



**Notice**  
**City Commission Regular Meeting**

**7:00 pm**

**TUESDAY**, September 8, 2015

Commission Chambers, Governmental Center  
400 Boardman Avenue  
Traverse City, Michigan 49684  
Posted and Published 9-3-15

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, MMC, City Clerk  
(231) 922-4480  
Email: [tcclerk@traversecitymi.gov](mailto:tcclerk@traversecitymi.gov)  
Web: [www.traversecitymi.gov](http://www.traversecitymi.gov)  
400 Boardman Avenue  
Traverse City, MI 49684

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*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 meetings of August 17, 2015, August 24, 2015 and August 31, 2015. (Approval recommended) (Marty Colburn, Benjamin Marentette)
- b. Consideration of authorizing a confirming purchase order for unleaded gasoline for City operational use. (Approval recommended) (Marty Colburn, Dave Green) (5 affirmative votes required)

- c. Consideration of authorizing a purchase order for the purchase of replacement carbon canisters for use at the Wastewater Treatment Plant. (Approval recommended) (Marty Colburn, Dave Green) (5 affirmative votes required)
- d. Consideration of authorizing a purchase order for four laptops, associated software and mounting materials for in-vehicle communications and data use in Fire Department vehicles. (Approval recommended) (Marty Colburn, James Tuller) (5 affirmative votes required)
- e. Consideration of authorizing a purchase order for Fire Department uniforms. (Approval recommended) (Marty Colburn, James Tuller) (5 affirmative votes required)
- f. Consideration of designating the employer and employee delegates for the MERS Annual Conference. (Approval recommended) (Marty Colburn, Penny Hill)
- g. Consideration of adopting a resolution recognizing Northern Michigan Association of Western Horse Clubs as a local non-profit organization so they may apply for a State of Michigan Raffle License. (Adoption recommended) (Marty Colburn, Benjamin Marentette)
- h. Consideration of adopting to make permanent a traffic control order which provides for a two-hour parking meter zone on Lake Avenue from East Eighth Street to South Cass Street. (Adoption recommended) (Marty Colburn, Timothy Lodge)
- i. Consideration of enacting amendments to the Traverse City Code of Ordinances which would allow crematories and funeral homes in the Industrial District, for the cremation of deceased persons and deceased household pets with conditions, as recommended by the Planning Commission. (Enactment recommended) (Marty Colburn, Russell Soyring)
- j. Consideration of enacting an amendment to the Traverse City Code of Ordinances, which designates the City Clerk to conduct investigations of residential area mobile food vendor applicants. (Enactment recommended) (Marty Colburn, Benjamin Marentette)

- k. Consideration of enacting an amendment to the Traverse City Code of Ordinances, which designates the City Clerk to conduct investigations of applicants for a residential area solicitors and clarifies reasons for permit issuance or denial. (Enactment recommended) (Marty Colburn, Benjamin Marentette)
- l. Consideration of enacting an amendment to the Traverse City Code of Ordinances, which designates the City Clerk to conduct investigations of applicants for a residential area transient merchant permits and clarifies reasons for permit issuance or denial. (Enactment recommended) (Marty Colburn, Benjamin Marentette)
- m. Consideration of authorizing an agreement to allow an encroachment of the public right of way in conjunction with the Hotel Indigo project at 263 West Grandview Parkway. (Approval recommended) (Marty Colburn, Timothy Lodge) (5 affirmative votes required)
- n. Consideration of authorizing a contract and service order for the 2015 Sidewalk Replacement and Gap Infill Project. (Approval recommended) (Marty Colburn, Timothy Lodge) (5 affirmative votes required)
- o. Consideration of authorizing a contract for the 2015 Pavement Preservation Project. (Approval recommended) (Marty Colburn, Timothy Lodge) (5 affirmative votes required)
- p. Consideration of authorizing a contract for the Phase 1 Paving and Resurfacing Project. (Approval recommended) (Marty Colburn, Timothy Lodge) (5 affirmative votes required)
- q. Consideration of authorizing a contract for the Gillis Street Sanitary Sewer and Madison Street Drainage Project. (Approval recommended) (Marty Colburn, Timothy Lodge) (5 affirmative votes required)

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

- a.

b.

c.

### **3. Old Business**

- a. Consideration of declaring two snow groomers surplus and authorizing a purchase order for two snow groomers for use at Hickory Hills and approving an agreement for storage of such groomers. (Marty Colburn, Dave Green) (5 affirmative votes required)

### **4. New Business**

- a. Consideration of approving a request from Pine Street Development One, LLC, to postpone the consideration of a request for a Special Land Use Permit in connection with its development at 305 West Front Street. (Marty Colburn)
- b. Consideration of a request from the Brown Bridge Advisory Committee for a \$300,000 allocation from the Brown Bridge Trust Parks Improvement Fund over a five-year period, for improvements at the Brown Bridge Quiet Area. (Marty Colburn)

### **5. Appointments**

- a. Consideration of approving the Mayor's appointments to the Downtown Development Authority Board of Directors. (Mayor Michael Estes)

### **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 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 ACT 345 Retirement System meeting of June 24, 2015.
  - 3. Minutes of the Planning Commission meeting of July 7, 2015.
- e. Reports and correspondence from non-City officials.

None.

## **7. Public Comment**

- a. Reserved.

None.

- b. General.
- c. Mayor and City Commissioners.

## **8. Adjournment**

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*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.*



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER <sup>msc</sup>

SUBJECT: MINUTES

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

- August 17, 2015 Regular Meeting
- August 24, 2015 Study Session
- August 24, 2015 Joint Special Meeting
- August 31, 2015 Study Session

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

**that the minutes of the August 17, 2015, Regular Meeting, the August 24, 2015, Study Session, the August 24, 2015 Joint Special Meeting, and the August 31, 2015 Study Session, be approved.**

MC/slm

k:\ccclerk\city commission\minutes

**Minutes of the**  
**City Commission for the City of Traverse City**  
**Regular Meeting**  
**August 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 (departed at 9:26 p.m.), James Carruthers, Jeanine Easterday, Gary Howe, Ross Richardson, Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Estes presided at the meeting.

As requested by Commissioner Barbara Budros, Agenda Item 2(c) 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 August 3, 2015, Regular Meeting, August 10, 2015, Special Meeting and August 10, 2015, Study Session be approved.
- b. the City Manager be authorized to issue a confirming purchase order in the amount of \$16,294.02 to Brenner Oil Co. for 10,004 gallons of clear #2 diesel fuel without additives priced at \$1.62875 per gallon with funds available in the Garage Fund.

- c. Removed from the Consent Calendar.
- d. an amendment to the Traverse City Code of Ordinances, Section 863.09, Investigation of Residential Area Transient Merchant; Waiting Period and Section 863.11, License Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, be introduced and scheduled for possible enactment on September 8, 2015.
- e. an amendment to the Traverse City Code of Ordinances, Section 865.07, Investigation by the Chief of Police, which would shift the responsibility of the residential area applicant investigation to the City Clerk, be introduced and scheduled for possible enactment on September 8, 2015.
- f. an amendment to the Traverse City Code of Ordinances, Section 862.07, Investigation of Residential Area Solicitor and Section 862.10, Permit Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, be introduced and scheduled for possible enactment on September 8, 2015.
- g. the amendments to the Traverse City Code of Ordinances, Section 1320.07, Definitions and Section 1354.01, Uses Allowed, which would allow for crematories and funeral homes in the Industrial District, as recommended by the Planning Commission, be introduced and scheduled for possible enactment on September 8, 2015.
- h. the two (2) hazardous materials decontamination systems as outlined in the August 10, 2015, memo from the Fire Chief, be declared surplus and authorized for redistribution to other hazardous materials response agencies.
- i. a 1988 Jobsite Trailer (#211) Public Education trailer as outlined in the August 10, 2015, memo from the Fire Chief, be declared surplus and authorized for disposal.
- j. the resolution recommending approval of the request for a new Redevelopment Liquor License with Class C Liquor License privileges from Alliance Restaurant, LLC., be adopted, and that the City Clerk be authorized

to issue a Liquor License Registration to Alliance Restaurant, LLC., to operate such license at 144 Hall Street, Suite 107.

CARRIED unanimously

**Items removed from the Consent Calendar**

a.

Consideration of adopting a Memorandum of Understanding regarding fundraising efforts related to Hickory Hills.

The following addressed the Commission:

Marty Colburn, City Manager  
Lauren Tribble-Laucht, City Attorney

Moved by Richardson, seconded by Carruthers, that the Mayor and City Clerk execute the Memorandum of Understanding with Preserve Hickory regarding fundraising efforts by Preserve Hickory for implementation of the Hickory Hills Master Plan.

Rick Buckhalter, 932 Kelley Street – expressed opposition  
Mac McClelland, 8334 South Outer Drive, Green Lake Township, Hickory Hills Advisory Committee Chairman – made general comments

Roll Call:

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

No - Budros, Estes.

CARRIED.

**3. Old Business**

**3(a).**

Discussion regarding and consideration of scheduling a public hearing on September 21, 2015, regarding a request for a Special Land Use Permit in connection with development at 305 West Front Street, as recommended by the Planning Commission; and consideration of scheduling a study session regarding the request for August 31, 2015.

The following addressed the Commission:

Marty Colburn, City Manager  
Doug Mansfield, Mansfield Land Use Consultants President  
Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Howe, that the request from The Woda Group, Inc. for Special Land Use Permit 15-SLUP-01, to allow for the construction of two 96-foot tall buildings at 305 West Front Street, with conditions, as recommended by the Planning Commission, be scheduled for public hearing on September 21, 2015; and that this matter be scheduled for a study session on August 31, 2015.

Rob Bacigalupi, Downtown Development Authority Executive Director  
Laura Oblinger, Traverse City Area Chamber of Commerce Executive Director, 1020 Washington Street – expressed support  
Mike Jackson, 217 Sixth Street – made general comments  
Elizabeth Osborn, 150 Pine Street – expressed opposition  
Mary Zacks, 203 Wadsworth Street, City business owner – made general comments  
Priscilla Townsend, 150 Pine Street – made general comments  
Grant Parsons, 6936 Mission Ridge, Peninsula Township, City business owner – expressed opposition  
Lee Delancey, 150 Pine Street – expressed opposition  
Paul Danielson, 446 North Elmwood Avenue, City business owner – expressed support  
Deb Scheer, 150 Pine Street – expressed opposition  
Jenny Nestor, 209 North Madison – expressed opposition  
John McDonald, 117 Monroe – expressed opposition  
John DiGiacomo, 440 North Spruce Street, City business owner – made general comments  
Mary Grover, 506 Fifth Street – made general comments

Ann Rogers, 1236 Peninsula Drive – expressed opposition  
David Petrove, 9988 Riley Road, Interlochen – expressed opposition  
Jeffrey Turner, 150 Pine Street – expressed opposition  
Kathryn Venger-Smith, 911 Washington Street – expressed  
Tim Nance, 880 Oakdale Drive - expressed support  
Rob Bacigalupi, Downtown Development Authority Executive Director –  
made general comments  
David Flagstaff, 150 Pine Street – expressed opposition  
Rick Buckhalter, 932 Kelley Street – made general comments  
Brenda Quick, 542 Fifth Street – expressed opposition  
Heidi Post, 719 Lake Avenue - expressed opposition

Roll Call:

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

No - Easterday.

CARRIED.

**3(b).**

Consideration of adopting a resolution approving a request from the WODA Group for a PILOT (payment-in-lieu of taxes) for a planned development at the southwest corner of Front and Pine Streets and authorizing a related municipal services agreement.

The following addressed the Commission:

Marty Colburn, City Manager  
Lauren Tribble-Laucht, City Attorney

Moved by Richardson, seconded by Budros, that this item be considered on September 21, 2015.

Craig Patterson, Woda Group Senior Vice President, 115 North Huron Drive, Mackinaw City  
Rick Buckhalter, 932 Kelley Street – made general comments

Priscilla Townsend, 150 Pine Street – made general comments  
Elizabeth Osborne, 150 Pine Street – made general comments  
Ann Rogers, 1236 Peninsula Drive – made general comments  
Paul Danielson, 446 North Elmwood, City Business owner – made general comments

Roll Call:

Yes - Richardson, Budros, Estes, Carruthers.

No - Easterday, Howe, Werner.

CARRIED.

There being no objection, Mayor Estes declared a recess.

(Commissioner Budros departed)

**4. New Business**

**4(a).**

Consideration of amending the resolution designating the City-controlled property upon which licensed mobile food vendors may operate which would allow one unit at a time to operate within the Senior Center parking lot, as requested by the Grand Traverse County Commission on Aging.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Howe, seconded by Easterday, that the Resolution Establishing Locations on City-Controlled Property Where Mobile Food Vending is Allowed be amended to allow one mobile food vending unit at a time at the Senior Center Parking Lot.

CARRIED unanimously. (Budros absent)

**4(b).**

Consideration of authorizing a contract for catering services for the City's host reception for the Michigan Municipal League Annual Convention in Traverse City.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Easterday, seconded by Howe, that the Mayor and City Clerk execute a Catering Contract with Grand View Catering for the provision of Catering Services on September 16, 2015, for the MML Host City Reception during the 2015 Michigan Municipal League Annual Convention at an estimated cost of \$7,500, including an initial deposit of \$2,500, with funds to be provided through private donations, with such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.

CARRIED unanimously. (Budros absent)

**4(c).**

Discussion regarding the Adopt-A-Commissioner Youth Engagement Program.

Moved by Howe, seconded by Easterday, that the City Commission supports the Adopt-A-Commissioner Youth Engagement Program as outlined in the communication submitted with the August 17, 2015, City Commission meeting packet materials, with coordination of City Commission volunteers by the City Clerk's Office.

The following addressed the Commission:

Erik Falconer, Traverse City Area Public Schools Board of Education Vice President, 9612 Walkabout Lane, Peninsula Township, City business owner – expressed support  
Tak Ready, Long Lake Township resident – expressed support

CARRIED unanimously. (Budros absent)

**5. Appointments**

**5(a).**

Consideration of appointing a City Commission Ad Hoc Committee to review the fee structure for the National Cherry Festival.

The following addressed the Commission:

Benjamin Marentette, City Clerk

No action was taken.

**5(b).**

Consideration of re-establishing the City Commission Ad Hoc Committee regarding Administration of the Garage Fund.

Moved by Richardson, seconded by Howe, that a City Commission Ad Hoc Committee Regarding Administration of the Garage Fund be re-established (originally established on February 17, 2015) to review the administration of the Fund; and that Commissioners Richardson, Howe, and Werner be reappointed to the Committee, with Commissioner Richardson to serve as Chair, with the committee to expire February 17, 2016.

CARRIED unanimously. (Budros absent)

**5(c).**

Consideration of establishing an ad hoc interview committee to make recommendation regarding four appointments to the Brown Bridge Advisory Committee.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Werner, seconded by Carruthers, that Paul Maxbauer, Michael Kreft, Judith Nemitz, and Deni Scrudato (seats previously held by Paul Maxbauer, Michael Kreft, Judith Nemitz, and Deni Scrudato) each be reappointed to one three-year term expiring October 1, 2018, on the Brown Bridge Advisory Committee.

CARRIED unanimously. (Budros absent)

## **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 Traverse City Light and Power Board meeting of June 30, 2015.
- e. Reports and correspondence from non-City officials.
  1. Fractile Emergency Response Report from North Flight for July, 2015.

## **7. Public Comment**

The following addressed the Commission:

1. Reserved.

None

2. General.

Chris Maxbauer, 503 West Eighth Street

3. Mayor and City Commissioners.

Commissioner Jim Carruthers  
Marty Colburn, City Manager

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:58 p.m.

\_\_\_\_\_  
Benjamin C. Marentette, MMC  
City Clerk

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

**Minutes of the City Commission**

**for the City of Traverse City**

**Study Session of City Commission**

**August 24, 2015**



A study session 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 7:02 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.

Mayor Estes presided at the meeting.

1.

Discussion regarding City Commission goals and objectives.

The following addressed the Commission:

Marty Colburn, City Manager  
Russell Soyring, City Planning Director

2.

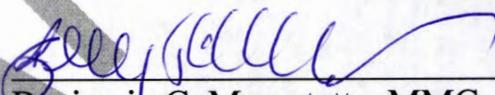
The next item being "Public Comment."

The following individuals addressed the Commission:

Chris Maxbauer, 503 West Eighth Street, Grand Traverse County  
Commissioner

Ryan Matuzak, 3911 White Birch Drive, Green Lake Township  
Jack Nolan, 437 West Seventh Street  
Rich Matuzak, 1908 Shawnee  
Greg Klang, 1422 Arnold Court, City business owner  
Richard Zehner, 516 Sixth Street  
Marty Colburn, City Manager  
Commissioner Gary Howe  
Commissioner Jeanine Easterday

There being no objection, Mayor Michael Estes declared the meeting adjourned at 8:43 pm.



