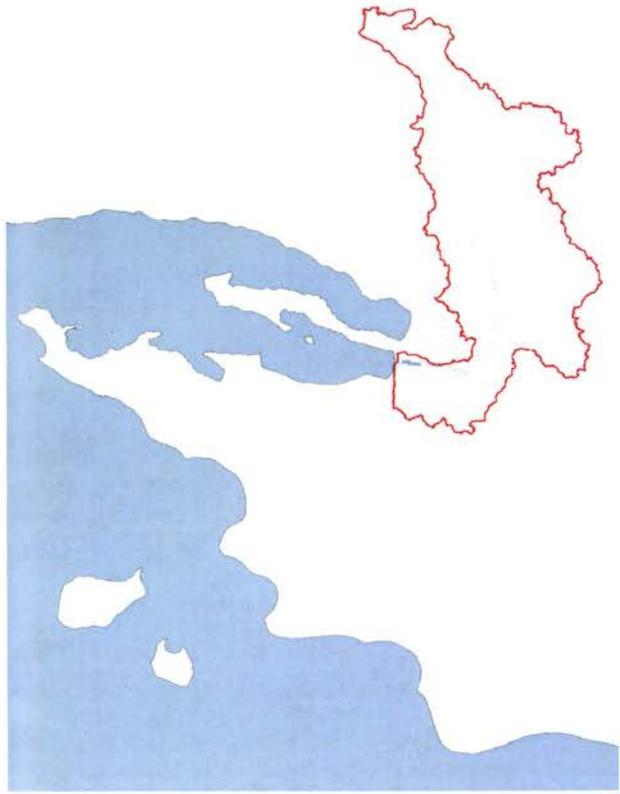


KATIE DENNIS AARON FARGO ADAM FERCHO CHRISTINA STRASSER

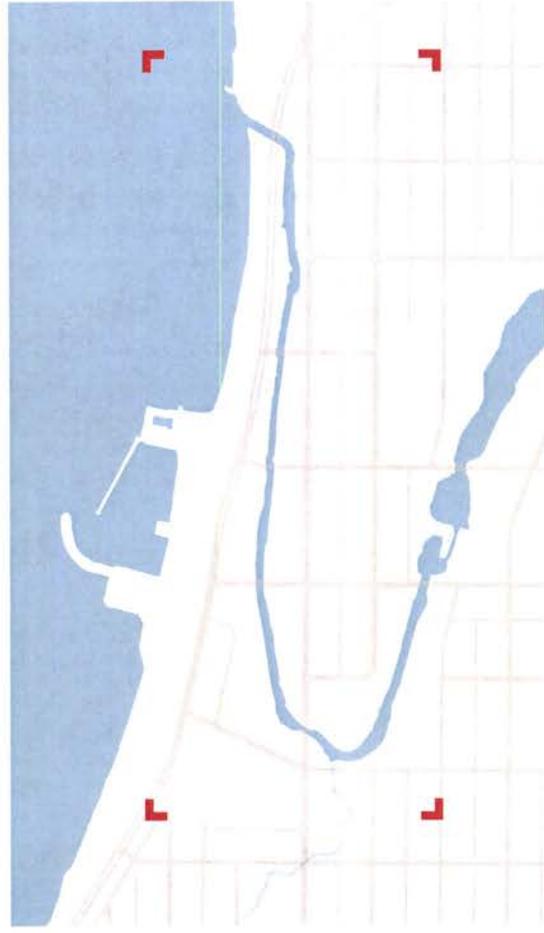
SITE CONTEXT



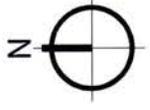
STATE



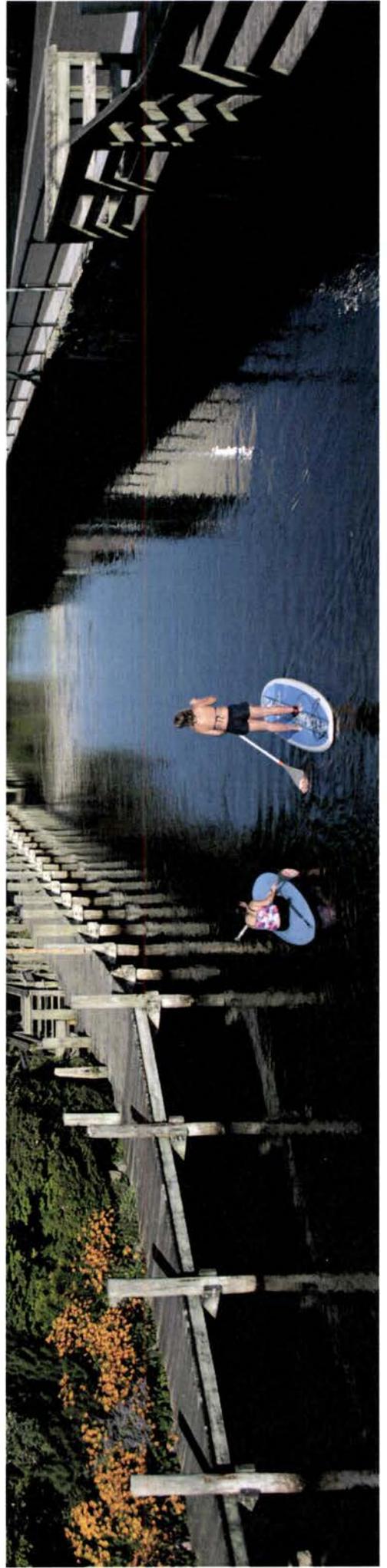
WATERSHED



STUDY AREA



TRAVERSE CITY



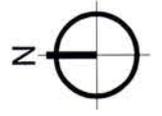
STATE OF THE BOARDMAN



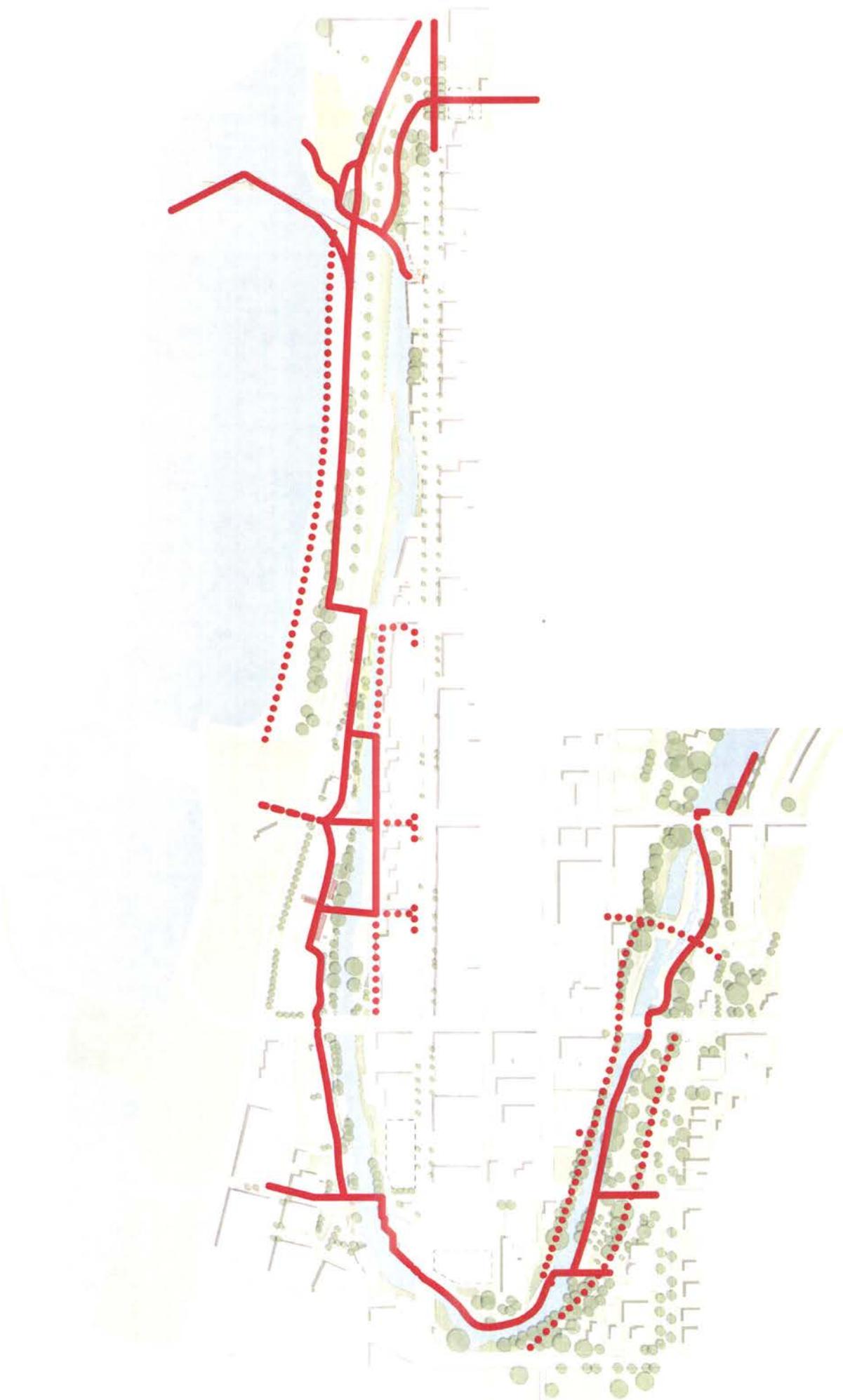
DESIGN GOALS

1. Design a riverwalk that improves **pedestrian circulation** along the Boardman River, knits the river into the **identity** of the community, and becomes a **destination** for Traverse City residents and visitors.