Benjamin C. Marentette, MMC  
City Clerk

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

DRAFT



**Minutes of the  
City Commission for the City of Traverse City  
Joint Special Meeting**

**August 24, 2015**

A special meeting of the City Commission of the City of Traverse City and Downtown Development Authority Board of Directors was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 5:30 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.

Topics of Discussion:

1.

Consideration of the possible purchase of real estate and entering into closed session to discuss an attorney-client privileged communication.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Carruthers, seconded by Richardson, that the City Commission enter into closed session immediately following the public comment portion of the agenda to consider the written attorney-client privileged communication regarding the possible purchase of real estate, as allowed by MCL 15.267(h).

Roll Call:

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

No - None.

CARRIED unanimously.

2.

The next item being "Public Comment," the following individuals addressed the Commission:

None.

The City Commission entered into closed session with the Downtown Development Authority Board of Directors at 5:32 p.m.

The City Commission returned to open session at 6:58 p.m.

No action was taken.

There being no objection, Mayor Michael Estes declared the meeting adjourned at 6:58 p.m.

  
Benjamin C. Marentette, MMC  
City Clerk

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



**Minutes of the**  
**City Commission for the City of Traverse City**  
**Study Session**  
**August 31, 2015**

A study session 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.

Mayor Michael Estes presided at the meeting.

1.

Discussion regarding a request for a Special Land Use Permit in connection with a development at 305 West Front Street, as recommended by the Planning Commission.

The following addressed the Commission:

Marty Colburn, City Manager  
Craig Patterson, Senior Vice President, Woda Group, Inc.  
Joe Sarafa, Member, Pine Street Development One, LLC  
Doug Mansfield, Landscape and Design Architect, Mansfield Land Consultants  
Russ Soyring, City Planning Director  
Erik Falconer, Member, Pine Street Development One, LLC  
Jim Scals, Attorney, Pine Street Development One, LLC  
Jim Tuller, Fire Chief

2.

Public Comment:

The following addressed the Commission:

Tom Mair, 615 Fifth Street

John Stocki, 2860 Arbor View Drive, City Business Owner

Rick Buckhalter, 932 Kelley Street

Grant Parsons, 6936 Mission Ridge, Peninsula Township, City Business  
Owner

Ann Stanton, 124 North Madison Street

Donna Hornberger, 6730 Mission Ridge, Peninsula Township

Michael Jackson, 217 Sixth Street

Mike Grant, 619 Webster Street

TJ Andrews, 619 Webster Street, The Watershed Center Grand Traverse Bay

Mary "Stuey" Zacks, 203 Wadsworth Street

Priscilla Townsend, 150 Pine Street

Hans Voss, 727 Washington Street, Groundwork Center for Resilient  
Communities

Chris Brunk, 1215 Rose Street

Ellen Corcoran, 150 Pine Street

Donald Coe, 200 Midtown Drive

Suzannah Tobin, 502 Fifth Street

Ann Rogers, 1236 Peninsula Drive

Bill Scharf, 6241 Summit Court, Peninsula Township

David Petro, 9988 Riley Road, Green Lake Township

Allison Beers, 10248 Fishers Run, Long Lake Township, City Business  
Owners, Chair of Young Professionals Program

Bradley Matson, 415 East Front Street

Judy Nelson, 429 Garfield Avenue

Lavern Broughton, 611 Hastings Street

Deni Scudato, 422 East State Street

3.

Announcements.

The following addressed the Commission:

Katie Stroven Deputy City Clerk

4.

Comment from City Commissions:

Gary Howe, Commissioner  
Jeanine Easterday, Commissioner  
Tim Werner, Commissioner  
Marty Colburn, City Manager  
Michael Estes, Mayor

There being no objection, Mayor Michael Estes declared the meeting adjourned at 8:57 p.m.



Katelyn Stroven  
Deputy City Clerk

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



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>mc</sup> MARTY COLBURN, 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	\$1.72375
Lemmen Oil	Coopersville	\$1.75875
Crystal Flash	Traverse City	\$1.75965
Scotland Oil (MIDEAL)	Alma	Did not bid
Blarney Castle	Traverse City	Did not bid
Fick & Sons	Grayling	Did not bid
Schmuckal Oil	Traverse City	Did not bid
Gilbert,s Service	Traverse City	Did not bid

The previous purchase price on 6/16/15 was \$2.11375 per gallon.

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

**that the acting City Manager be authorized to issue a confirming purchase order in the amount of \$1,7227.16 to Brenner Oil Co. for 9994 gallons of unleaded gasoline priced at \$1.72375 per gallon with funds available in the Garage Fund.**

MC/kes



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>MC</sup>MARTY COLBURN, CITY MANAGER

SUBJECT: WASTEWATER TREATMENT PLANT ODOR CONTROL  
EQUIPMENT PURCHASE

Attached is a memo from Director of Public Services Dave Green concurring with a recommendation from CH2M Hill Wastewater Treatment Plant (WWTP) Manager Elizabeth Hart. As indicated, the Phoenix Odor Control System's carbon canisters need to be replaced, and the only vendor that currently supplies the specific canisters needed is Continental Carbon Group.

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

**that the competitive bidding process be waived; and that the City Manager be authorized to issue a purchase order in the amount of \$19,530 to Continental Carbon Group, for the purchase of replacement carbon canisters for the Phoenix Odor Control System at the Wastewater Treatment Plant, with funds available in the Sewer Fund.**

MC/kes

K:\tcclerk\city commission\purchase orders\wwtp carbon canisters\_20150908.doc

copy: Dave Green, Director of Public Services  
Elizabeth Hart, CH2M

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# Memorandum

The City of Traverse City  
Department of Public Services



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TO: Martin Colburn, City Manager  
FROM: Dave Green, City DPS Director   
DATE: August 31, 2015  
SUBJECT: 2015 WWTP Odor Control Equipment Purchase

Attached is a memorandum from Elizabeth Hart, CH2M Project Manager, describing the need to replace the carbon canisters in the Phoenix Odor Control System. As Liz explains Continental Carbon Group is the only vendor for the canisters we need.

Please request City Commission approval to waive the competitive bid process for the purchase of the required canisters and authorize CH2M to purchase 30 canisters from Continental Carbon Group in the amount of \$19,530.00 with the funds available in CH2M's Operations Repair Budget.



## MEMORANDUM

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**TO:** Dave Green

**CC:** Martin Colburn, Penny Hill

**FROM:** Elizabeth Hart

**DATE:** August 28, 2015

**SUBJECT:** Replacement Carbon Canisters for the Phoenix Odor Control System

The carbon canisters in the Phoenix Odor Control System need to be replaced. The dimensions of the Odor Control System require that the replacement canisters be of a certain size and shape. Continental Carbon Group (They bought out Calgon, which is the company that originally installed the Phoenix Odor Control System) is the only vendor that currently supplies the particular carbon canisters we need. Continental Carbon Group quoted a price of \$19,530 for the purchase and shipment of the carbon canisters.

We are asking for permission to purchase these canisters from the Continental Carbon Group. The quote from Continental is attached to this email. Please let me know if you have any further comments, or questions.

Respectfully,

Elizabeth Hart  
Project Manager-ch2m.  
(231)922-4922

# Continental Carbon Group

27 August 2015

To: Travers City, MI c/o CH2M Hill  
Attn: Elizabeth Hart

Subject: Phoenix® P-6000 H2S Removal System – quote for replacement canisters  
CCG Proposal CCG\_15150

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Hello:

Please see the following proposal as per your request for replacement carbon canisters for the Phoenix odor control system.

Should you have any questions or require additional information, please do not hesitate to contact us.

Best regards,

**CONTINENTAL CARBON GROUP INC.**

Deepak Angl  
dangl@continental-carbon.com



**Supply only**

<b><u>Qty</u></b>	<b><u>Description</u></b>	<b><u>Price</u></b>
1	Supply and delivery of one (1) lot of 30 carbon canisters to replace existing for P-6000 unit - Includes delivery to site	\$19,530.00

**General Terms and Conditions:**

- Prices in US Dollars
- Lead time: 2 weeks stock
- Site services not included as part of this proposal
- Quote validity: 30 days
- CCG Standard Terms & Conditions apply



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>MC</sup>MARTY COLBURN, CITY MANAGER

SUBJECT: FIRE DEPARTMENT MOBILE DATA COMPUTERS PURCHASE

Attached is a memo from Fire Chief Jim Tuller regarding the purchase of four (4) mobile data computers for use in the City Fire front-line apparatus, which includes Engine 01, Engine 02, Rescue 01 and Chief's vehicle. The current Mobile Data Terminals being used at present are nine (9) years old, out of warranty and have significant hardware and operating system failures.

To replace the current units with four (4) Dell Latitude 14 Rugged Laptops, which are well-suited to withstand the severity of emergency service work, are necessary to have the secure connection back to Central Dispatch for mapping information as well as in sensitive situations, where information should not be broadcast over the radio, or in the case that the radio communication systems are down.

The estimated cost of the replacement, including the laptops and the associated hardware, software, mounting units and other related material needed for successful operation is \$13,600.00, with the work to be completed through the Grand Traverse County Information and Technology Department. I recommend the following motion (5 affirmative votes required):

**that the City Manager be authorized to issue a purchase order in the amount not-to-exceed \$16,600.00 for the purchase of four (4) Dell Latitude 14 Rugged Laptops and the associated materials for use by the Fire Department, with funds available in the Fire Department Budget.**

MC/bcm

K:\tcclerk\city commission\purchase orders\fire department mobile data computers

copy: James Tuller, Fire Chief

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**Communication**  
**From the Office of the Fire Chief**

**The City of Traverse City**  
**Fire Department**



**Station 01, 500 West Front Street, Traverse City MI 49684**

**(231) 922-4930 Ext. 2**

Monday August 24, 2015

TO: Martin Colburn, City Manager  
REF: TCFD CIP Project – Mobile Data Computers

City Manager Colburn,

The purpose of this communication is to request the purchase of four (4) Dell Latitude 14 Mobile Data Computers for use in the City Fire front-line apparatus; Engine 01, Engine 02, Rescue 01, Chief's vehicle.

The Mobile Data Terminals (computers) used up to present are Panasonic Toughbook laptop models, and were built in 2006 and acquired by City Fire through a grant process in 2008 at no cost to the City. The units were on-line and operating in 2010. To date they are 9 years old. Replacement of the Panasonic units with identical Toughbooks today would be an estimate of over \$4,500.00 per unit and a total project cost of over \$18,000.00.

Based on the obsolescence of computer equipment, hardware, software, and connectivity systems, replacement of the Panasonic Toughbook laptops in use since 2010 were placed in the 2012-2013 City Capital Improvement Budget process for scheduled replacement in the 2015-2016 Budget year.

To date, two of the units have had significant hardware failures rendering them in operable and their out of warranty status makes repair not a consideration. The other two are beyond the end of their life cycle, out of warranty, and would be considered operationally non-functional for City Fire needs. They use the Windows XP operating system which has lost support from Microsoft over a year ago and no longer receive any software or security updates. With meetings between the Grand Traverse County Information & Technology Department (who provides support to all City Fire computer and software systems), and the City Fire Computer & Communications Committee, it is recommended that the purchase of 4 Dell rugged laptops be made. These laptops are the same units that the Sheriff's Office uses and the Traverse City Police recently ordered.

This decision was based on the current successful use of Dell Rugged Laptops by the Michigan State Police, cost savings compared to the Panasonic Toughbook, and the Sheriff's Office own experience in field trials. GT County I.T. has compared prices and specifications and received price quotes and has found buying directly through the GT County's rep from Dell to be approximately \$1000 than purchasing through MI-Deal. The price break down is approximately \$2,450 per laptop, \$605 for the mounting dock with power supply for a per unit cost of \$3,055.00.

Based on my conversations with Grand Traverse Mobile, it is believed that the current in vehicle mounting hardware should be able to work with these units though I would anticipate some installation cost to GT Mobile.

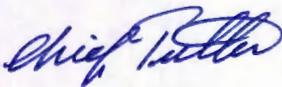
The Dell Rugged Laptop units are well-suited to withstand the rigors of emergency services work and daily heavy vibration they are subject to while mounted in Emergency Service apparatus. These laptops are also equipped with built in GPS and cellular data chips. These items are required for the secure connection back to Central Dispatch in order to receive mapping, call information, car to car or car to Dispatch messaging for sensitive situations that should not be broadcast over the radio, and emergency alerts sent to Central Dispatch in the case of lack of radio communication.

The purchase of 4 Dell Rugged Laptops is estimated to be a total of \$12,220.00. To replace the current Panasonic Toughbooks with new identical units is estimated to be \$4,500 + per unit with a total project cost of over \$18,000.

I am requesting that a Purchase/Service Order be developed for the purchase and installation of four (4) Dell Latitude 14 Rugged Laptops and the associated hardware, software, mounting units and other materials needed for operation in a not-to-exceed amount of \$13,600.00, with the work to be completed through the Grand Traverse County Information and Technology Department. Funds are designated for this project in the current 2015-2015 City Budget.

I am available at any time to meet and review this project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Chief Tuller".

Chief Tuller,  
T.C.F.D.



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>*MAC*</sup> MARTY COLBURN, CITY MANAGER

SUBJECT: FIRE DEPARTMENT UNIFORM PROVISIONS

Attached is a memo from Fire Chief Jim Tuller regarding the request for a 1-year service agreement for Fire Department uniform embroidery and silk-screening.

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

**that the City Manager be authorized to issue a purchase order in the amount not-to-exceed \$13,750.00 to Tele-Rad Inc., for the provision of Fire Department uniforms, with funds available in the Fire Department Budget.**

MC/slm

K:\tcclerk\city commission\purchase orders\fire department uniforms

copy: James Tuller, Fire Chief

**Communication**  
**From the Office of the Fire Chief**

**The City of Traverse City**  
**Fire Department**



**Station 01, 500 West Front Street, Traverse City MI 49684**

**(231) 922-4930 Ext. 2**

Monday August 31, 2015

TO: Martin Colburn, City Manager

REF: City Fire – Uniform Vendor

City Manager Colburn,

The purpose of this memo is to request authorization for a 1-year service agreement in the not-to-exceed amount of \$13,750.00 for the provision of uniforms to City Fire by Tele-Rad Inc. located at 2351 South Cass Road, Traverse City MI.

A bid process was utilized through the Office of the City Purchasing Agent with bid packages sent out to 7 local vendors and 1 out of town vendor. 2 vendors replied: Tele-Rad of Traverse City and Harwood Tuxedo and Uniforms of Waterford MI. The bid term requested was 5 years with a yearly cost developed from the total cost of the items on the authorized uniform article purchase list. The bids were received with the following information:

Tele-Rad Year 01:	\$1,087.00	Harwood Year 01:	\$1,167.95
Tele-Rad Year 02:	\$1,087.00	Harwood Year 02:	\$1,167.95
Tele-Rad Year 03:	No bid	Harwood Year 03:	\$1,180.72
Tele-Rad Year 04:	No Bid	Harwood Year 04:	\$1,188.12
Tele-Rad Year 05:	No Bid	Harwood Year 05:	\$1,196.40

Tele-Rad indicated in their bid document that due to limited control over product availability and potential price changes from the manufacturer (5.11 Tactical) they are only able to guarantee prices for a 2-year term.

I am requesting that the bid be awarded to Tele-Rad of Traverse City. Tele-Rad is less expensive than the other bidder. They are a local company and can provide all necessary embroidery and silk-screening processes in-house which simplifies the ordering and delivery process. Being that they are a local company, we will realize a cost savings on shipping and handling costs.

I am available at any time to review this project.

Respectfully,

A handwritten signature in blue ink that reads "Chief Tuller".

Chief Tuller,  
T.C.F.D.



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER <sup>mal</sup>

SUBJECT: 2015 MERS ANNUAL MEETING – EMPLOYER AND EMPLOYEE  
DELEGATE AND ALTERNATE

Attached is a memo from Human Resource Generalist Kristine Bosley, explaining the appointments of the Employer and Employee Officer Delegate and Officer Alternate Delegate for the Municipal Employees' Retirement System of Michigan Annual Meeting.

I recommend the following motion:

**that Kristine Bosley, be appointed Employer Officer Delegate and that David Mac Arthur and Michael Trombley, be appointed Employee Officer Delegate and Alternate Delegate respectively, and, for the 2015 annual meeting of the Municipal Employees' Retirement System; and that the City Manager be authorized to execute the certification of delegates.**

MC/kes

K:\tcclerk\city commission\appointments\MERS Delegate 2015\_20150908

copy: Kristine Bosley, Human Resource Generalist  
David Mac Arthur, City Garage  
Michael Trombley, Code Enforcement Officer

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# Memorandum

The City of Traverse City



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**TO: Martin Colburn, City Manager**  
**FROM: Kristine Bosley, Human Resource Generalist**  
**RE: MERS Annual Meeting - Delegates**  
**DATE: August 31, 2015**

The Municipal Employees Retirement System holds their Annual Meeting each year in the fall. Their 2013 meeting is set for October 8-9, 2015 at the Amway Grand Hotel, Grand Rapids.