2. Develop a **cohesive plan** for the Lower Boardman River that incorporates the vision and goals of the City of Traverse City.
3. Create and enhance **community gathering spaces** and **recreational opportunities** that respond to the adjacent neighborhood's character.
4. Incorporate **ecological interventions** that improve the health of the river and provide opportunities for environmental education.

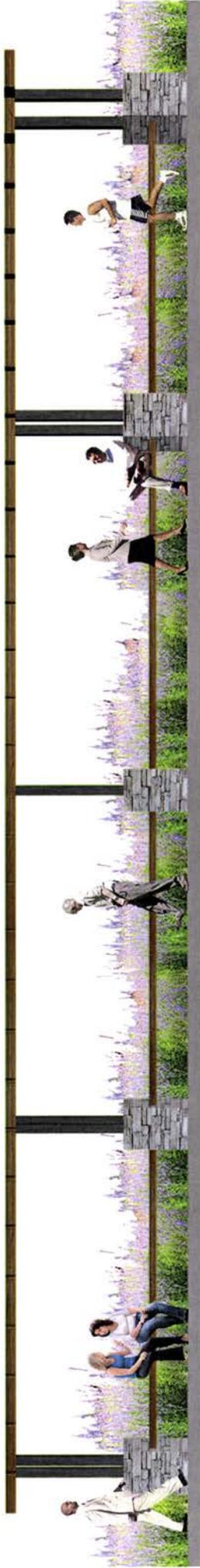
MASTER PLAN



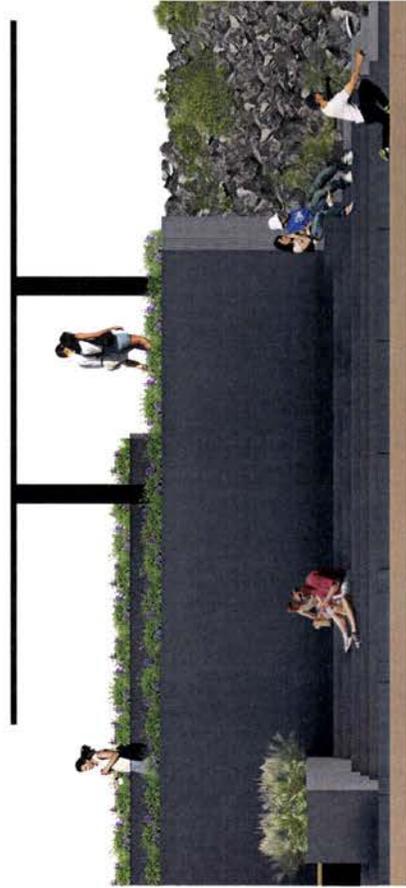
PROPOSED CIRCULATION



TRELLIS STRUCTURES



CHAMBER OF COMMERCE GARDEN

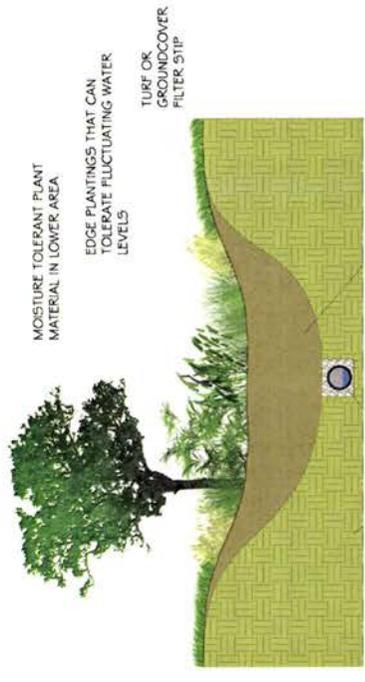
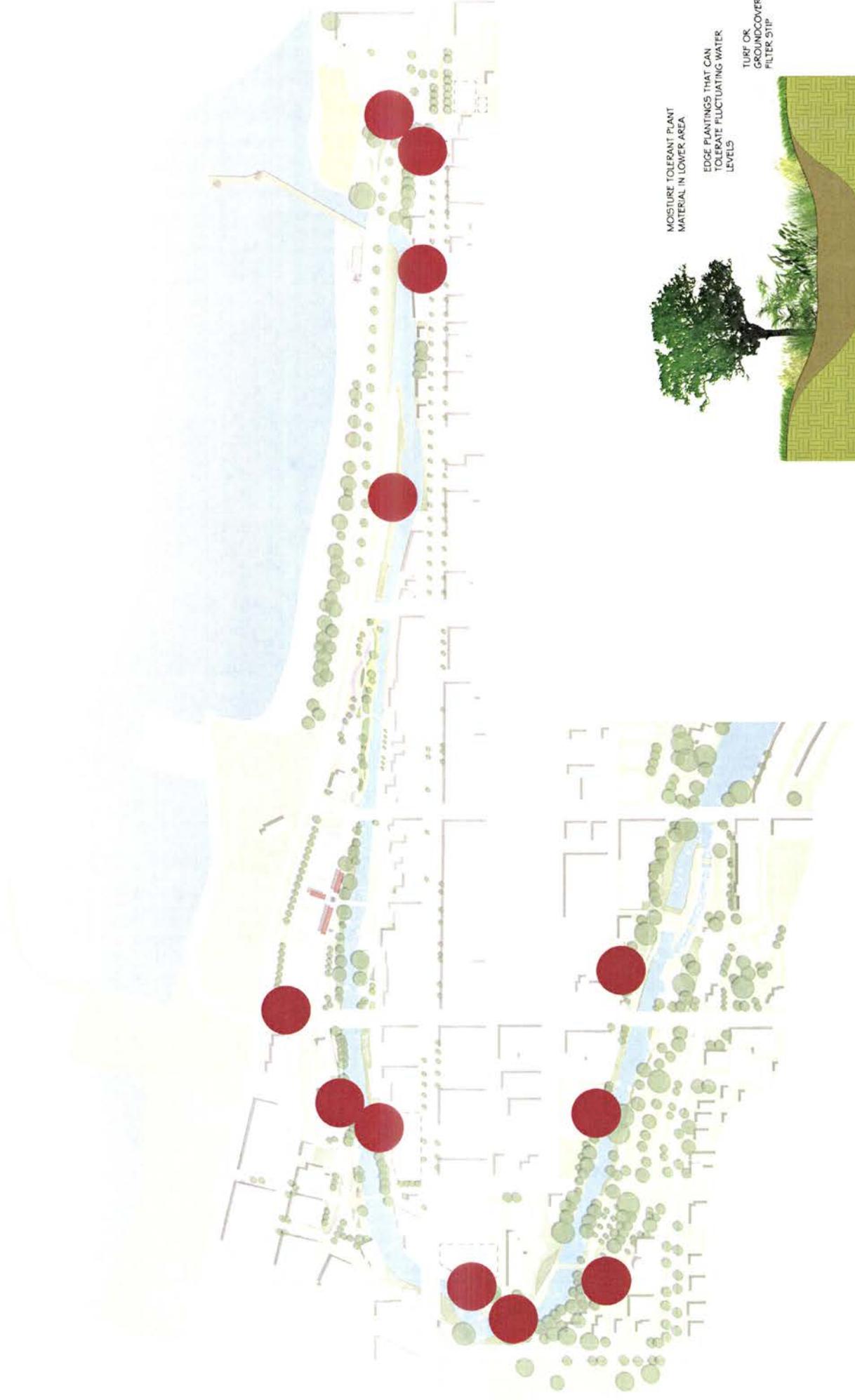