The MERS Plan Document provides that our Employees' Delegate and Alternate Delegate shall be selected by secret ballot of the employees who are members of the Retirement System. This year the employees elected were, Dave MacArthur, City Garage as Employee Delegate and Mike Trombley, Code Enforcement Officer as Alternate.

The Employer appoints an Officer Delegate and Officer Alternate Delegate to attend this meeting. Please appoint Kristine Bosley, Human Resource Generalist as Officer Delegate.

Attached please find the MERS 2015 Annual Meeting Delegate and Alternate Certification form appointing the Officer Delegate. This form also indicates the Employees' selection for Delegate and Alternate.

Please present this to the City Commission at the September 8, 2015 Regular Commission meeting.



**Municipal Employees' Retirement System of Michigan**  
 1134 Municipal Way • Lansing, MI 48917  
 800.767.MERS (6377) • Fax: 517.703.9707  
 www.mersofmich.com

## 2015 Officer and Employee Delegate Certification Form

MERS 69<sup>th</sup> Annual Conference | October 8-9, 2015 | Amway Grand Hotel, Grand Rapids

Please print clearly • Retain a copy for your records

**IMPORTANT:** A **voting delegate** registered to attend the **MERS Annual Conference** is **NOT** confirmed to have voting rights until this form has been received by MERS.

The voting delegate representative must be a MERS member, defined as an **active employee on payroll** who is enrolled in either a MERS Defined Benefit Plan, Defined Contribution Plan or Hybrid Plan.

**If you are not attending MERS Annual Conference, you do not need to submit this form.**

### 1. Officer (and alternate) delegate information

The officer delegate (or alternate) shall be a MERS member who holds a department head position or above, exercises management responsibilities, and is directly responsible to the legislative, executive, or judicial branch of government.

Officer Delegate name

**Kristine Bodley, HR Generalist**

Officer Alternate name

**Marty Colburn, City Manager**

Officer delegate and alternate listed above were appointed to serve at the 2015 MERS Annual Conference by official action of the governing body (or chief judge for a participating court) on September 1, 2015.

### 2. Employee (and alternate) delegate information

The employee delegate (or alternate) shall be an employee member who is not responsible for management decisions, receives direction from management and, in general, is not directly responsible to the legislative, executive, or judicial branch of government.

Employee Delegate name

**David Mac Arthur**

Employee Alternate name

**Michael Trombley**

Employee delegate and alternate listed above were elected to serve at the 2015 MERS Annual Conference by secret ballot election conducted by an authorized officer on September 1, 2015.

### 3. Certification

**NOTE:** Certification should be signed by a member of the governing body or chief administrative officer, or the chief judge for a participating court, and municipality number provided in space at the bottom of certification box.

I certify that the officer delegate and alternate selections are true and correct, and the secret ballot election results for employee delegate and alternate are true and correct.

Employer/municipality name*		Municipality number*	Email address	
City of Traverse City		2801		
Employer address	Employer city	Employer state	Employer zip code	
400 Boardman Avenue	Traverse City	MI	49684	
Signature of authorized authority*		Printed name		
City Manager		Martin Colburn		
		Date		

\* Required field



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER <sup>nsc</sup>

SUBJECT: NORTHERN MICHIGAN ASSOCIATION OF WESTERN HORSE CLUBS – STATE RAFFLE LICENSE

Attached is a memo from City Clerk Benjamin Marentette, explaining the request from the Northern Michigan Association of Western Horse Clubs, for it to be recognized as a local non-profit organization. If so recognized, the organization can apply for a State Raffle License to hold a raffle and/or drawing.

I recommend the following motion:

**that the Local Governing Body Resolution for Charitable Gaming Licenses (issued by the Michigan Lottery), to recognize the Northern Michigan Association of Western Horse Clubs as a local non-profit organization, be adopted.**

MC/kes

K:\ccclerk\City Commission\Non Profit Resolutions\NMAWHC\_20150707\nonprofit\_NMAWHC\_2015.doc

copy: Kelly Leonard, Treasurer of NMAWHC

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# Memorandum

The City of Traverse City



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TO: Marty Colburn, City Manager

FROM: Benjamin Marentette, City Clerk *Ben Marentette*

DATE: Thursday, September 3, 2015

SUBJECT: Northern Michigan Association of Western Horse Clubs – State Raffle License

Northern Michigan Association of Western Horse Clubs is requesting that the City Commission recognize it as a local non-profit organization. If so recognized, Northern Michigan Association of Western Horse Clubs may apply for a State Raffle License which will allow them to hold a raffle and/or drawing.

Northern Michigan Association of Western Horse Clubs, is a 501(c)(3) organization that supports friends, families, youth and communities in the development of their equine knowledge and skills.

We have had similar requests in the past to recognize organizations as a local non-profit. To do so, certain documentation is required, including a letter from the IRS indicating the organization is recognized by it as a non-profit; articles of incorporation with provisions that all assets, upon dissolution will be given to another non-profit, etc. This office has reviewed that documentation and determined compliance.

Therefore, I respectfully recommend the City Commission adopt a resolution recognizing Northern Michigan Association of Western Horse Clubs as a local non-profit organization. As always, please feel free to contact me with any questions.

Northern Michigan Assoc Western Horse Clubs  
PO Box 4113  
Traverse City, MI 49685

Re Application for Raffle License

Dear Traverse City Counsel,

I would like to request a approval for our request to have a raffle license. We would like to raffle off prizes at our horse shows and banquet. All monies will go back to the club and be used for our members and horse shows.

Thank you,  
NMAWHC

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# NORTHERN MICHIGAN ASSOCIATION OF WESTERN HORSE CLUBS, INC.

## 2015 BY-LAWS & RULE BOOK

### **Officers:**

Gerianne Street	President
Sandra Peterson Stevens	Vice-President
Beth Friend	Secretary
Kelly Leonhard	Treasurer
vacant	Points Secretary

### **Board of Directors:**

Joann Bohrer  
Isaac Boyer  
Cathy Browe  
Alisa Forton  
Cindy Gerou  
Sandy Jansen  
Hope Ann Smeltzer



**NORTHERN MICHIGAN ASSOCIATION  
OF WESTERN HORSE CLUBS**

**2015  
BY-LAWS & RULE BOOK**



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER <sup>mc</sup>

SUBJECT: TRAFFIC CONTROL ORDER 583

Attached is a memo from Engineering Technician Jessica Carpenter indicating that Traffic Control Order #583 has been in effect for at least 90 days and is ready to be adopted by the Commission as permanent. This traffic control order is as follows:

- #583: Add a Parking Meter Zone on Lake Avenue from East Eighth Street to South Cass Street.

I recommend the following motion:

**that Traffic Control Order 583, which requires adding a Parking Meter Zone on Lake Avenue from East Eighth Street to South Cass Street, be adopted to be made permanent.**

MC/kes

K:\tcclerk\city commission\traffic control order\TCO 583.doc

copy: Timothy Lodge, City Engineer  
Jessica Carpenter, Engineering Technician

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# Memorandum

The City of Traverse City  
Engineering Department



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**TO:** Martin Colburn, City Manager  
Timothy J. Lodge, P.E., City Engineer

**FROM:** Jessica L. Carpenter, E.I.T., Engineering Technician

**DATE:** Friday, August 14, 2015

**SUBJECT:** Traffic Control Order 583 to be made permanent

The following Temporary Traffic Control Order has been in effect for at least 90 days and is ready to be made permanent.

#	What	Where
583	Parking Meter Zone	Lake Ave from E Eighth St to South Cass St

TCO 583 was proposed by staff and business owners to create higher on-street parking turn over, make the existing 2-hour parking restriction easier to enforce, as well as create more of a business district character along on Lake Ave between Eighth St and Cass St while generating revenue for the City. The proposal to add this section of Lake Ave as a Parking Meter Zone was reviewed by the Transportation Committee and it was the consensus to approve the installation of parking meters.

The authority of the City Manager for this Temporary Traffic Control Order has expired and it must be extended or made permanent by the City Commission in order to continue. The City Commission can always rescind a Traffic Control Order at a later date if they so choose.

Staff is recommending that TCO 583 be made permanent.

Temporary Traffic Control Orders are on file with the City Clerk's office.

The City of Traverse City  
Office of the City Manager

GOVERNMENTAL CENTER  
400 Boardman Avenue  
Traverse City, MI 49684  
(231) 922-4440  
(231) 922-4476 Fax  
tcmanage@traversecitymi.gov



**TRAFFIC CONTROL ORDER NO.: 583      DATE: April 16, 2015**

Those streets within the following described area shall be designated hereby as a **Parking Meter Zone**:

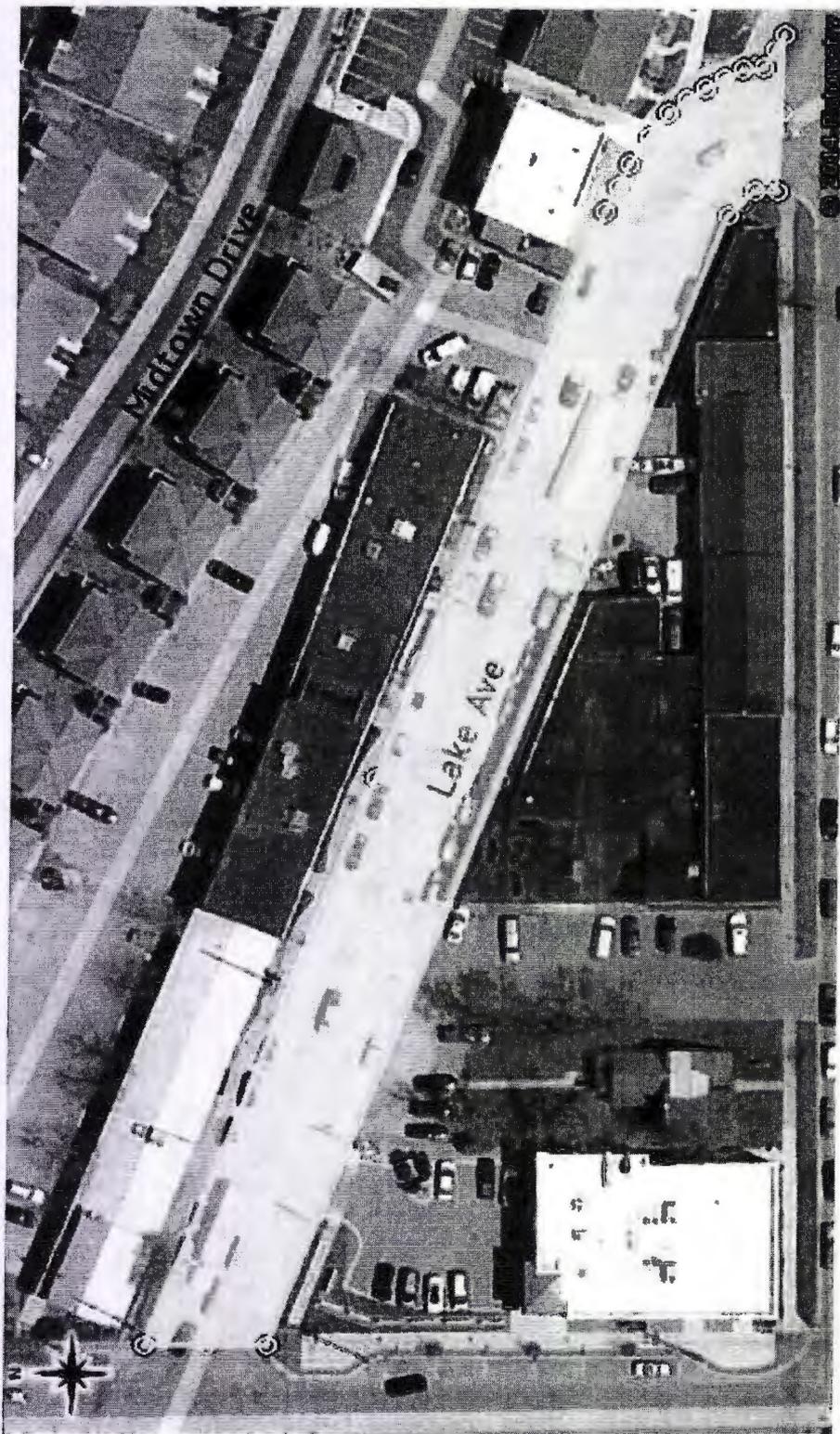
**Lake Avenue from East Eighth Street to South Cass St**

which will allow general placement of meters, subject to other traffic control orders restricting parking.

  
Penny Hill, Acting City Manager

**TEMPORARY TRAFFIC CONTROL ORDER TO BE IN EFFECT FOR 90 DAYS**

Confirmed by the City Commission \_\_\_\_\_



## **TCO 583 Location Map**

**Print Date: 08/13/2015**  
**Image Date: 05/06/2014**  
**Level: Community**



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER <sup>mc</sup>

SUBJECT: ORDINANCE AMENDMENT TO ALLOW CREMATORIES AND FUNERAL HOMES IN INDUSTRIAL DISTRICT

Attached is a previously submitted memo from City Planning Director Russ Soyring indicating the Planning Commission's recommendation to allow crematories and funeral homes in the Industrial District. As stated by Mr. Soyring, cremation is a rapidly growing trend in Michigan and our Zoning Code does not address them with the exception of the C-2 district where they are not allowed.

I recommend the following motion:

**that the amendments to the Traverse City Code of Ordinances, Section 1320.07, Definitions and Section 1354.01, Uses Allowed, which would allow for crematories and funeral homes in the Industrial District, as recommended by the Planning Commission, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.**

MC/kes

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copy: Russell Soyring, City Planning Director

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# Memorandum

The City of Traverse City  
Planning Department



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TO: MARTY COLBURN, CITY MANAGER

FROM: RUSS SOYRING, PLANNING DIRECTOR *Russ Soyring*

SUBJECT: AMENDMENT TO ALLOW CREMATORIES AND FUNERAL HOMES IN INDUSTRIAL DISTRICT

DATE: AUGUST 10, 2015

A request has been made by Vaughn Seavolt, a local funeral director to allow funeral homes and crematories in I-(Industrial) Districts. The Zoning Code allows Funeral homes without crematories in the C-2 (Neighborhood Center) District. In the Industrial District, C-2 (Neighborhood Center) uses are allowed. However, in the Airport Industrial Park and Traversefield Enterprise Place, C-2 uses are limited to buildings that are more than 5 years old. This restriction was put in place to limit commercial uses in the industrial planned parks.



Interior space of a crematory

Crematories or any facilities for cremation are currently not addressed anywhere within the Zoning Code with the exception of the C-2 district where it states they are not allowed. Cremation is now common and rapidly growing within Michigan and the nation. Crematories are licensed by the State of Michigan. Based on staff's review of several articles, crematories have a very low impact on the air quality or the environment. The evaporation of mercury is the biggest concern, but other allowed uses in the industrial district would likely generate higher levels of mercury vapor. Many other allowed uses in the I District would also have the potential of higher emissions in terms of particulates such as coal fired power plant or steel smelting plant.

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# Memorandum

The City of Traverse City  
Planning Department



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Based on input from the Planning Commission at their June 16, 2015 study session, staff prepared a text amendment to allow for funeral homes and crematories in the Industrial District with conditions. A Public Hearing was scheduled at the July 7, 2015 meeting and held on August 4, 2015. There were no comments made during the Public Hearing. The Planning Commission recommended the amendment be approved on a 7-0 vote (Commissioners Easterday and Dow absent). Please pass on the Planning Commission's recommendation regarding this zoning code amendment on to the City Commission for their consideration.

During the public hearing a question was asked whether the distance requirement that a crematory be at least 500 feet from a residential zone would apply to the residentially zoned properties within the townships. After conferring with Lauren Tribble-Laucht, City Attorney it was determined that the requirement as written and presented to the Planning Commission, would not apply to the adjacent township (East Bay and Garfield Townships) residential zones. To keep with the intended spirit of the proposed zoning regulation, the text was subsequently modified by staff in the attached red-lined version of the proposed zoning ordinance text amendment.

RAS:ml  
Attachments: Amendment

TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: CREMATORIES DEFINITION AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That the General Provisions and Definitions Chapter, Section 1320.07, *Definitions*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

**1320.07 DEFINITIONS.**

As used in this Chapter:

***Abutting*** means a lot or parcel which shares a common border with the subject lot or parcel.

***Accessory building*** means a building or structure customarily incidental and subordinate to the principal building and located on the same lot as and spatially separated from the principal building.

***Accessory dwelling unit*** means a smaller, secondary home on the same lot as a principal dwelling. Accessory dwelling units are independently habitable and provide the basic requirements of shelter, heating, cooking and sanitation. There are two types of accessory dwelling units:

- a. Accessory dwelling in an accessory building (examples include converted garages or new construction)
- b. Accessory dwelling that is attached or part of the principal dwelling (examples include converted living space, attached garages, basements or attics; additions; or a combination thereof).

***Accessory use*** means a use customarily incidental and subordinate to the principal use of the land or building and located on the same lot as the principal use.

***Adult Foster Care Family Home*** means a private residence with the approved capacity to receive not more than 6 adults who shall be provided foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home State licensee shall be a member of the household and an occupant of the residence.

***Adult foster care small group home*** means a State licensed adult foster care facility with the approved capacity for not more than 12 adult residents to be provided foster care.

***Affordable housing*** means housing units for eligible low-income households where the occupant is paying no more than 30% of gross income for housing costs.

***Aggrieved person*** means a person who has suffered a substantial damage from a zoning decision not in common to other property owners similarly situated, and who has actively opposed the decision in question.

***Airport terminal*** means the main passenger location of an airport and includes all office, hotel and retail uses commonly occurring at such locations.

***Alley*** means a way which functions primarily as a service corridor and provides access to properties abutting thereon. "Alley" does not mean "street".

***Alteration*** means any change, addition or modification in construction or type of occupancy; any change in the structural members of a building, such as walls or partitions, columns, beams or girders.

***Basement*** means that portion of a building which is partly or wholly below finished grade, but so located that the vertical distance from the average grade to the floor is greater than the vertical

distance from the average grade to the ceiling. A basement, as defined herein, shall not be counted as a story (see Figure 1-1). A cellar is a basement.

**Berm** means a constructed mound of earth rising to an elevation above the adjacent ground level of the site where located which contributes to the visual screening of the area behind the berm.

**Block** means a unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.

**Block, face.** "Face block" means that portion of a block or tract of land facing the same side of a single street and lying between the closest intersecting streets.

**Boat house** means an enclosed or partially enclosed structure designed for the use and storage of private watercraft and marine equipment.

**Boat livery** means any structure, site or tract of land utilized for the storage, servicing, docking or rental of watercraft for a fee.

**Brew pub** means a facility as defined such by the State of Michigan.

**Building** means any structure designed or built for the enclosure, shelter or protection of persons, animals, chattels or property of any kind.

**Building, height of.** See "Height of building".

**Building, principal.** "Principal building" means a building within which is conducted the main or principal use of the lot upon which it is located.

**Cemetery** means property, including crematories, mausoleums, and/or columbariums, used or intended to be used solely for the perpetual interment of deceased human beings or household pets.

**Clinic** means an establishment where human patients who are not lodged overnight are admitted for examination and treatment by a group of physicians or dentists or similar professions.

**Club** means an organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, agriculture or similar activities, but not operated for profit and open only to members and not the public.

**Cluster** means a development design technique that concentrates building on a portion of the site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive features.

**Communication Antenna** means a device, dish or array used to transmit or receive telecommunications signals mounted on a communication tower, building or structure that is greater than one square meter in a residential district or two square meters in a non-residential district. Antenna does not include federally-licensed amateur radio station, television or radio receive-only antennas or antennas used solely for personal use. Communication antennas are not "essential services," public utilities or private utilities.

**Communication tower or tower** means any structure that is primarily designed and constructed for the purpose of supporting one or more antennas for telecommunications, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

Communication towers are not "essential services," public utilities or private utilities.

**Community Garden** means a parcel gardened collectively by a group of people.

**Convenience store** means a retail establishment offering for sale prepackaged food products, household items and other goods commonly associated with the same and having a gross floor area of less than 5,000 square feet.

**Country club.** See "golf course".

**Crematories** means a building or structure, or room or space in a building or structure, for the cremation of deceased persons or deceased household pets.

**Critical root zone** means a circular area surrounding a tree, the radius of which is measured

outward from the trunk of a tree one foot for each one inch of diameter at breast height. The critical root zone shall also extend to a depth of four feet below the natural surface ground level.

**Cultural facilities** means facilities for activities for the preservation and enhancement for the cultural well-being of the community.

**Development** means all structures and other modifications of the natural landscape above and below ground or water on a particular site.

**Diameter at breast height** means the diameter of a tree trunk in inches measured by diameter at four and one-half feet (4.5') above the ground.

**District** means a section of the City for which the zoning regulations governing the use of buildings and premises, the height of buildings, setbacks and the intensity of use are uniform.

**Drive-in** means an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles.

**Drive-through** means an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive service or obtain goods intended to be consumed off-premises.

**Dripline** means an imaginary vertical line extending downward from the outermost tips of the tree branches to the ground.

**Driveway** means a means of access for vehicles from a street, approved alley, across a lot or parcel to a parking or loading area, garage, dwelling or other structure or area on the same lot.

**Driveway, Service** means a point of access solely for the use of vehicles designed to load and unload trash receptacles three cubic yards or more in size.

**Dwelling** means any building or portion thereof which is designed for or used exclusively for residential purposes and containing one or more dwelling units.

**Dwelling, multiple family.** "Multiple family dwelling" means a building or portion thereof containing three or more dwelling units and designed for or occupied as the home of three or more families living independently of each other.

**Dwelling, single-family.** "Single-family dwelling" means a detached building containing one dwelling unit and designed for or occupied by only one family.

**Dwelling, two-family.** "Two-family dwelling" means a building designed for or occupied exclusively by two families living independently of each other.

**Dwelling unit** means one or more rooms with bathroom and principal kitchen facilities designed as a self-contained unit for occupancy by one family for living, cooking and sleeping purposes. The existence of a food preparation area within a room or rooms shall be evidence of the existence of a dwelling unit.

**Eligible household** means a household meeting the income criteria included in Chapter 1376, with income determined in a manner consistent with determinations of lower-income households and area median income under Section 8 of the U.S. Housing Act of 1937, as amended (Section 8 Housing Program).

**Eligible housing nonprofit** means a 501(c)3 nonprofit housing organization with the means and capacity to guarantee and enforce long-term affordability of affordable housing units meeting the requirements of Chapter 1376.

**Emergency shelter** means a facility operated by a governmental or nonprofit agency where supportive services and shelter are offered to homeless persons.

**Erected** means built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage and the like, shall be considered a part of erection when done in conjunction with a structure.

**Essential services** means the installation, construction, alteration or maintenance by public utilities or governmental agencies of underground, surface or overhead telephone, electrical, gas,

steam, fuel, or water distribution systems, collections, supply or disposal systems, streets, alleys, sidewalks, or trails, including pavement, traffic control devices, signs, poles, wires, mains, drains, sewers, pipes, conduits, cables, padmount transformers, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith which are necessary for the furnishing of adequate service by such utilities or governmental agencies for the general public health, safety, convenience or welfare. "Essential services" do not include communication antennas and communication towers.

**Essential service-structures.** The erection, construction, alteration or maintenance by public utilities or governmental agencies of structures not in the right-of-way over 800 cubic feet in area including, but not limited to, towers, transmission and subtransmission facilities, or buildings related to essential services in all districts.

**Facade** means the exterior wall of a building exposed to public view.

**Family** means one or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel.

**Fence** means a constructed barrier made of wood, metal, stone, brick or any manufactured materials erected for the enclosure of yard areas.

**Flood plain, 100 year.** "100 year flood plain" means the lowland areas adjoining inland and coastal waters which are identified on Floodway Maps produced by FEMA (Federal Emergency Management Agency) and which are estimated to have a one per cent chance of flooding in a given year.

**Floor area.** See AGross Floor Area@.

**Frontage** means the total continuous width of the front lot line.

**Golf course/country club** means any golf course, public or private, where the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges and miniature golf courses as a principal use.

**Grade** means

1. **For buildings having walls adjoining one street only:** the elevation of the public sidewalk, top of curb, or centerline of the street right-of-way, whichever is closest to the building, where a building wall adjoins a street.
2. **For buildings having walls adjoining more than one street:** the average elevation of the sidewalks, curbs or centerlines of streets, whichever is closest to the building walls adjoining the streets.
3. **For buildings having no wall adjoining the street:** the average of the lowest and highest ground surface elevations in an area within six feet of the foundation line of a building or structure. Any building or structure wall within 35 feet of a public or private street shall be considered as adjoining the street. (See Figure 1-2.)

**Greenbelt** means a strip of land of definite width and location upon which existing vegetation is preserved or an area is reserved for the planting of living plant materials to serve as an obscuring screen or buffer strip in carrying out the requirements of this Code.

**Grocery store** means a retail establishment primarily selling prepackaged and perishable food as well as other convenience and household goods.

**Gross floor area (GFA)** means the sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.

**Height of building** means the vertical distance from the grade to the highest point on a mansard or flat roof or to the median height between the eaves and the ridge for gable, hip and gambrel roofs. (See Figure 1-3).

**Home occupation** means an accessory use of a dwelling unit for business purposes.

**Impervious surface** means any material which prevents, impedes or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation bearing soils, including building, asphalt, concrete, gravel and other surfaces.

**Impervious surface ratio** means the area of impervious surface less those areas used exclusively for pedestrian circulation or outdoor recreational facilities divided by the gross site area.

**Kennel** means any lot or premises used for the sale, boarding, or breeding of dogs, cats or other household pets or the keeping of five or more dogs or cats in any combination over the age of six months.

**Land clearing** means:

1. The clearing of over 8,000 square feet of vegetation from any site, or
2. The removal of more than 20 trees more than 6 inches in diameter at breast height within 50 feet of a public or private street or river.

Mowing, trimming or pruning of vegetation to maintain it in a healthy, viable condition is not considered land clearing.

**Landing area** means a landing pad, area, strip, deck or building roof used to launch or receive aircraft, including, but not limited to, power-driven winged or delta-winged aircraft, gliders, balloons and helicopters.

**Landscaping** means some combination of planted trees, vines, ground cover, flowers or turf so long as a minimum of 80 per cent of the landscape area is covered by living plant material. In addition, the combination or design may include rock ground cover, earth mounds, and such structural features as fountains, pools, art works, screens, walls, fences and benches.

**Laundromat** means a business that provides home-type washing, drying and/or ironing machines for hire to be used by customers on the premises or operated for the benefit of retail customers who bring in and call for laundry.

**Lot** means a parcel of land occupied or intended for occupancy by a use permitted in this Zoning Code, including one principal building together with accessory buildings, open spaces and parking areas required by this Zoning Code, and having its principal frontage upon a street or upon an officially approved private street. The word "lot" includes the words "plot", "tract" or "parcel".

**Lodging Facility** means a commercial establishment with one or more buildings whose primary use is to provide temporary overnight accommodations within individual guest rooms or suites to the general public for compensation. Accessory uses may include eating places, meeting rooms and other similar uses.

**Lot, corner.** "Corner lot" means a lot which has at least two contiguous sides abutting on and at the intersection of two or more streets.

**Lot of record** means a lot whose existence, location and dimensions have been legally recorded or registered in a deed or on a plat.

**Lot, through.** "Through lot" means an interior lot having frontage on two more or less parallel streets.

**Lot width** means the horizontal distance between side lot lines measured parallel to the front lot line at the minimum required front setback line.

**Manufacturing** means the production of articles for use from raw or prepared materials by giving these materials new forms, qualities, properties or combinations, whether by hand labor or machine.

**Marina** means a commercial mooring, berthing, or docking facility for watercraft with or without provisions for launching, haulout, servicing, fueling or sales of accessory supplies.

**Medical Marijuana** means marijuana as defined by the Michigan Medical Marijuana Act., MCL 333.26421 et seq. grown, used, or transferred for "medical use" as defined by the Michigan

Medical Marihuana Act., MCL 333.26421 et seq.

**Medical Marihuana Collective** means a use where Medical Marihuana is transferred, pursuant to the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Medical Marihuana Cultivation** means a use where Medical Marihuana is grown as permitted by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Medical Marihuana Cultivation Facility** means a use where more than 72 plants are being cultivated on a Parcel.

**Microbrewery** means a facility as defined as such by the State of Michigan.

**Non-conforming use** means a lawful use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

**Nursing home.** See "Residential care and treatment facility".

**Open space, common.** "Common open space" means land within or related to a development, not individually owned that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate.

**Operator of Medical Marihuana Collective** means any person who is employed by or otherwise involved in the operation of a Medical Marihuana Collective.

**Ordinary high water mark** means the line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is identified along Grand Traverse Bay and the lower Boardman River as elevation 581.04 feet USGS.

**Owner** means any person having an ownership interest in a premises as shown on the latest Traverse City tax records.

**Parcel.** See a "lot".

**Parking area** means any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles, including parking lots, driveways and legally designated areas of public streets.

**Parking area, commercial.** "Commercial parking area" means a tract of land which is used for the storage of motor vehicles, which is not accessory to any other use on the same or any other lot and which contains parking space rented to the general public or reserved for individuals by the hour, day, week or month.

**Parking area, off-street.** "Off street parking area" means a land surface or facility providing vehicular parking spaces off of a street together with drives and maneuvering lanes so as to provide access for entrance and exit for the parking of motor vehicles.

**Parking area, private.** "Private parking area" means a parking area for the exclusive use of the owners, tenants, lessees, or occupants of the lot on which the parking area is located or their customers, employees, or whomever else they permit to use the parking area.

**Parking area, public.** "Public parking area" means a publicly owned or controlled parking area available to the public, with or without payment of a fee.

**Parking space** means an area of land provided for vehicles exclusive of drives, aisles, or entrances giving access thereto, which is fully accessible for parking of permitted vehicles.

**Parking structure** means a building or structure consisting of more than one level and used to store motor vehicles.

**Pavement.** "Pavement" and "paved" mean permanent and completely covered with concrete, a bituminous surface, brick or other surface approved by the Planning Director.

**Pedestrian scale** means design and construction considerations based upon the scale of a human being which imbue occupants and users of the built environment with a sense of comfort and

security.

**Person** means a corporation, association, partnership, trust, firm or similar activity as well as an individual.

**Place of worship** means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

**Planning director** means the head of the City Planning and Zoning Department or the designee of that person.

**Plat** means a map of a subdivision of and recorded with the Register of Deeds pursuant to State statute

**Primary Caregiver** means a primary caregiver with a registry identification card as defined by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**Principal use** means the main use of land or structures as distinguished from a secondary or accessory use.

**Public utility** means any person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under federal, state or municipal regulations to the public; gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation or water.

**Qualifying Patient** means a qualifying patient with a registry identification card as defined by the Michigan Medical Marihuana Act., MCL 333.26421 et seq.

**R-District** means a residence district, namely an RC, R-1a, R-1b, R-2, R-9, R-15, and R-29 district.

**Recreational facilities** means buildings, or grounds, excluding amusement parks, where a variety of sport or exercise activities are offered.

**Recreational vehicle** means a vehicle primarily designed and used as a temporary living quarters for recreational, camping, or travel purposes including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle.

**Residential Care and Treatment Facility** means a facility providing:

1. Services, programs and temporary shelter for residents who are undergoing alcohol or substance abuse rehabilitation;
2. Temporary emergency shelter and services for battered individuals and their children in a residential structure.

**Restaurant, family** means an establishment where food and drink are prepared and served to seated customers. Customer turnover rates are typically less than one hour. Generally, these establishments serve breakfast, lunch, and dinner and sometimes are open 24 hours a day. It may include cafeteria-style facilities.

**Restaurant, fast food** means an establishment where food and drink are served to customers at a counter. Such establishments may or may not have seating facilities. Generally, food and drink is ordered and taken to be consumed outside the restaurant building.

**Restaurant, fine** means an establishment where food and drink are prepared and served. Customer turnover rates are typically one hour or longer. Such establishments serve dinner but generally do not serve breakfast and may or may not serve lunch or brunch.

**Right-of-way** means a public or private street, alley or easement permanently established for the passage of persons or vehicles.

**Rooming house** means a residential building where rooms or suites of rooms are rented where the renters use common facilities, such as hallways and bathrooms. A rooming house shall not include lodging facilities, apartment houses, two and multi-family dwellings or fraternity and sorority houses.

**School** means an educational institution under the sponsorship of a private or public agency

providing elementary or secondary curriculum, and accredited or licensed by the State of Michigan; but excluding profit-making private trade or commercial schools.

**Screen** means a structure providing enclosure and a visual barrier between the area enclosed and the adjacent property. A screen may also be non-structured, consisting of shrubs or other growing materials.

**Screen, opaque** means a masonry wall, fence sections, earthen berm, evergreen hedge or a combination of these elements which completely interrupt visual contact and provide spatial separation.