BEACH PLAZA



HANNAH PARK

PROPOSED RAIN GARDENS



2 MIN. SOIL DEPTH
20% ORGANIC
50% SAND
30% TOPSOIL

UNDISTURBED SOIL

PERFORATED PIPE IN GRAVEL BED CONNECTED TO DRAINAGE SYSTEM

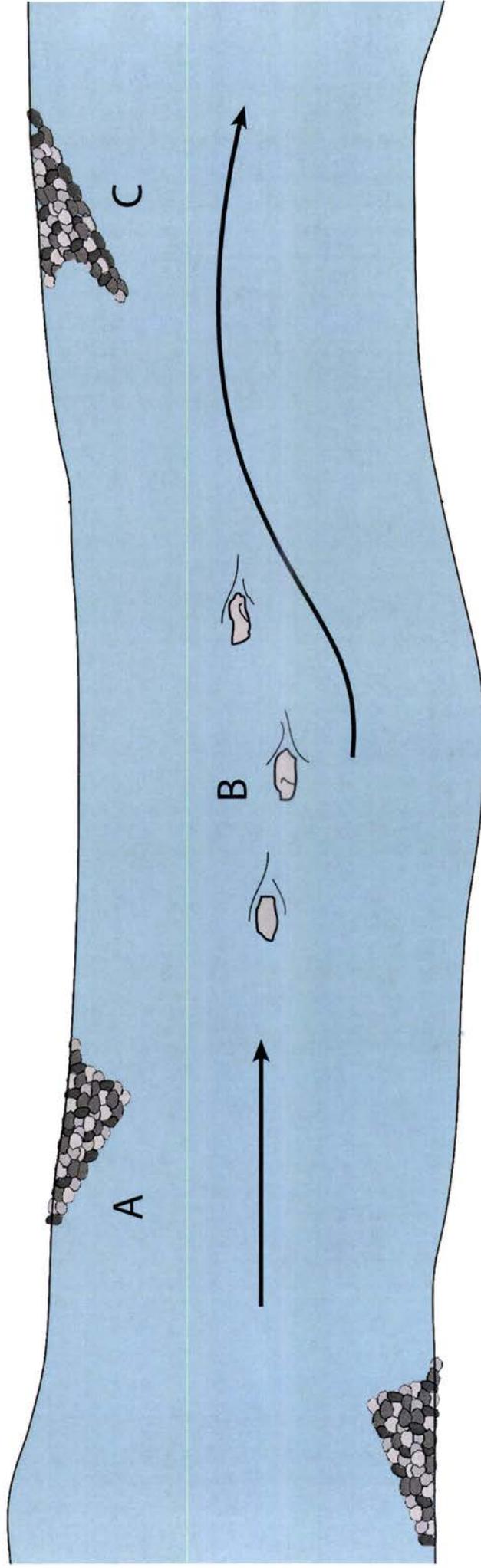
TURF OR GROUNDCOVER FILTER STRIP

MISTURE TOLERANT PLANT MATERIAL IN LOWER AREA

EDGE PLANTINGS THAT CAN TOLERATE FLUCTUATING WATER LEVELS