**Setback** means the distance required between a lot line and a building wall.

**Setback, front.** A Front setback@ means the minimum required distance, extending the full lot width, between the principal building and the front lot line.

**Setback, rear.** A Rear setback@ means the minimum required distance, extending the full lot width, between the principal and accessory buildings and the lot line opposite the front line.

**Setback, side.** A Side setback@ means the minimum required distance, extending from the front setback to the rear setback, between the principal and accessory building and the side lot line.

**Site diagram** means a drawing, drawn to scale, showing the location of buildings and structures on a lot, as well as driveways, curb cuts, alleys, streets, easements and utilities. See Appendix 1, Figure 1-4.

**Site plan** means a plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this Code.

**Stop work order** means an administrative order which directs a person not to continue, or not to allow the continuation of an activity which is in violation of this Code.

**Street** means any public way, such as a public street, avenue or boulevard, at least 16 feet wide. Street does not mean "alley". See also "Private street".

**Street, access.** "Access street" means a street or alley designed primarily to provide access to properties.

**Street, arterial.** "Arterial street" means a street designed to carry high traffic volumes through the community.

**Street, collector.** "Collector street" means a street designed to carry moderately high traffic volumes from arterial and access streets.

**Street, private.** "Private street" means an officially approved thoroughfare, other than a public street or alley, permanently reserved as the principal means of access to abutting property.

**Structural alterations** means any change in a building requiring a building permit.

**Structure** means anything constructed or erected, the use of which requires a more or less permanent location on the ground or an attachment to something having a permanent location on the ground, including, but not limited to, freestanding signs, billboards, back stops for tennis courts and pergolas.

**Tourist home** means a single-family dwelling owned and occupied by a person renting out not more than three rooms for compensation to persons who do not stay for more than seven consecutive days.

**Townhouse** means a multiple dwelling in which each dwelling unit shares a common wall with at least one other dwelling unit and in which each dwelling unit has living space on the ground floor and has a separate ground-floor entrance.

**Trailer** means any enclosure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirtings, and which has been or reasonably may be equipped with wheels or devices for transporting the enclosure from place to place. "Trailer" includes motor homes, travel trailers and camper vans.

**Transit center** means a fixed location where passengers interchange from one route or vehicle to another that has significant infrastructure such as a waiting room, benches, restrooms, sales

outlet, ticket or pass vending machines and other services.

**Transitional housing** means a facility which is operated by a government or a nonprofit agency providing interim sleeping and bath accommodations; interim eating and cooking facilities; and professional services to assist individuals or families in locating permanent housing.

**Treelawn** means the area of public right-of-way lying between the curb line of a curbed Street or developed travelway of a noncurbed street and the nearest private property line substantially parallel to said street.

**Trip end** means the total of all motor vehicle trips entering plus all motor vehicle trips leaving a designated land use or building over a given period of time.

**Vacation Home Rental** means a commercial use of a dwelling where the dwelling is rented or sold for any term less than 30 consecutive days.

**Yard** means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Zoning Code.

**Yard, front.** "Front yard" means all land extending across the width of a property and lying between the building line and the front lot line.

**Yard, rear.** "Rear yard" means all land extending across the width of the property and lying between the building and the rear lot line.

**Yard, side.** "Side yard" means all land lying between a principal building and the side lot lines and extending from the front to the rear of the principal building.

**Zoning Code** means Part 13, Title One of the Code of Ordinances of the City of Traverse City and includes the text of this Zoning Code as well as all maps, tables, graphics, schedules as included or attached as enacted or subsequently amended.

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

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2015, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2015, at a regular meeting of the City Commission by a vote of Yes: \_\_\_\_ No: \_\_\_\_ at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

\_\_\_\_\_  
Michael Estes, Mayor

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

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

\_\_\_\_\_  
Benjamin C. Marentette, City Clerk

# TRAVERSE CITY CODE OF ORDINANCES

ORDINANCE AMENDMENT NO. \_\_\_\_\_

Effective date: \_\_\_\_\_

TITLE: FUNERAL SERVICES AND CREMATORIES ADDED AS USES ALLOWED IN THE INDUSTRIAL DISTRICT AMENDMENT

THE CITY OF TRAVERSE CITY ORDAINS:

That the Industrial District Chapter, Section 1354.01, *Uses Allowed*, of the Zoning Code of the Traverse City Code of Ordinances, be amended to read in its entirety as follows:

## 1354.01 USES ALLOWED.

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

- GP District uses;
- C-2 District uses meeting the setbacks (§1342.02), building height (§1342.06) and special requirements (§1342.09) of the C-2 District and shall not open to the public between the hours of 10:00 p.m. and 6:00 a.m.
- C-2 District uses in the Airport Industrial Park and Traversefield Enterprise Place is limited to existing buildings more than five years old, based upon the date of the initial certificate of occupancy issued. Minor additions are allowed provided the addition is for barrier free access, fire safety or to improve the energy efficiency of the building;
- Auto Repair;
- Communications establishments;
- Construction, special trades;
- Contractors;
- Contractors, heavy construction;
- Crematories provided the use is at least five hundred feet from a Residential zoning (~~R-1a, R-1b, R-2, R-9, R-15 or R-29~~) District, public park or school as defined by the Zoning Code;
- Cutting plastics, leather, etc;
- Equipment rental and leasing, miscellaneous;
- Fuel dealers;
- Funeral services;
- Gas systems;
- Kennels for boarding provided that no building, open kennel or exercise runway shall be located closer than 200 feet from any R District;
- Lumber yards - retail;
- Manufacturing or processing of:
  - (1) Apparel and other finished products made from fabrics and similar materials;
  - (2) Bakery products;
  - (3) Beverages;
  - (4) Canned, frozen and preserved fruits, vegetable and food specialties;
  - (5) Dairy products;
  - (6) Electronic and other electrical equipment and components;
  - (7) Fabricated metal products, except machinery and transportation equipment and

- except ordnance and accessories;
- (8) Food preparations and kindred products - miscellaneous;
- (9) Furniture and fixtures;
- (10) Grain mill products;
- (11) Industrial and commercial machinery and computer equipment;
- (12) Leather and leather products (finished), except leather tanning and finishing;
- (13) Lumber and wood products, except furniture, wood preserving and reconstituted wood products;
- (14) Manufacturing industries - miscellaneous;
- (15) Measuring, analyzing and controlling instruments, photographic, medical and optical goods, matches and clocks;
- (16) Printing, publishing and allied industries;
- (17) Stone, clay, glass and concrete products, except asbestos products;
- (18) Sugar and confectionery products;
- Medical Marihuana Cultivation Facility meeting the following requirements:
  - (1) Medical Marihuana Cultivation shall comply at all times with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.
  - (2) All medical marihuana plants cultivated by each Primary Caregiver or Qualifying Patient shall be contained within a fully enclosed locked facility inaccessible on all sides and equipped with locks or other security devices that permit access only by the Primary Caregiver or the Qualifying Patient.
  - (3) Cultivation shall be conducted so as not to create dust, glare, noise, odors, or light spillage beyond the parcel and shall not be visible from an adjoining public way.
  - (4) A Medical Marihuana Cultivation Facility shall not be located within a 1,000 foot radius from any existing School.
  - (5) A Medical Marihuana Cultivation Facility shall register for a business license with the City Clerk and if the Applicant is not the Owner of the Parcel, such license application shall include the property owners' consent to the use of the parcel as a Medical Marihuana Cultivation Facility.
  - (6) No transfer of Medical Marihuana shall occur except marihuana plants pursuant to the Michigan Medical Marihuana Act.
- Metal slitting and shearing;
- Motor freight transportation and warehousing;
- Nurseries, retail;
- Offices, general, up to 5,000 square feet gross floor area on any site and/or building;
- Offices primarily serving industry in the district which clearly establish support services for permitted industries in the district;
- Parcel packing services;
- Pet boarding or pet grooming services, provided that no building, open kennel or exercise runway is closer than 200 feet from an R-District;
- Places of Worship;
- Postal and delivery services;
- Pressure container filling;
- Primary metal industries, including smelting, forging and similar operations, subject to the following conditions:
  - (1) The maximum lot size is 14 acres.

(2) No odors, smoke or noise from the use are likely to create a disturbance on neighboring public or private property.

- Retail outlets, if accessory to manufacturing use;
- Salvaging damaged merchandise not engaged in sales;
- Scrap steel cutting;
- Sign painting and lettering shops;
- Solvents recovery services;
- Tape slitting for trade;
- Testing and laboratory services;
- Veterinary services for animal specialties provided that no building, open kennel or exercise runway shall be no closer than 200 feet from any R district;
- Vocational schools;
- Warehousing;
- Weighing foods and other commodities;
- Wholesale trade - durable goods;
- Wholesale trade - non-durable goods except livestock and wholesale live animals.

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

I hereby certify the above ordinance amendment was introduced on \_\_\_\_\_, 2015, at a regular meeting of the City Commission and was enacted on \_\_\_\_\_, 2015, 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 REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>mar</sup> MARTY COLBURN, CITY MANAGER

SUBJECT: ORDINANCE AMENDMENT – RESIDENTIAL MOBILE FOOD  
VENDING PERMIT APPLICANT INVESTIGATION

Attached is a previously submitted memo from City Clerk Benjamin Marentette explaining an ordinance amendment to Chapter 865, Mobile Food Vending. As explained by the City Clerk, this ordinance amendment would shift the residential area applicant investigation responsibility to the City Clerk's Office.

I recommend the following motion:

**that an amendment to the Traverse City Code of Ordinances, Section 865.07, Investigation by the Chief of Police, which would shift the responsibility of the residential area applicant investigation to the City Clerk, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.**

MC/kes

K:\tcclerk\city commission\ordinance amendments\Mobile Food Vending Clarification\_Enact\_20150908.doc

copy: Jeffrey O'Brien, Interim Police Chief

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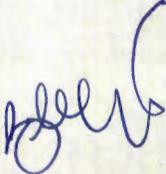
# Memorandum

The City of Traverse City



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TO: Marty Colburn, City Manager

FROM: Benjamin C. Marentette, City Clerk 

DATE: August 13, 2015

SUBJECT: Ordinance Amendment - Mobile Food Vending Permit

Attached is an ordinance amendment which shifts the responsibility of the residential area applicant investigation to the City Clerk from the Police Chief. As explained with the other two proposed ordinance amendments, the City Clerk's Office has the ability to utilize the same resources as the Police Department to conduct an investigation of the applicant and its food vending unit.

If I may be of any assistance in furthering explaining this amendment, please do not hesitate to contact me.

Thank you!

bcm/kes

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. \_\_\_\_\_**

Effective date: \_\_\_\_\_

**TITLE: CLARIFICATION OF MOBILE FOOD VENDING PERMIT APPROVAL INVESTIGATION**

**THE CITY OF TRAVERSE CITY ORDAINS:**

That Section 865.07, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

**865.01 INTENT.**

In the interest of encouraging mobile food vendors who add to the vibrancy and desirability of Traverse City, while providing a framework under which such businesses operate, this ordinance is established. (Ord. 963. Passed 5-6-13)

**865.02 DEFINITIONS.**

- (a) *Mobile Food Vending* shall mean vending, serving, or offering for sale food and/or beverages from a mobile food vending unit which meets the definition of a Food Service Establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as a tee shirt that bears the name of the organization engaged in Mobile Food Vending.
- (b) *Mobile Food Vending unit* shall mean any motorized or non-motorized vehicle, trailer, or other device designed to be portable and not permanently attached to the ground from which food is vended, served, or offered for sale.
- (c) *Vendor* shall mean any individual engaged in the business of Mobile Food Vending; if more than one individual is operating a single stand, cart or other means of conveyance, then Vendor shall mean all individuals operating such single stand, cart or other means of conveyance.
- (d) *Operate* shall mean all activities associated with the conduct of business, including set up and take down and/or actual hours where the mobile food vending unit is open for business.

(Ord. 963. Passed 5-6-13)

**865.03 PERMIT REQUIRED.**

No vendor shall engage in Mobile Food Vending without a permit from the City Clerk authorizing such vending. The City Clerk shall prescribe the form of such permits and application for such permit. All permits shall be prominently displayed on the mobile food vending unit. No vending through a Mobile Food Vending Unit of food and/or other human

consumables shall be permitted unless it meets the definition of Mobile Food Vending as defined by this ordinance. (Ord. 963. Passed 5-6-13)

**865.04 DURATION; NON-TRANSFERABILITY.**

Permits may be issued by the City Clerk for a calendar year from the date of issuance. Any permit issued under this Chapter is non-transferable. (Ord. 963. Passed 5-6-13)

**865.05 APPLICATION.**

Every vendor desiring to engage in Mobile Food Vending shall make a written application to the City Clerk for a permit under this Chapter. The applicant shall truthfully state, in full, all information requested by the City Clerk and be accompanied by a fee established by resolution of the City Commission. Additionally, the applicant shall provide all documentation, such as insurance, as required by the city. (Ord. 963. Passed 5-6-13)

**865.06 FEES.**

An application for a permit under this Chapter shall be accompanied by a fee in the amount established by resolution of the City Commission. There shall be no proration of fees. Fees are non-refundable once a permit has been issued by the City Clerk. No fee shall be charged to any honorably discharged veteran of the United States Military who is a resident of the State of Michigan and submits official documentation evidencing such to the City Clerk. If operating on non-city property, no fee shall be charged to a business which is on the city's tax rolls whose normal business includes the sale of food and/or beverages. No one shall hire or subcontract such vendors in an attempt to evade the provisions of this Chapter. (Ord. 963. Passed 5-6-13)

**865.07 INVESTIGATION BY THE CHIEF OF POLICE. CITY CLERK.**

For Mobile Food Vending within residential areas, approval must be given by the Chief of Police City Clerk prior to issuance of a permit by the City Clerk. (Ord. 963. Passed 5-6-13)

**865.08 REQUIREMENTS.**

Any vendor engaging in Mobile Food Vending shall comply with the following requirements:

1. Provide appropriate waste receptacles at the site of the unit and remove all litter, debris and other waste attributable to the vendor on a daily basis.
2. If operating on city-owned or controlled property, may only locate on such property as established in a resolution adopted by the City Commission. If parked on public streets, vendors shall conform to all applicable parking regulations.
3. Not operate on public property within one block of a city-authorized street fair, public festival, farmers market or event being conducted without authorization from the event sponsor.
4. Not use any flashing or blinking lights or strobe lights; all exterior lights over 60 watts shall contain opaque, hood shields to direct the illumination downward.
5. Not use loud music, amplification devices or "crying out" or any other audible methods to gain attention which causes a disruption or safety hazard as determined by the City.
6. Comply with the city's Noise Ordinance, Sign Ordinance and all other City ordinances.

7. Comply with all applicable federal, state and county regulations.
  8. May have one portable sign that is six square feet, with no dimension greater than 3 feet and no height (with legs) greater than 4 feet, located within five feet of the unit; and under no circumstances shall such sign be placed upon the sidewalk or impede pedestrian and/or vehicle safety.
  9. Within residential areas, a mobile food vendor may only operate between the hours of 9 a.m. and 9 p.m.; and in commercial areas, a mobile food vendor may only operate between the hours of 7 a.m. and 11 p.m. On private property within Commercial Area, a mobile food vendor may only operate between the hours of 6:00 a.m. and 3 a.m. Other restrictions regarding hours of operation may be established by resolution of the City Commission.
  10. No Mobile Food Vending Unit may be left unattended for more than 2 hours; and any Mobile Food Vending Unit not in operation shall be removed between the hours of 11 p.m. and 7 a.m. in commercial areas and 9 p.m. to 9 a.m. in residential areas. This subsection applies to Mobile Food Vending Units operating on city-controlled property only.
  11. Not represent the granting of a permit under this Chapter as an endorsement by the city.
  12. Shall not utilize any electricity or power without the prior written authorization of the power customer; no power cable or similar device shall be extended at or across any city street, alley, or sidewalk except in a safe manner.
- (Ord. 963. Passed 5-6-13, Ord. 988. Passed 1-21-14)

**865.09            PARKING BEYOND LIMITS ALLOWED BY CITY ORDINANCE AND ORDER.**

Any Mobile Food Vending Unit with a valid Mobile Food Vending License may park in a city-controlled parking space for durations as authorized by the permit; and such Mobile Food Vending Unit shall not be restricted to the hours where parking would otherwise be allowed in the particular parking space. Provided, however, that no Mobile Food Vending Unit shall park in a city-controlled parking space if parking is prohibited altogether. Any Mobile Food Vending Unit parked in a metered parking space with a valid Mobile Food Vending License shall activate the meter at all times while parked by depositing the appropriate sum of money into the parking meter. (Ord. 963. Passed 5-6-13)

**865.10            IMPOUNDMENT.**

Any equipment associated with food vending that are not in compliance with this Chapter and left on public property may be impounded at the owner's expense. (Ord. 963. Passed 5-6-13)

**865.11            OTHER PERMITS.**

A permit obtained under this Chapter shall not relieve any vendor of the responsibility for obtaining any other permit, or authorization required by any other ordinance, statute or administrative rule. (Ord. 963. Passed 5-6-13)

**865.12            REVOCATION**

The City Clerk shall revoke the permit of any vendor engaged in Mobile Food Vending who ceases to meet any requirement of this Chapter or violates any other federal, state or local

regulation, makes a false statement on their application, or conducts activity in a manner that is adverse to the protection of the public health, safety and welfare.

Immediately upon such revocation, the City Clerk shall provide written notice to the permit holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the permit shall become null and void. (Ord. 963. Passed 5-6-13)

**865.13 COMPLAINTS; APPEALS.**

If a written complaint is filed with the City Clerk alleging a Food Vendor has violated the provisions of this Chapter, the City Clerk shall promptly send a copy of the written complaint to the vendor together with a notice that an investigation will be made as to the truth of the complaint. The vendor shall be invited to respond to the complaint and present evidence and respond to evidence produced by the investigation. If the City Clerk, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified. If a permit is denied or revoked by the City Clerk, or if a written complaint is certified pursuant to this Chapter, the applicant or holder of a permit may appeal to and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant and investigation by the City Clerk, as to whether or not the grounds for denial, revocation or complaint are true. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of City Clerk or filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to a court of competent jurisdiction. (Ord. 963. Passed 5-6-13)

**865.14 APPEARANCE TICKETS.**

The Police Chief and sworn officers of the Police Department, or such other officials as designated by the City Manager are authorized to issue and serve appearance tickets with respect to a violation of this Chapter pursuant to Michigan law. Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements. (Ord. 963. Passed 5-6-13)

**865.15 CIVIL INFRACTION.**

A vendor who violates this Chapter is responsible for a civil infraction and subject to a fine of \$500 per day Provided, however, that the fine for parking violations shall be those as outlined in Chapter 488 of these codified ordinances. (Ord. 963. Passed 5-6-13. Ord. 970. Passed 6-3-13)

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

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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 \_\_\_\_\_.

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Benjamin C. Marentette, City Clerk



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>*ma*</sup> MARTY COLBURN, CITY MANAGER

SUBJECT: ORDINANCE AMENDMENT – RESIDENTIAL SOLICITOR  
APPLICANT INVESTIGATION AND PERMIT ISSUANCE OR  
DENIAL

Attached is a previously submitted memo from City Clerk Benjamin Marentette explaining an ordinance amendment to Chapter 862, Solicitors. As explained by the City Clerk, this amendment is similar to the Transient Merchant proposed changes and encompasses two items; it designates the City Clerk as authority to conduct an investigation of residential applicants, and clarifies reasons for possible denial of a permit.

I recommend the following motion:

**that an amendment to the Traverse City Code of Ordinances, Section 862.07, Investigation of Residential Area Solicitor and Section 862.10, Permit Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.**

MC/kes

K:\tcclerk\city commission\ordinance amendments\Solicitors Permit Clarification\_Enact\_20150908.doc

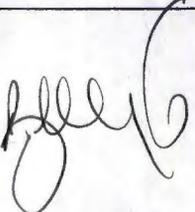
copy: Jeffrey O'Brien, Interim Police Chief

# Memorandum

The City of Traverse City



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TO: Marty Colburn, City Manager  
FROM: Benjamin C. Marentette, City Clerk   
DATE: August 13, 2015  
SUBJECT: Ordinance Amendment - Solicitors Permits

Attached is an ordinance amendment which incorporates two changes to the Solicitor permitting process, which are similar to the proposed changes to the Transient Merchant licensing process.

The first change is to shift the responsibility of the residential area applicant investigation to the City Clerk from the Police Chief. The City Clerk's Office has the ability to utilize the same resources as the Police Department to conduct an investigation of the applicant. By amending the ordinance to shift this responsibility to the City Clerk's Office, staff is able to facilitate the entire approval and denial process.

The second change is to clarify the issuance or denial of permits. This change allows the City Clerk's Office flexibility in determining the approval or denial of solicitor permits.

If I may be of any assistance in furthering explaining this amendment, please do not hesitate to contact me.

Thank you!

bcm/kes

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. \_\_\_\_\_**

Effective date: \_\_\_\_\_

TITLE: CLARIFICATION OF SOLICITORS PERMIT ISSUANCE OR DENIAL

THE CITY OF TRAVERSE CITY ORDAINS:

That Section 862.07 and 862.10, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

**862.01 INTENT.**

Regulation of all types of solicitation are sufficiently connected to the City's interest in preventing crime, preventing fraud, and protecting citizens' quiet enjoyment and peace, especially in residential areas where there exists a significant connection among evening solicitation, evidence of nighttime crime and disruption of citizens' quiet enjoyment and peace to limit hours of solicitation in residential neighborhoods, while leaving ample alternative channels of communication open to solicitors. The City has no other less restrictive means available to achieve these objectives. (Ord. 387. Passed 6-20-94. Ord. 585. Passed 11-4-02.)

**862.02 DEFINITIONS.**

As used in this chapter:

- (a) *Solicitor* shall mean any person who requests money, credit, property, financial assistance or other thing of value, by personal interview or otherwise, on the plea or representation that such money, credit, property, financial assistance or other thing of value, or the net proceeds over reasonable expenses thereof, will be used for a charitable, religious, patriotic, civic, educational or philanthropic purposes.
- (b) *Person* shall mean any individual, firm, co-partnership, corporation, company, association, or joint stock association, church, religious sect or denomination, society, organization or league, and includes any trustee, receiver, assignee, agent or other similar representative thereof.
- (c) *Structure* shall mean tents, push carts, trailers, stands, wagons, vehicles, booths or any other material or thing that occupies space whether portable or fixed.

(Ord. 387. Passed 6-20-94, Ord 920. Passed 7-15-11)

**862.03 PERMIT REQUIREE; EXCEPTION.**

- (a) Required. No person shall solicit without a permit from the City Clerk authorizing such solicitation. Permits shall bear the name and address of the person soliciting, type of permit, type and location of soliciting and a statement that the permit does not constitute an endorsement by the City of the purpose of the solicitation or of the person or group conducting the solicitation. Such permit, or a copy thereof, shall be carried by a solicitor. Such solicitation shall comply with this Code, State laws and regulations and the conditions of the permit.

(b) Exceptions. The following activities are exempt from this chapter:

- (1) Solicitations made to a congregation or group in attendance at one location and made by the person or organization inviting the individuals composing the congregation or group;
- (2) Solicitations made in books, magazines, periodicals, newspapers and other similar publications or through the mail;
- (3) Solicitations made over the radio, television or telephone;
- (4) The distribution of handbills or leaflets where the individual distributing them does not accept payments, orders or contributions;
- (5) Any person qualifying as a "transient merchant" shall be excluded from the definition of a solicitor and the regulations contained in this Chapter.

(Ord. 387. Passed 6-20-94.)

**862.04 FILING FALSE APPLICATION.**

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

(Ord. 387. Passed 6-20-94.)

**862.05 DURATION; TRANSFERABILITY.**

A permit may be issued for up to one calendar year. The permit issued under this Chapter is non-transferable; provided, however, that this shall not prevent any solicitor from using any number of representatives and provided, further, that the City Clerk shall require that each representative shall wear a facsimile copy of such permit while engaged in solicitation or a standard identifiable uniform.

(Ord. 387. Passed 6-20-94.)

**862.06 SOLICITATION PERMIT APPLICATION.**

Every person desiring to solicit is required to make written application for a permit from the City Clerk. An application shall be made upon a form provided by the City Clerk. The applicant shall truthfully state, in full, the information requested on the application, such as:

- (a) Type of organization (e.g., religious, charitable, educational, citizen group, civic, patriotic or philanthropic);
- (b) Name, address, telephone number and headquarters of the person applying for the permit;
- (c) The names, addresses and phone number of the person or persons who will be in direct charge of conducting the solicitations;
- (d) The purposes for which such solicitation is to be made and the approximate number of representatives who will be soliciting;
- (e) An outline of the method or methods to be used on conducting the solicitations;
- (f) Location of areas in which soliciting will be conducted;
- (g) The time when such solicitation shall be made, giving the proposed dates for the beginning and ending of such solicitations and the hours of the day thereof;
- (h) Such other information as may be required by the City Clerk to determine the kind or character of the proposed solicitation and whether such solicitation is in the interest of, and not adverse to, the public welfare;
- (i) If applicable, a copy of a State permit to solicit funds or an exemption certificate;

- (j) The date or approximate date of the last permit issued under this chapter.  
(Ord. 387. Passed 6-20-94.)

**862.07 INVESTIGATION OF RESIDENTIAL AREA SOLICITOR.**

Upon receipt of an application for license to solicit in a residential area, the ~~Police Chief~~ City Clerk shall conduct an investigation of the applicant's business and moral character to be made as he or she deems necessary for the protection of the public good. No license shall be issued without approval of the ~~Police Chief~~ City Clerk. (Ord. 769. Passed 8-20-07)

**862.08 SOLICITATION PERMIT FEES.**

An application for a solicitor's permit shall be accompanied by a fee. Such fee shall be established by resolution of the City Commission. No fee shall be charged to citizen groups and religious groups. (Ord. 387. Passed 6-20-94.)

**862.09 SOLICITORS DISTRIBUTING FOOD.**

No permit shall be issued to a solicitor distributing food until the applicant and any vehicle and equipment used by such applicant are approved by the Health Department. (Ord. 387. Passed 6-20-94.)

**862.10 PERMIT ISSUANCE OR DENIAL.**

No permit shall ~~may~~ be issued to, nor shall ~~may~~ any soliciting be conducted by:

- (a) Any person who has made a false material statement in the application for the permit.
- (b) Any person who has been convicted of a violation of this chapter or whose solicitation permit has previously been revoked by the City.
- (c) ~~Any person who has been convicted of any crime involving moral turpitude, breach of the peace or is a menace to health, safety or the general welfare of the public.~~ Any person who has been convicted of a felony or dangerous misdemeanor.
- (d) Any person soliciting in the C-4 District on private property utilizing a tent or other structure or shelter made from soft fabric like material without first demonstrating that the tent or other structure will be properly secured and stable, is flame retardant, and capable of withstanding strong winds. (Ord. 387. Passed 6-20-94, Ord. 920. Passed 7-15-11.)

**862.11 HOURS IN RESIDENTIAL AREAS.**

No person shall engage in soliciting in residential areas prior to 9:00 a.m or after 9:00 p.m. or sunset, whichever is earlier, on any weekday or Saturday, or at any time on a Sunday, New Years Day, Presidents Day, Memorial Day, Martin Luther King Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day. (Ord. 387. Passed 6-20-94.)

**862.12 REVOCATION.**

A permit shall be revoked by the City Clerk if, upon receipt of written information or upon the Clerk's own investigation, the Clerk has reason to believe a permitted solicitor:

- (a) Has violated any of the provisions of this chapter, the Traverse City Code, or any statute of the State of Michigan.
- (b) Has made a false material statement in the application or has otherwise become disqualified for the issuance of such a permit.

- (c) Has violated any of the provisions of this chapter, which violation has been documented by a written complaint certified by the City Clerk, pursuant to Section 812.12.
- (d) Has conducted solicitation that is in any manner adverse to the protection of the public health, safety or welfare of the City of Traverse City.

Immediately upon such revocation, written notice thereof shall be given by the City Clerk to the registered solicitor in person or by certified mail addressed to his or her place of business or residence address set forth in the application. Immediately upon the giving of such notice, the permit shall become null and void. (Ord. 387. Passed 6-20-94.)

**862.13 MANNER OF SOLICITING; DUTIES OF SOLICITORS.**

No solicitor shall:

- (a) Solicit upon a premises in defiance of a posted notice stating "No Solicitors or Transient Merchants" or "No Solicitors".
- (b) Fail to immediately and peacefully depart from premises when requested to do so by the occupant.
- (c) Fail to accurately reveal all information contained in the application for a solicitation permit and all information required to be revealed by State law to any person requesting such information. Failure of a solicitor to reveal such information shall be grounds for the revocation of the permit pursuant to Section 862.11 or the denial of future solicitation permits pursuant to Section 862.09.
- (d) Fail to identify himself or herself and the name of the organization represented.
- (e) Fail to prominently wear the identification badge issued by the City Clerk.
- (f) Solicit in a park as defined by Chapter 1064.
- (g) Occupy a stationary location on a public street, sidewalk, parkway, park, parking lot or any other public property which is used by pedestrians or persons operating motor vehicles. A solicitor shall be presumed to have occupied a stationary location if he or she has conducted business in any such public place for a period in excess of ten (10) minutes.
- (h) If issued a license after the effective date of this amendment, leave a structure on private property in the C-4 District between the hours of 12 a.m. and 6 a.m., or leave such unattended for more than 2 hours.
- (i) Solicit in a public area less than one block away from where a City-authorized street fair, public festival, farmer's market or event is being conducted, except with the permission of the sponsor.
- (j) Use or employ any flashing lights on any vehicle, or any other device for the purpose of attracting attention.
- (k) Represent that the granting of a permit under this Chapter is an endorsement by the City.
- (l) Fail to follow all provisions of State laws and regulations, City ordinances and conditions of the solicitation permit. (Ord. 387. Passed 6-20-94, Ord. 920. Passed 7-15-11)

**862.14 COMPLAINTS; APPEALS.**

If a written complaint is filed alleging that a solicitor has violated any provision of this Chapter, the City Clerk shall promptly send a copy of the written complaint to the solicitor, together with a notice that an investigation will be made as to the truth of the complaint. The solicitor shall be invited to respond to the complaint and present evidence and respond to evidence produced by

the investigation. If the City Clerk, after reviewing all relevant material, finds the complaint to be supported by a preponderance of the evidence, the complaint shall be certified.

If a permit is denied or revoked by the City Clerk, or if a written complaint is certified pursuant to this section, the applicant or holder of a permit may appeal to and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant and investigation by the City Clerk, as to whether or not the grounds for denial, revocation or complaint are true. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of the City Clerk or the filing of the complaint shall be sustained and the applicant may appeal the City Manager's decision to the City Commission. Review by the City Commission shall be under the same standards of review as the determination by the City Manager and shall be in accordance with rules of procedure established by the City Commission. The City Commission's decision may be reviewed by a court of competent jurisdiction. (Ord. 387. Passed 6-20-94.)

**862.15 OTHER PERMITS OR LICENSES.**

A permit obtained under this chapter shall not relieve any person of the responsibility for obtaining any other license, permit or authorization required by any other ordinance, statute or administrative rule. (Ord. 387. Passed 6-20-94.)

**862.16 PUSHCARTS OR PEDAL CARTS.**

Pushcarts are restricted to sidewalks in the residential districts unless otherwise prohibited by local ordinance. Pedal carts are restricted to sidewalks in the residential districts and are permitted on all City streets in accordance with the Michigan Vehicle Code. Motor vehicles are permitted on all streets in accordance with the Michigan Vehicle Code. Any solicitor using a motor vehicle or pedal cart in a street, when stopped, shall place the vehicle parallel to and within twelve inches of the curb and shall depart from such place as soon as the sale has been completed. (Ord. 387. Passed 6-20-94.)

**862.17 APPEARANCE TICKETS.**

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements. (Ord. 387. Passed 6-20-94.)

**862.18 CIVIL INFRACTION.**

A person who violates this Chapter is responsible for a civil infraction and subject to a fine of not less than \$100 nor more than \$500. (Ord. 387. Passed 6-20-94.)

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 REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: ORDINANCE AMENDMENT – RESIDENTIAL TRANSIENT  
MERCHANT APPLICANT INVESTIGATION AND LICENSE  
ISSUANCE OR DENIAL

Attached is a previously submitted memo from City Clerk Benjamin Marentette explaining an ordinance amendment to Chapter 863, Transient Merchant. As explained by the City Clerk, this amendment encompasses two items; it designates the City Clerk as authority to conduct an investigation of residential applicants, and clarifies reasons for possible denial of a license.

I recommend the following motion:

**that an amendment to the Traverse City Code of Ordinances, Section 863.03, License Required; Exceptions, Section 863.09, Investigation of Residential Area Transient Merchant; Waiting Period and Section 863.11, License Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.**

MC/kes

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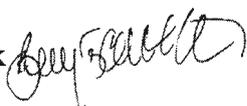
copy: Jeffrey O'Brien, Interim Police Chief

# Memorandum

The City of Traverse City



TO: Marty Colburn, City Manager

FROM: Benjamin C. Marentette, City Clerk 

DATE: August 13, 2015

SUBJECT: Ordinance Amendment - Transient Merchant Licenses

Attached is an ordinance amendment which incorporates two changes to the Transient Merchant licensing process.