Abbey Associates Inc - Baton Rouge - New Orleans, LA

RIVER HABITAT IMPROVEMENTS



A. DEFLECTORS

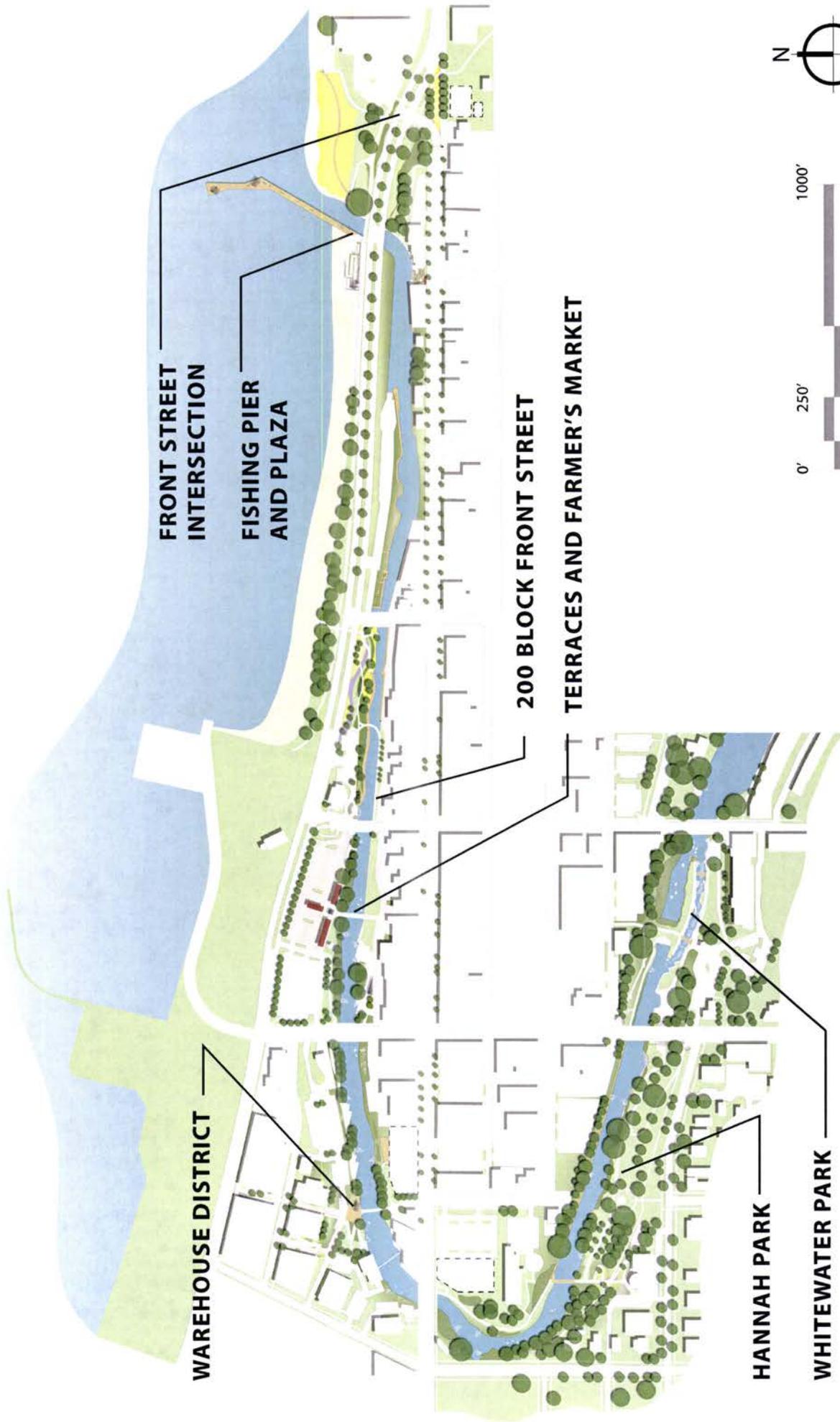
B. BOULDERS

C. ROCK VANES

MASTER PLAN



FOCAL AREAS



FRONT STREET
INTERSECTION

FISHING PIER
AND PLAZA

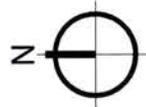
200 BLOCK FRONT STREET

TERRACES AND FARMER'S MARKET

WAREHOUSE DISTRICT

HANNAH PARK

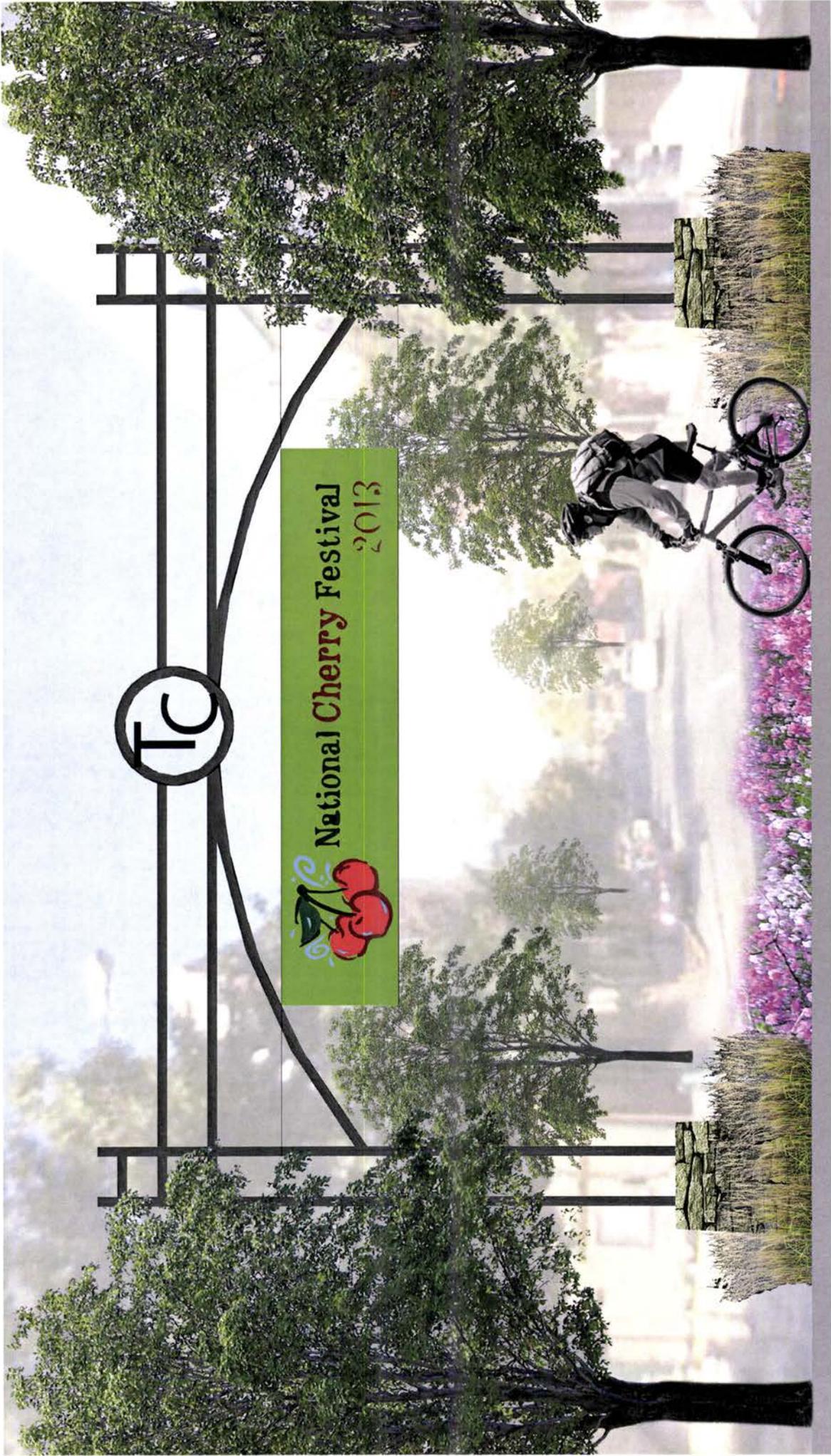