Similar to the proposed changes for the Solicitor permitting process, the first change is to shift the responsibility of the residential area applicant investigation to the City Clerk from the Police Chief. The City Clerk's Office has the ability to utilize the same resources as the Police Department to conduct an investigation of the applicant. By amending the ordinance to shift this responsibility to the City Clerk's Office, staff is able to facilitate the entire approval and denial process.

The second change is to clarify the issuance or denial of permits. This change allows the City Clerk's Office flexibility in determining the approval or denial of transient merchant permits.

If I may be of any assistance in furthering explaining this amendment, please do not hesitate to contact me.

Thank you!

bcm/kes

**TRAVERSE CITY CODE OF ORDINANCES**

**ORDINANCE AMENDMENT NO. \_\_\_\_\_**

Effective date: \_\_\_\_\_

**TITLE: CLARIFICATION OF TRANSIENT MERCHANT LICENSE ISSUANCE OR DENIAL**

**THE CITY OF TRAVERSE CITY ORDAINS:**

That Section 863.09 and 863.11, of the Traverse City Code of Ordinances, be enacted/amended to read in its entirety as follows:

**863.01 INTENT**

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

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

**863.02 DEFINITIONS**

As used in this chapter:

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

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

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

**863.03 LICENSE REQUIRED; EXCEPTIONS.**

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

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

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

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

**863.04 FILING FALSE APPLICATION.**

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

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

**863.05 DURATION; TRANSFERABILITY.**

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

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

**863.06 TRANSIENT MERCHANT LICENSE APPLICATION.**

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

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

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

length of residence at such address and business address if other than the residence address;

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

(Ord. 386. Passed 6-20-94. Ord 949. Passed 7-16-12. Ord. 997. Passed 6-16-17)

#### **863.07 TRANSIENT MERCHANT LICENSE FEES.**

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

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

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

#### **863.08 FOOD TRANSIENT MERCHANTS**

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

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

#### **863.09 INVESTIGATION OF RESIDENTIAL AREA TRANSIENT MERCHANT; WAITING PERIOD.**

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

### **863.10 HOURS IN RESIDENTIAL AREAS**

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

### **863.11 LICENSE ISSUANCE OR DENIAL**

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

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

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

### **863.12 REVOCATION.**

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

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

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

**863.13 MANNER OF VENDING; DUTIES OF-TRANSIENT MERCHANT.**

No transient merchant shall:

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

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

**863.14 COMPLAINTS; APPEALS.**

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

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

**863.15 OTHER LICENSES OR PERMITS.**

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

**863.16 PUSHCARTS OR PEDAL CARTS.**

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

**863.17 APPEARANCE TICKETS.**

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

**863.18 CIVIL INFRACTION.**

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

The effective date of this Ordinance is the \_\_\_\_\_ day of \_\_\_\_\_, 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.

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Michael Estes, Mayor

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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 REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>MC</sup>MARTY COLBURN, CITY MANAGER

SUBJECT: ENCROACHMENT REQUEST – GRAND TRAVERSE HOTEL  
PROPERTIES, LLC (HOTEL INDIGO)

Attached is a memo from City Engineer Timothy Lodge regarding a request from Grand Traverse Hotel Properties, LLC, for an encroachment into the City right-of-way on Hall Street and City property known as 225 West Grandview Parkway as it relates to the Hotel Indigo Project.

As explained by the City Engineer, the zero side yard setback as allowed by the City Zoning Code has created this need for the encroachment.

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

**that the Mayor and City Clerk execute a Permission of Encroachment Agreement, with Grand Traverse Hotel Properties, LLC, the owner of 263 West Grandview Parkway, for an encroachment into the City right-of-way on Hall Street and City property known as 225 West Grandview Parkway as described in the memo from the City Engineer dated August 13, 2015, subject to approval as to substance by the City Manager and as to form by the City Attorney, and further contingent upon the City's receipt of new legal descriptions of the actual encroachments including a survey drawing prepared by a professional surveyor, and a copy of the required insurance policy.**

MC/kes

K:\tcclerk\city commission\agreements\Encroachment Hotel Indigo 263 Grandview Parkway\_20150908.doc

copy: Timothy Lodge, City Engineer

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# Memorandum

The City of Traverse City  
Engineering Department



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TO: Marty Colburn, City Manager

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

DATE: August 31, 2015

SUBJECT: Encroachment Request for Building Porch and Gas Service Meter at 263 W. Grandview Parkway (Hotel Indigo)

Hotel Indigo has requested permission for an encroachment at 263 W. Grandview Parkway over the City right-of-way on the corner of Hall Street and the Grandview Parkway and on the City property at 225 W. Grandview Parkway along the east side of the project. City Engineering has reviewed the attached application and survey. The encroachment request on Hall Street is a result of the desire to construct aesthetic treatments on the porch foundation that was constructed with zero side yard setbacks as allowed by the City Zoning Code. The area of encroachment is an area 5 inches wide by 68 feet long area of the right of way.

The encroachment request on the City property is to accommodate the gas service meter along the east property line for the building that was constructed with zero side yard setbacks as allowed by the City Zoning Code. The area of encroachment is an area 5.5 feet wide by 17.5 feet long area of the City property.

While it is our normal practice to recommend denial of encroachment requests that do not result in a direct public benefit we believe that the zero side yard setback has created this need for an encroachment. Therefore, City Engineering recommends approval of the encroachment as requested.

This matter is subject to the direction of the City Commission. Should the City Commission find that the request is in the best interest of the public and decide to approve this request for a "Permission of Encroachment", then an Agreement should be prepared by the City Attorney and should include the following:

1. A legal description of the actual encroachments.
2. A survey drawing prepared by a professional surveyor.
3. The permission of encroachment is granted on the basis of the character of the encroaching structure, provided the owner complies with all building codes and zoning ordinances and in no event shall any encroachment be enlarged or modified to create a greater degree of horizontal encroachment than what was approved.

4. The owner, its successors and assigns, shall hold the City harmless for all damages of any kind whatsoever suffered as a result of the encroachments. Furthermore, the owner, its successors and assigns, shall maintain adequate insurance on the structure for damages caused to third persons by virtue of the encroachments and shall name the City as an additional insured on such policy.

Should the City Commission decide to approve this "Permission of Encroachment" request, we suggest the following motion:

**The Mayor and City Clerk be authorized to execute a Permission of Encroachment Agreement with Grand Traverse Hotel Properties LLC, owner of 263 W. Grandview Parkway St, for an encroachment into the City right-of-way on Hall Street and City property known as 225 W. Grandview Parkway as described in the memo from the City Engineer dated August 31, 2015 subject to approval as to substance by the City Manager and as to form by the City Attorney, and further contingent upon the City's receipt of new legal descriptions of the actual encroachments including a survey drawing prepared by a professional surveyor, and a copy of the required insurance policy.**

TL/ml

Attachments: Application for Encroachment dated 8-31-15



August 31, 15

To: City of Traverse City  
400 Boardman Avenue  
Traverse City, Michigan 49684  
Attn; Tim Lodge

Re; Easement Encroachment

Dear Mr. Lodge,

We are requesting an encroachment onto the City's Easement for the use of our gas service on the east side of the property where our gas meter is to be installed as well as an encroachment into the City's Easement on the North Western end of our property for a slight encroachment of our property due to a porch extension.

Please consider our request and let us know if there is anything else we may assist you with in this matter.

All The Best,

Jeffery Schmitz



**City of Traverse City**

**APPLICATION FOR ENCROACHMENT/SALE OF CITY PROPERTY/  
RELINQUISHMENT OF CITY EASEMENT**

City of Traverse City, 400 Boardman Avenue, Traverse City, MI 49684 (231) 922-4460 Fax (231) 922-4457

**Applicant Name:** Jeffery Schmitz **Phone:** (248) 909-7697

**Applicant Email:** jeff.schmitz@jscapitol.com

**Address:** 263 W. Grandview Parkway Traverse City Michigan  
*Street City State Zip*

**Property Owner Name:** Grand Traverse Hotel Properties LLC **Phone:** (248) 909-7697

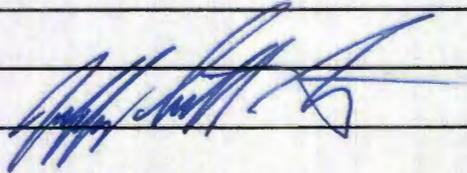
**Authorized Signatory of Property Owner:** \_\_\_\_\_ **Title:** Managing Partner

**Type of request (please check one):**  Encroachment

Sale of City Property

Relinquishment of City Easement

**Description/location/nature of request:** Gas Meter and Northwest porch corner

**Applicant Signature:** 

**Date:** 8/31/2015

**The following are required in order to be considered for this request:**

- \_\_\_\_\_ Letter describing your request addressed to the City Engineer.
- \_\_\_\_\_ Survey prepared by a Licensed Surveyor detailing the nature and the extent of the request.
- \_\_\_\_\_ Legal description of the property owned.
- \_\_\_\_\_ Legal description of proposed encroachment/city property/city easement.
- \_\_\_\_\_ Certification that property owner is not delinquent in paying any debt owed to or collected by the City.

**(Office Use Only)**

Non-refundable \$475.00 Application Fee received on: \_\_\_\_\_

Staff review by Engineering, Clerk's Office, Planning/Zoning, Assessor, Light & Power, Streets, Water/Sewer Maintenance, Manager's Office completed on: \_\_\_\_\_

Approval of Permission by City Commission on: \_\_\_\_\_

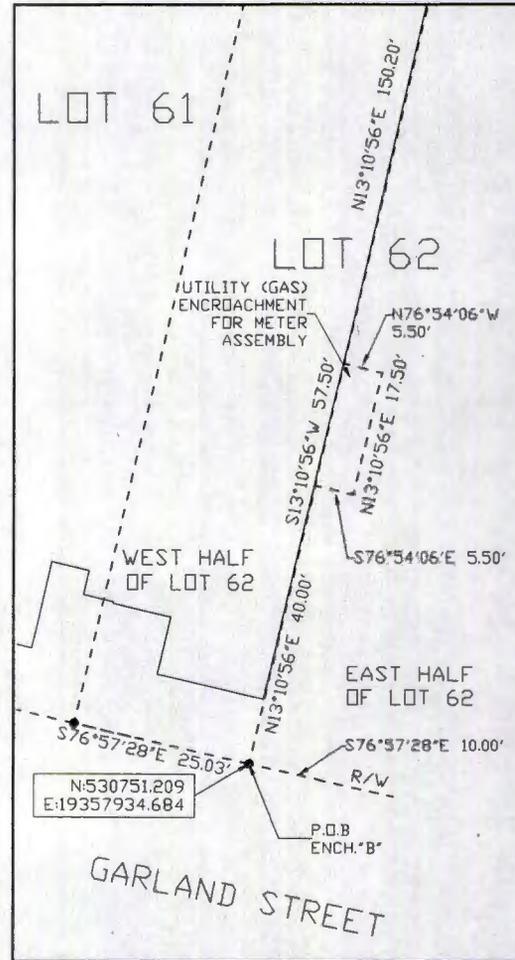
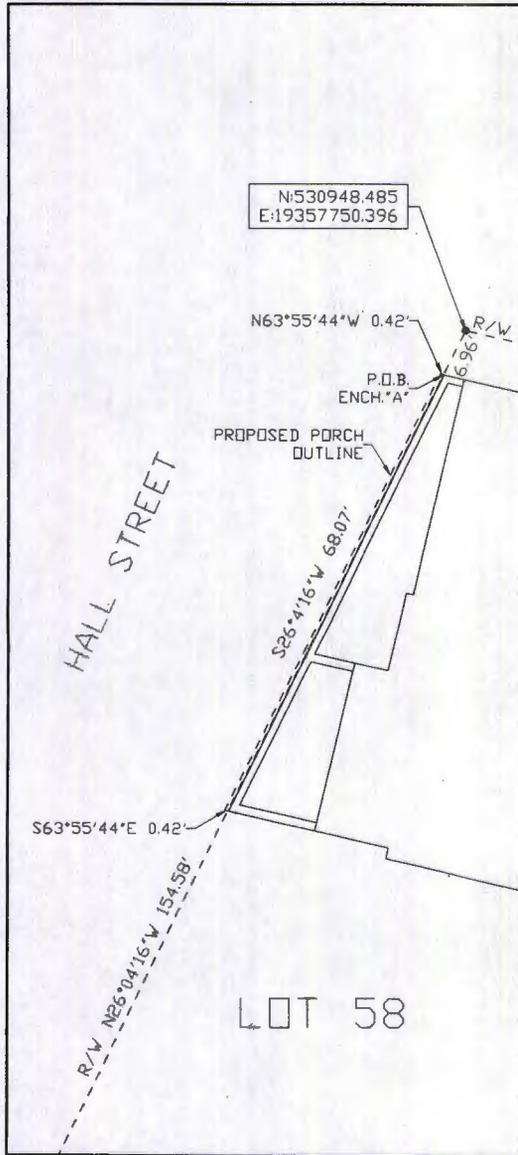
# SKETCH OF PROPOSED ENCROACHMENTS

## LEGEND

- IRON SET
- IRON FOUND
- ⊙ MONUMENT
- △ FOUND NAIL
- ▲ SET NAIL
- FOUND PIPE
- ⊕ FOUND GOVERNMENT 1/4 CORNER
- ⊙ SECTION CORNER
- ⊕ CENTER 1/4 CORNER
- (R) RECORDED
- (M) MEASURED



NORTH



**ENCROACHMENT "A"**

ALTERATION OF ANY PART OF THIS DOCUMENT WITHOUT THE PERMISSION OF THE SCHIFFER GROUP, INC. IS PROHIBITED.

JACK A. SHEPARD  
Professional Surveyor No. 53088

BASIS OF BEARING: SEE ACSM/ALTA SURVEY DATED 12/07/2010 AS PREPARED BY STEVEN P. BYE LAND SURVEYOR, PLC

## THE SCHIFFER GROUP, INC.

**ENGINEERING**  
CONCEIVE, ADVISE, DESIGN, ENGINEER, PERMIT, IMPLEMENT

THE WOLVERINE BLDG., 1011 E. EIGHTH STREET  
TRAVERSE CITY, MI 49686 • 231.360.6190  
WWW.SCHIFFERGROUP.COM

CLIENT:		J.S. Capitol	
LOCATION:		Part of Hannah & Lay Co's. Eleventh Addition to Traverse City, according to the plat thereof as recorded in Liber 2 of Plats, Page 62	
DWN.	CPW	DATE	2015 July 30
CK.	JAS	FILE NO.	1103001
		FLD. BK.	SG12 PG. 14
		SHEET	1 OF 2

# LEGAL DESCRIPTIONS

## PROVIDED DOCUMENTS

### ACSM / ALTA LAND TITLE SURVEY

LOTS 58 - 61 & WEST HALF OF LOT 62

DATE: 12 / 07 / 10

PREPARED BY: STEVEN P. BYE LAND SURVEYOR, PLC

HANNAH LAY & CO'S ELEVENTH ADDITION TO TRAVERSE CITY

SECTION 3, TOWNSHIP 27 NORTH, RANGE 11 WEST

TRAVERSE COUNTY, MICHIGAN

OLD REPUBLIC - National Title Insurance Company, File No: MI-17711, Effective date: November 1, 2010

Lot 58 & 59, Hannah Lay & Co's. Eleventh Addition to Traverse City, according to the plat thereof as recorded in Liber 2 of Plats, Page 62.

Note: No easements shown on Schedule B - Section II

OLD REPUBLIC - National Title Insurance Company, File No: MI-17712, Effective date: November 1, 2010

Lot 60, Hannah Lay & Co's. Eleventh Addition to Traverse City, according to the plat thereof as recorded in Liber 2 of Plats, Page 62

Note: No easements shown on Schedule B - Section II

OLD REPUBLIC - National Title Insurance Company, File No: MI-17710 Effective date: November 1, 2010

Lot 61 and the West half of Lot 62, Hannah Lay & Co's. Eleventh Addition to Traverse City, according to the plat thereof as recorded in Liber 2 of Plats, Page 62.

Note: No easements shown on Schedule B - Section II

### DESCRIPTION PROPOSED ENCROACHMENT "A" :

PART OF LOT 58 OF HANNAH, LAY AND CO'S ELEVENTH ADDITION TO TRAVERSE CITY, GRAND TRAVERSE COUNTY MICHIGAN BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 58 OF HANNAH, LAY AND CO'S ELEVENTH ADDITION TO TRAVERSE CITY; THENCE SOUTH 26°04'16" WEST 6.96 FEET ALONG WEST LINE OF SAID LOT AND THE EASTERLY RIGHT OF WAY OF HALL STREET TO THE POINT OF BEGINNING; THENCE NORTH 63°55'44" WEST, 0.42 FEET; THENCE SOUTH 26°04'16" WEST 68.07 FEET; THENCE SOUTH 63°55'44" EAST, 0.42 FEET TO THE EASTERLY RIGHT OF WAY OF HALL STREET; THENCE NORTH 26°04'16" EAST 68.07 FEET ALONG THE WEST LINE OF SAID LOT AND THE EASTERLY RIGHT OF WAY OF HALL STREET, TO THE POINT OF BEGINNING.