WHITEWATER PARK



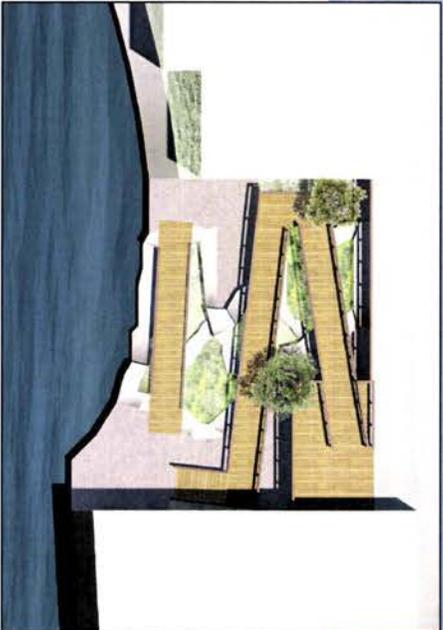
FRONT STREET INTERSECTION



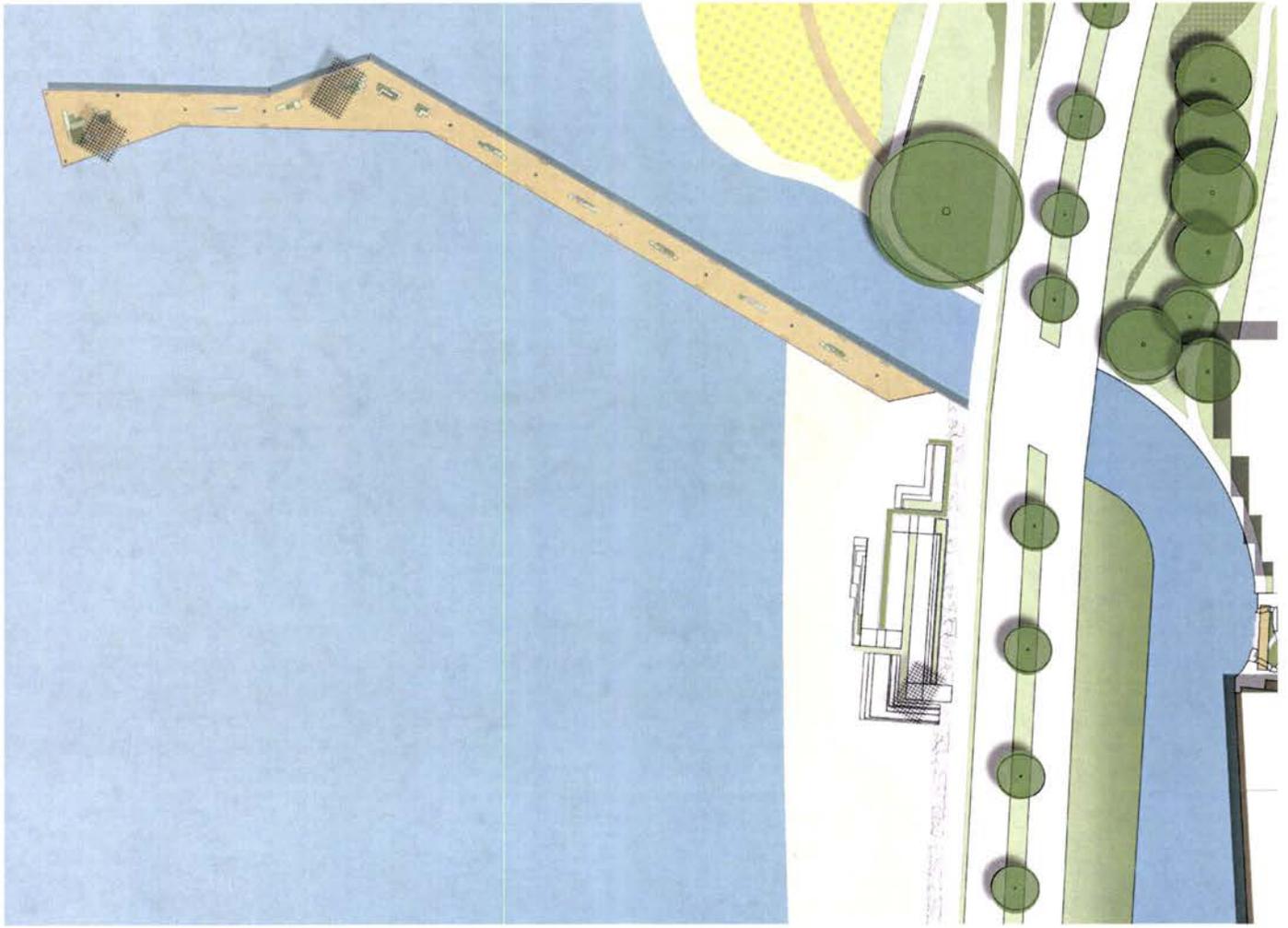
FRONT STREET GATEWAY



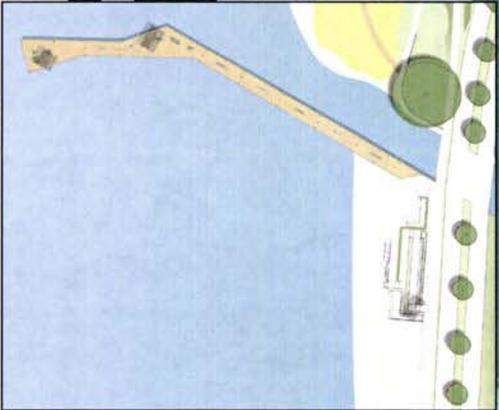
STORMWATER PARK



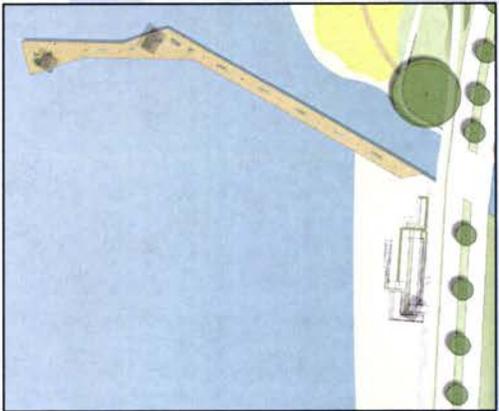
EAST CLINCH PARK



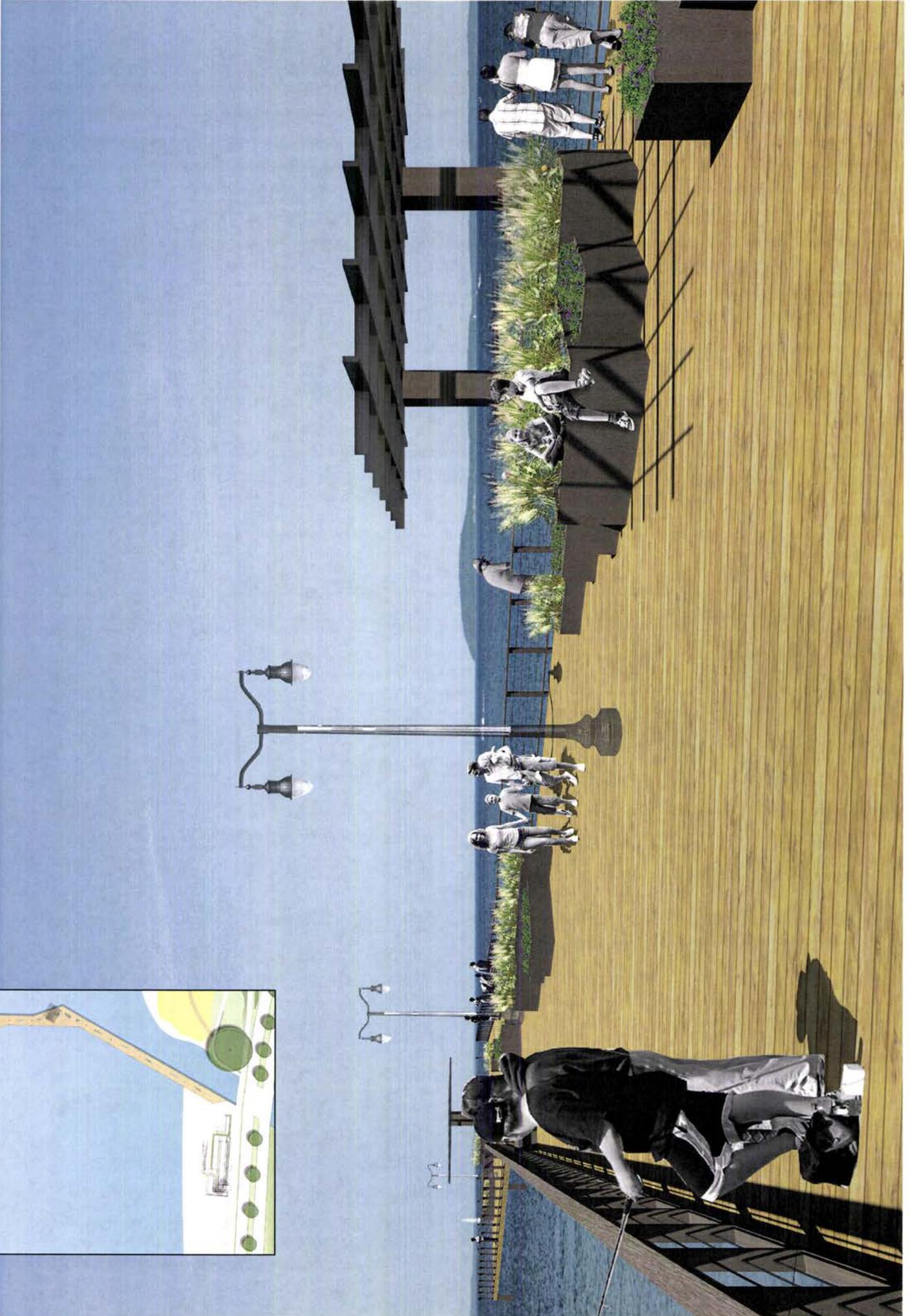
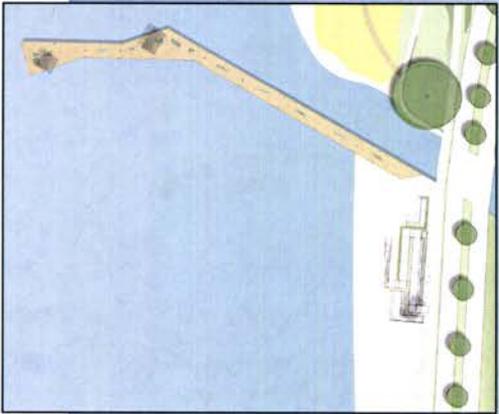
EAST CLINCH PARK



EAST CLINCH PARK



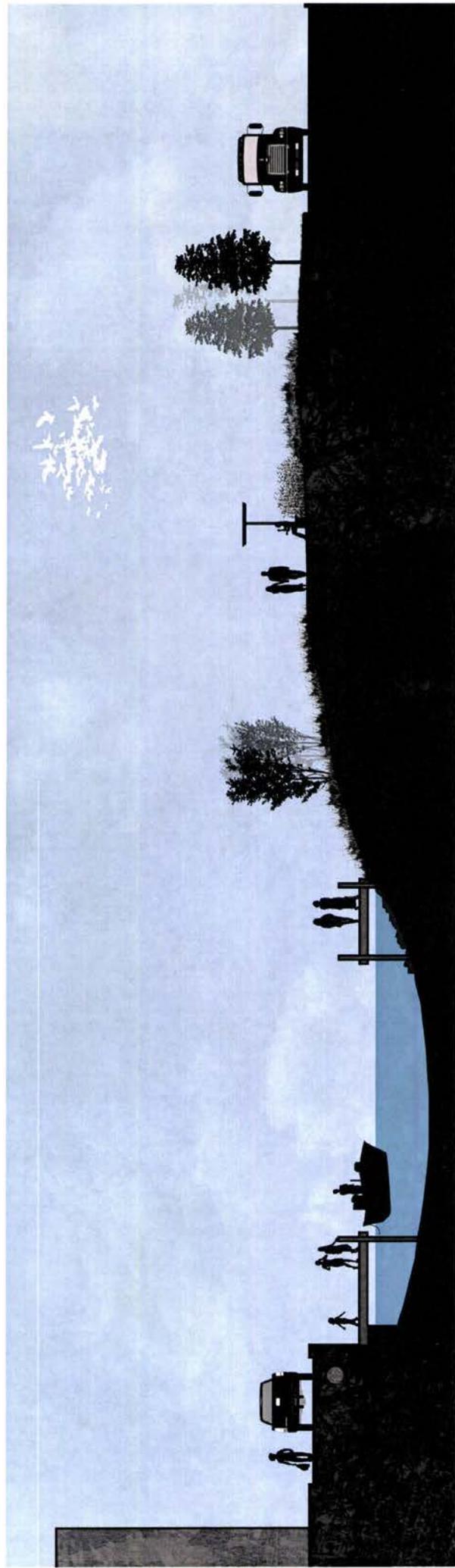
EAST CLINCH PARK



200 BLOCK FRONT STREET



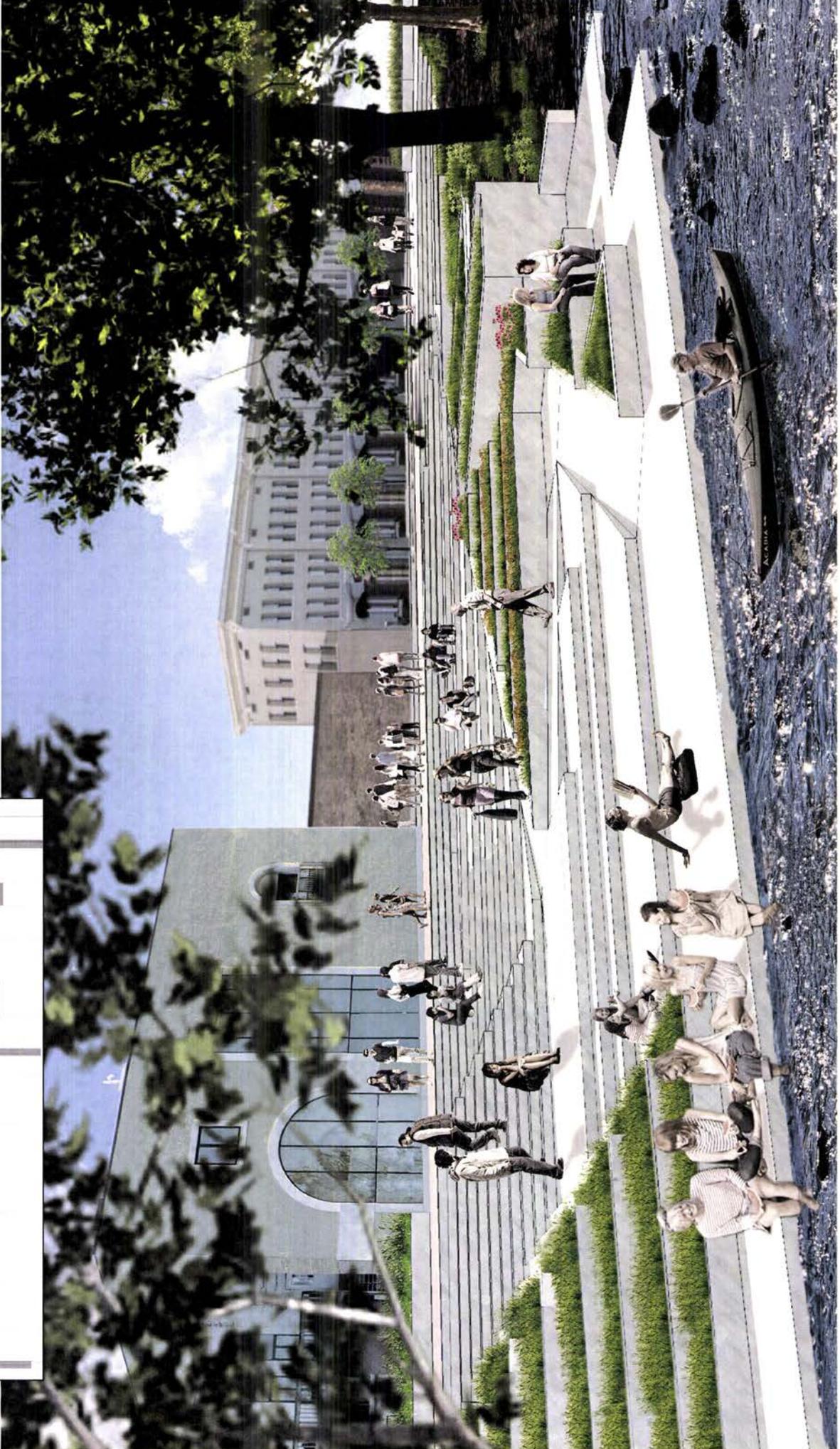
200 BLOCK FRONT STREET



TERRACES AND FARMER'S MARKET



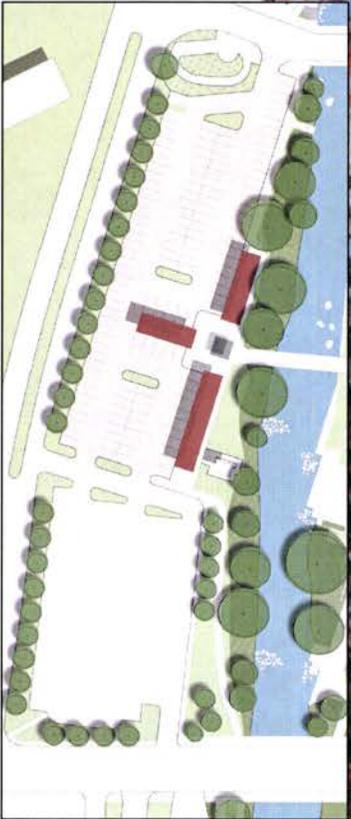
TERRACES



TERRACES



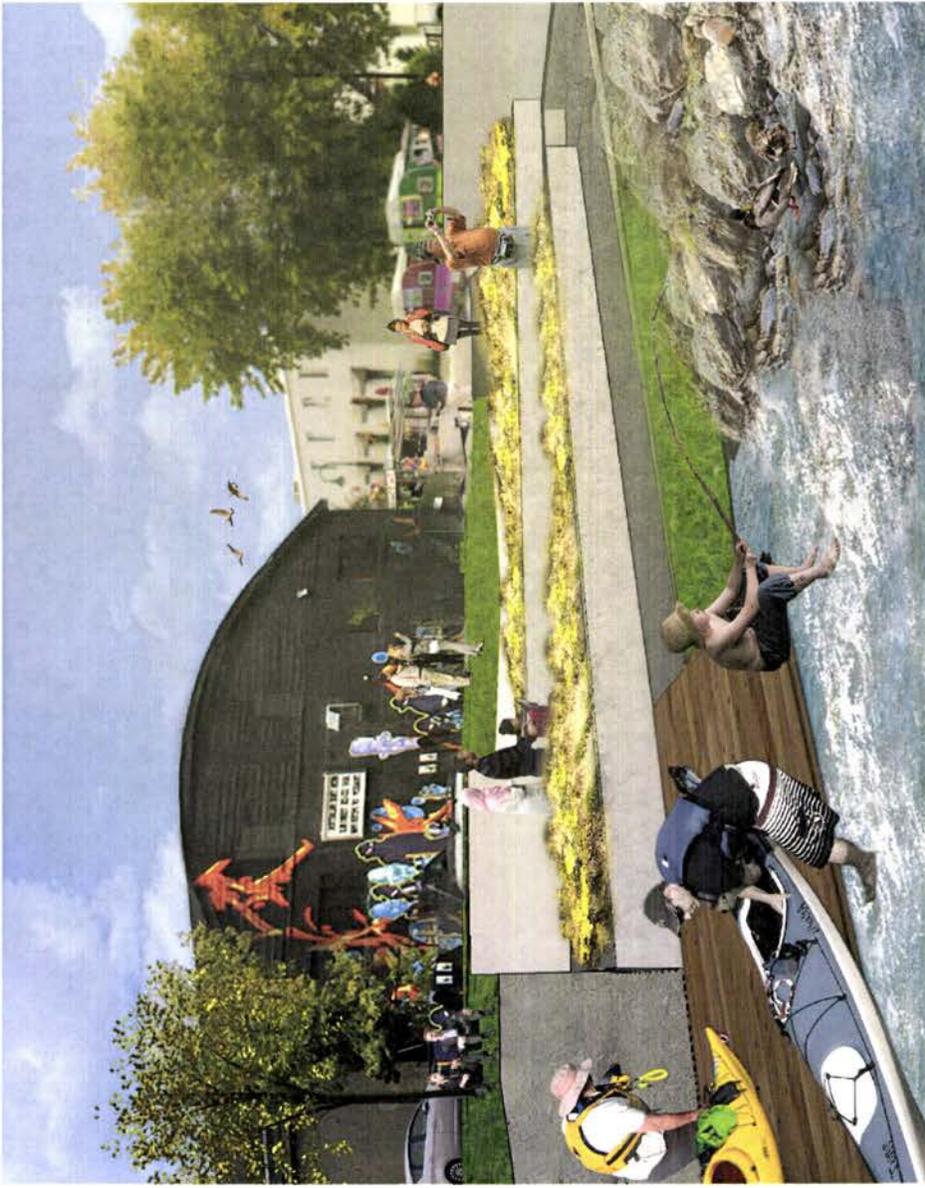
FARMER'S MARKET



WAREHOUSE DISTRICT



WAREHOUSE DISTRICT



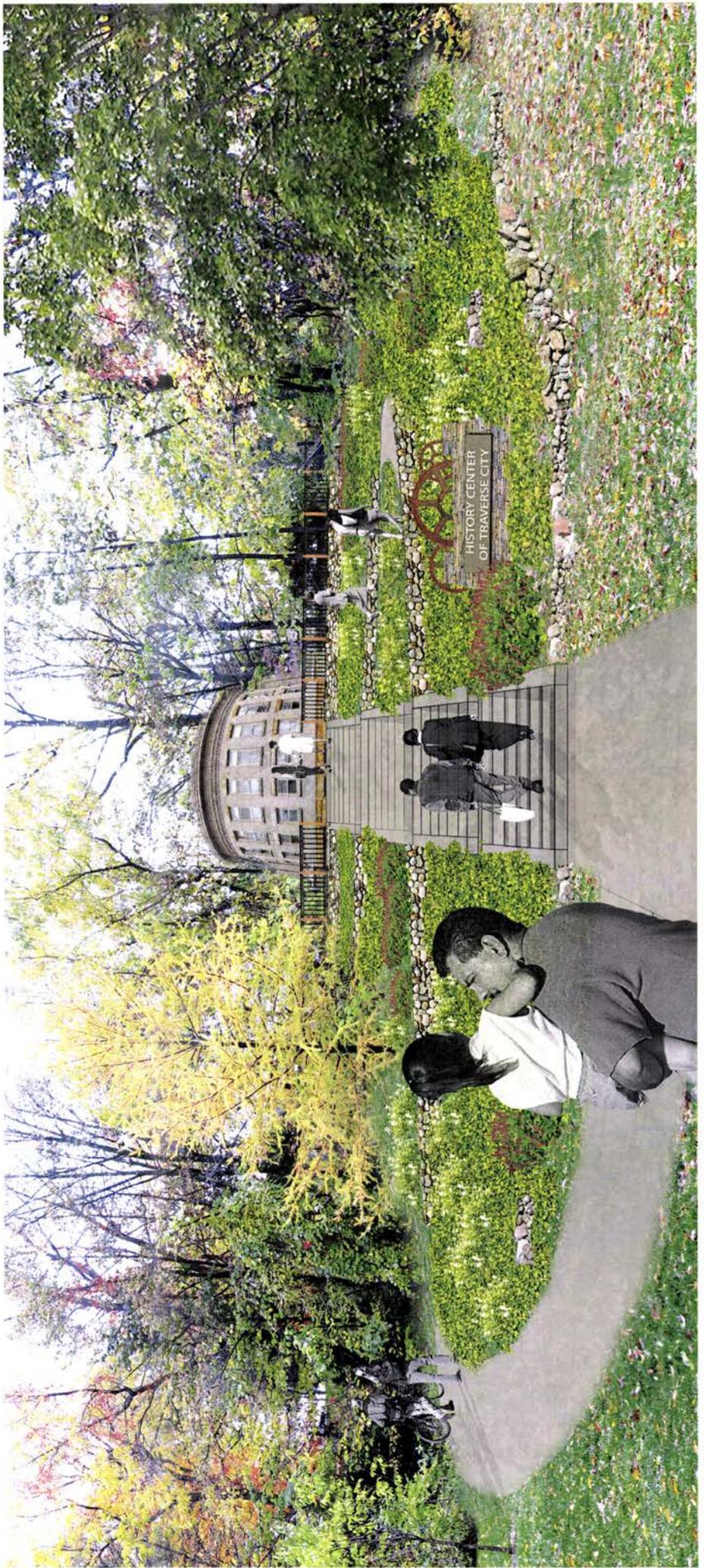
WAREHOUSE DISTRICT



HANNAH PARK



HANNAH PARK HISTORY CENTER



HANNAH PARK AMPHITHEATER



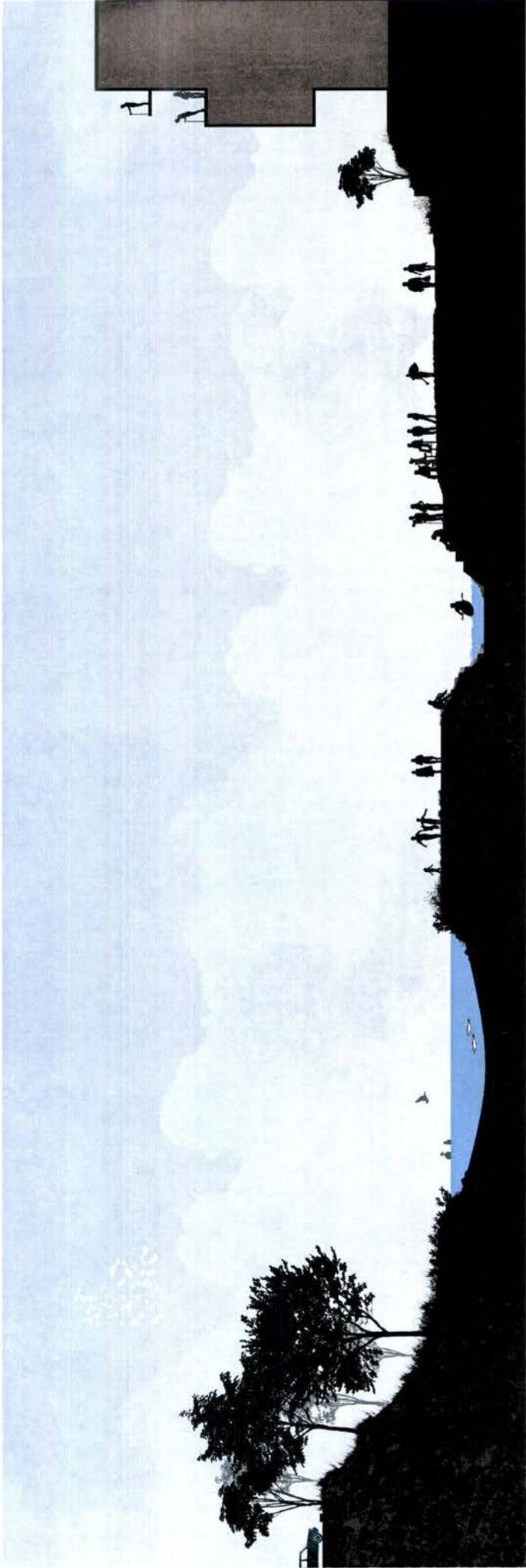
WHITEWATER PARK



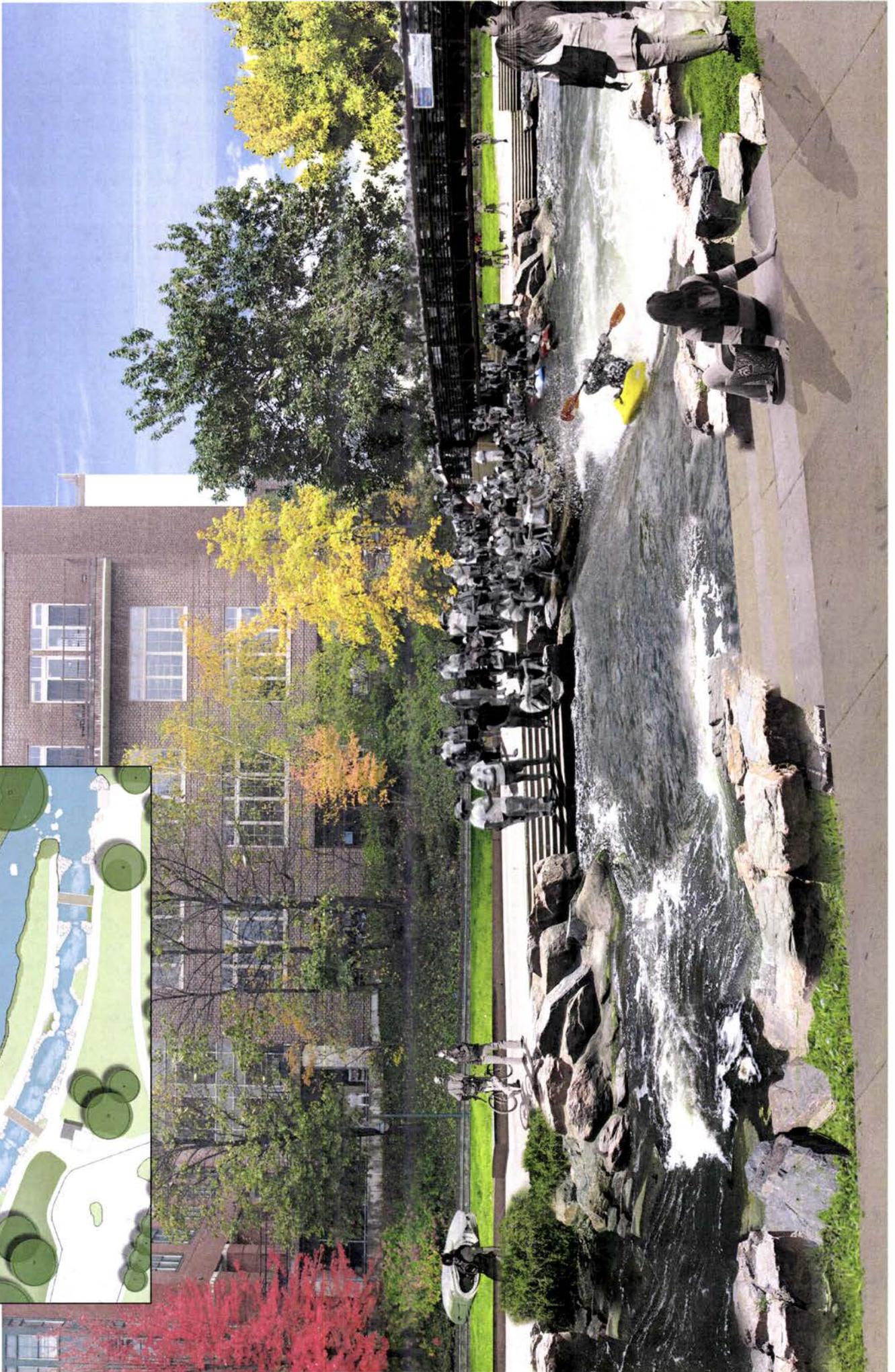
CASS STREET

UNION STREET

WHITEWATER PARK



WHITEWATER PARK



MASTER PLAN



THANK YOU



QUESTIONS ?