SAID PROPOSED ENCROACHMENT AREA CONTAINS 28.6 SQUARE FEET, MORE OR LESS SUBJECT TO OTHER EASEMENTS OR RESTRICTIONS IF ANY.

### DESCRIPTION PROPOSED ENCROACHMENT "B" :

PART OF LOT 62 OF HANNAH, LAY AND CO'S ELEVENTH ADDITION TO TRAVERSE CITY, GRAND TRAVERSE COUNTY MICHIGAN BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 62 OF HANNAH, LAY AND CO'S ELEVENTH ADDITION TO TRAVERSE CITY; THENCE SOUTH 76°57'28" EAST 25.03 FEET HALFWAY ALONG THE SOUTHERLY LINE OF SAID LOT AND ALONG THE NORTHERLY RIGHT OF WAY OF GARLAND STREET TO THE POINT OF BEGINNING; THENCE NORTH 13°10'56" EAST, 40.00 FEET; THENCE SOUTH 76°54'06" EAST 5.50 FEET; THENCE NORTH 13°10'56" EAST 17.5 FEET; THENCE NORTH 76°54'06" WEST 5.50 FEET; THENCE SOUTH 13°10'56" WEST 57.50 FEET TO THE NORTHERLY RIGHT OF WAY OF GARLAND STREET, AND ALONG THE EASTERLY LINE OF THE WEST HALF OF SAID LOT TO THE POINT OF BEGINNING.

SAID PROPOSED ENCROACHMENT AREA CONTAINS 457.8 SQUARE FEET, MORE OR LESS SUBJECT TO OTHER EASEMENTS OR RESTRICTIONS IF ANY.

ALTERATION OF ANY PART OF THIS DOCUMENT WITHOUT THE PERMISSION OF THE SCHIFFER GROUP, INC. IS PROHIBITED.

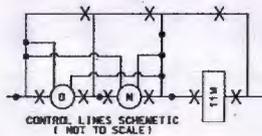
JACK A. SHEPARD  
Professional Surveyor No. 53088

BASIS OF BEARING: SEE ACSM/ALTA SURVEY DATED 12/07/2010 AS PREPARED BY STEVEN P. BYE LAND SURVEYOR, PLC

 **THE SCHIFFER GROUP, INC.**  
**ENGINEERING**  
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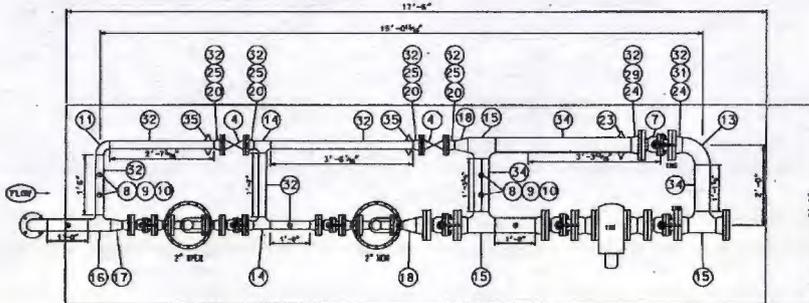
CLIENT:	J.S. Capitol		
LOCATION:	Part of Hannah & Lay Co's. Eleventh Addition to Traverse City, according to the plat thereof as recorded in Liber 2 of Plats, Page 62		
DWN.	CPW	DATE 2015 July 30	FILE NO. 1103001
CK.	JAS	FLD. BK. SGI2 PG. 14	SHEET 2 OF 2

NOTE:  
MEASUREMENTS ARE ALL APPROX.  
ACTUAL DIMENSIONS ARE TO BE  
DETERMINED AT TIME OF THE  
FABRICATION AND ARE TO BE  
RETURNED WITH THE AS BUILT



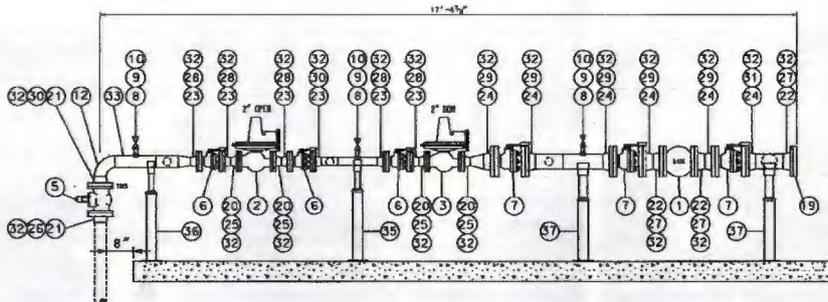
THIS TYPICAL DRAWING IS  
INTENDED TO BE USED IN  
CONJUNCTION WITH A  
REGULATOR SPECIFICATION  
FROM DISTRIBUTION DESIGN  
WHICH PROVIDES SPECIFIC  
ASSEMBLY DESIGN,  
CONSTRUCTION AND  
OPERATING REQUIREMENTS.

REGULATOR	SET PRESSURE
OPERATOR	14" WC
MONITOR	21" WC
OPERATOR PILOT LOADER	
MONITOR PILOT LOADER	



INSTALL 17'-6" X 5' X 6" CONCRETE PAD

PLAN VIEW



ELEVATION VIEW

10 PSIG MAIN, 2.1 PSIG MIN. INLET, 9303 GHP AT 1/2 PSIG OUTLET PRESSURE

OPERATING REGULATOR TAGS:

MAX. INLET PRESSURE	60 PSIG
MAX. OUTLET CONTROL PRESSURE	18" WC
MAX. OUTLET COMP. PRESSURE	2 PSIG
DIRECT CONTROL	

MONITORING REGULATOR TAGS:

MAX. INLET PRESSURE	60 PSIG
MAX. OUTLET CONTROL PRESSURE	28" WC
MAX. OUTLET COMP. PRESSURE	2 PSIG
DIRECT CONTROL	

NOTE:  
FOR EACH PIPE STAND, TO AVOID MOISTURE BUILDUP AND  
DIRECT CONTACT BETWEEN THE PIPE AND THE PIPE STAND  
INSTALL EPoxy AND FIBERGLASS SHIELD (FRP KIT) ON THE  
PIPE. REFER TO DMS 280-1 OR 280-2. CONTACT COMBOSION  
FOR FRP KITS. REFER TO MANUFACTURER INSTRUCTIONS FOR  
APPLYING EPoxy AND FIBERGLASS SHIELD. PLACE PIPE STAND  
UNDERneath FIBERGLASS SHIELD. ALL PIPE STAND LOCATIONS  
ARE APPROXIMATE. PIPE STAND LOCATIONS MAY BE CHANGED  
BASED UPON FIELD CONDITIONS.

INSTALL FRP GLASS MESH  
SHIELD ON TOP OF ALL  
STANDS PER A-37-2070

MATERIALS LIST

ITEM NO.	DESCRIPTION	SIZE	OLD STOCK CODE	NEW SAP NUMBER	QTY.
1	ROTARY METER	11MTC	36-8007	200001721	1
2	REGULATOR, OPERATING, FISHER 133L, C.I. BODY, W/STD. TRIM, STD. VENT POSITION, ANSI 125 LB., F.F. FLANGES, DIAPHRAGM SPRING # 10-8932-27012	2"	30-0411	100253327	1
3	REGULATOR, OPERATING, FISHER 133L, C.I. BODY, W/STD. TRIM, STD. VENT POSITION, ANSI 125 LB., F.F. FLANGES, DIAPHRAGM SPRING # 10-8932-27012	2"	30-0411	100253327	1
4	VALVE, PLUG, NORDSTROM # 143 OR EQUIVALENT PER MS 27-3.56, ANSI 125# F.F. FLANGES, 175 #WOG, W/ LOCKING DEVICES	2"	27-5025	100253432	2
5	VALVE, PLUG, NORDSTROM # 143 OR EQUIVALENT PER MS 27-3.56, ANSI 125# F.F. FLANGES, 175 #WOG, W/ LOCKING DEVICES	2"	27-5027	100253431	1
6	VALVE, BALL, BALON, 150 ANSI, CARBON STL, RF FLANGES, R2-F13-RF	2"	27-4910	100253473	3
7	VALVE, BALL, BALON, 150 ANSI, DUCTILE IRON, RF FLANGES, RFR-F12-F7	2"	27-4912	100253477	4
8	VALVE, PLUG, F.N.P.T., 1/2"-1175 MILLER	1/2"	27-9714	100253381	7
9	NIPPLE, STL, EX. STD., THD. GR. B	1/2"	14-4340	100255543	7
10	THREADED, 3000 LB., CARBON STL., GRADE 11, STD. WT.	1/2"	18-8069	100254116	7
11	ELL, STL., B.W., 0.154" W.T., 90 DEG. L.R. GR. B	2"	18-1844	100254462	1
12	ELL, STL., B.W., 0.216" W.T., 90 DEG. L.R. GR. B	3"	18-1864	100254480	1
13	ELL, STL., B.W., 0.237" W.T., 90 DEG. L.R. GR. B	4"	18-1874	100254475	1
14	TEE, STL., B.W., 0.154" W.T., GR. B	2"	18-8669	100254211	2
15	TEE, STL., B.W., 0.237" W.T., GR. B	3"	18-8629	100254208	3
16	TEE, RED., STL., B.W., 0.216" X 0.216" X 0.154" W.T. GR. B	3"	18-7025	100254234	1
17	RED. STL. B.W., .216 X .154" W.T. GR. B	3"	18-5112	100254300	1
18	RED. STL. B.W., .237 X .154" W.T. GR. B	4"	18-5177	100254296	2
19	FLANGE, STL. BLIND, F.F. ANSI 150#	4"	18-3374	100254409	1
20	FLANGE, STL. W.N., F.F., ANSI 150# 275# WOG B.F., .154" W.T.	2"	18-3725	100254877	8
21	FLANGE, STL. W.N., F.F., ANSI 150# 275# WOG B.F., .216" W.T.	3"	18-3735	100254876	2
22	FLANGE, STL. W.N., F.F., ANSI 150# 275# WOG B.F., .237" W.T.	4"	18-3740	100254875	3
23	FLANGE, STL. W.N., R.F., ANSI 150# 275# WOG B.F., .154" W.T.	2"	18-3790	100254869	6
24	FLANGE, STL. W.N., R.F., ANSI 150# 275# WOG B.F., .237" W.T.	4"	18-3800	100254907	8
25	GASKET, F.F. FLD TYPE "F" -RING- GASKET SEAL, 150# ANSI	2"	43-2501	100252556	8
26	GASKET, F.F. FLD TYPE "F" -RING- GASKET SEAL, 150# ANSI	3"	43-2502	100252557	2
27	GASKET, F.F. FLD TYPE "F" -RING- GASKET SEAL, 150# ANSI	4"	43-2503	100252598	3
28	GASKET, R.F. FLD TYPE "E" LINEBACKER, 150# ANSI, MS 43-1	2"	43-2522	100252586	6
29	GASKET, R.F. FLD TYPE "E" LINEBACKER, 150# ANSI, MS 43-1	4"	43-2524	100252586	6
30	KIT, INSULATED, TYPE "ED" GASKET SEAL, 150# ANSI	3"	43-2866	100252554	1
31	KIT, INSULATED, TYPE "ED" GASKET SEAL, 150# ANSI	4"	43-2867	100252555	2
32	BOLT, STD., COM. THD. STL., 1/2"-11 X 4" GR. B, COMPLETE	4"	50-5606	100251956	104
33	W/2 NUTS, STL. HEX. HD., 1/2" GR. 2H EACH 4", 3" & 2" FLANGES	4"	50-7435	100251979	208
34	PIPE, STL., 0.154" W.T., GR. A25, BK.	2"	13-0320	100255876	10"
35	PIPE, STL., 0.216" W.T., GR. B, BK.	3"	13-0331	100255873	1"
36	PIPE, STL., 0.188" W.T., GR. B, BK.	4"	13-0389	100255872	10"
37	SUPPORT PIPE, ADJ. SADDLE GRINNELL FIG. #264, STL. PIPE	2"	19-6438	100253662	3
38	W/ FRP SHIELD SEAL W/ EPoxy PER DMS. #A-37-2070				
39	SUPPORT PIPE, ADJ. SADDLE GRINNELL FIG. #264, STL. PIPE	3"	19-6422	100253876	1
40	W/ FRP SHIELD SEAL W/ EPoxy PER DMS. #A-37-2070				
41	SUPPORT PIPE, ADJ. SADDLE GRINNELL FIG. #264, STL. PIPE	4"	19-6423	100253876	3
42	W/ FRP SHIELD SEAL W/ EPoxy PER DMS. #A-37-2070				
43	PAINT - GRAY RUSTOLEUM MEDIUM LIGHT		49-0754	100252881	6 SQY
44	PRIMER #769 RUSTOLEUM DAMP PROOF		49-1281	100252887	6 SQY

LOCATION MAP

NOTE: THIS IS A PROPOSED DRAWING WITH ALL DIMENSIONS  
SHOWN APPROX. AND SHOULD BE RETLOWED WITH CORRECT  
MEASURES TO DRAWING TO BE AS-BUILT

DTE ENERGY

DRAFTING DEPARTMENT, GRAND HAVEN, MI.

HOTEL INDIGO  
263 W. GRANDVIEW PARKWAY  
TRAVERSE CITY, MICHIGAN

RC-082

NO. 42271814

DESCRIPTION	DATE	BY	CHKD BY	APPROVED FOR CONSTRUCTION	APPROVED FOR DESIGN	ISSUED BY	DATE
ASSEMBLY OF FLANGE JOINTS	STB 2720						
MEASURE DISTRIBUTION PIPING	STB 221						
MEASURE STD.	STB 221						
PAINT QUOTE	D-2337N						
COILING QUOTE							
TESTING INLET & SERVICE REGULATOR	STB 461						
INSTALLATION	STB 501A						

NO.	DATE	BY	CHKD BY	APPROVED FOR CONSTRUCTION	APPROVED FOR DESIGN	ISSUED BY	DATE
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The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>mac</sup> MARTY COLBURN, CITY MANAGER

SUBJECT: 2015 SIDEWALK REPLACEMENT AND GAP INFILL PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a contract for the 2015 Sidewalk Replacement and Gap Infill Project. As explained by Mr. Lodge, this project includes the replacement of existing residential sidewalks based upon a condition assessment conducted by the Streets Department. Further, the project includes sidewalk gap infill areas as noted in Mr. Lodge's memo and depicted on the attached map.

Mr. Lodge also recommends a service order to ensure the proper location placement of sidewalks in conjunction with the recommended contract.

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

**that the Mayor and City Clerk execute a unit prices contract in the amount of \$419,584.65, more or less, with Hallmark Construction for the 2015 Sidewalk Replacement and Gap Infill Project at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Capital Projects Fund,**

**and further that the City Manager be authorized to issue a service order to Grand Traverse Surveying and Mapping in the amount of \$9,450 for professional land surveying to ensure proper location placement of sidewalks, with funds also available in the Capital Projects Fund.**

MC/kes

k:\ccclerk\city commission\agreement\2015 Sidewalk Replacement and Gap Infill Project\_20150908.doc

copy: Timothy Lodge, City Engineer

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# Memorandum

The City of Traverse City  
Engineering Department



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TO: Marty Colburn, City Manager  
FROM: Timothy J. Lodge, City Engineer *T. Lodge*  
DATE: August 31, 2015  
SUBJECT: 2015 Sidewalk Replacement and Gap Infill Project

During the preparation of the budget \$100,000 was allocated for existing sidewalk repair and \$200,000 was allocated for sidewalk gap infill locations. This year's project consists of replacing existing sidewalks in residential areas at City expense, city wide, as determined by our Streets Department through a recent condition assessment. The focus for this year's sidewalk replacement will include 10<sup>th</sup> Street from Union Street to Lake Street and Cedar Street from West Front Street to Bay Street. We have also included repair of City sidewalks that were damaged during the recent storm which felled trees in various locations of the City.

This year's sidewalk gap infill will include completing the sidewalk along Grandview Parkway between Elmwood Avenue and M-72, Cass Street from 14<sup>th</sup> Street to the City Limits and completing the sidewalk on 14<sup>th</sup> Street at 5/3<sup>rd</sup> Bank and the sidewalk on West Front Street at the City Limits near Teter Orthotics that were delayed by easement acquisitions.

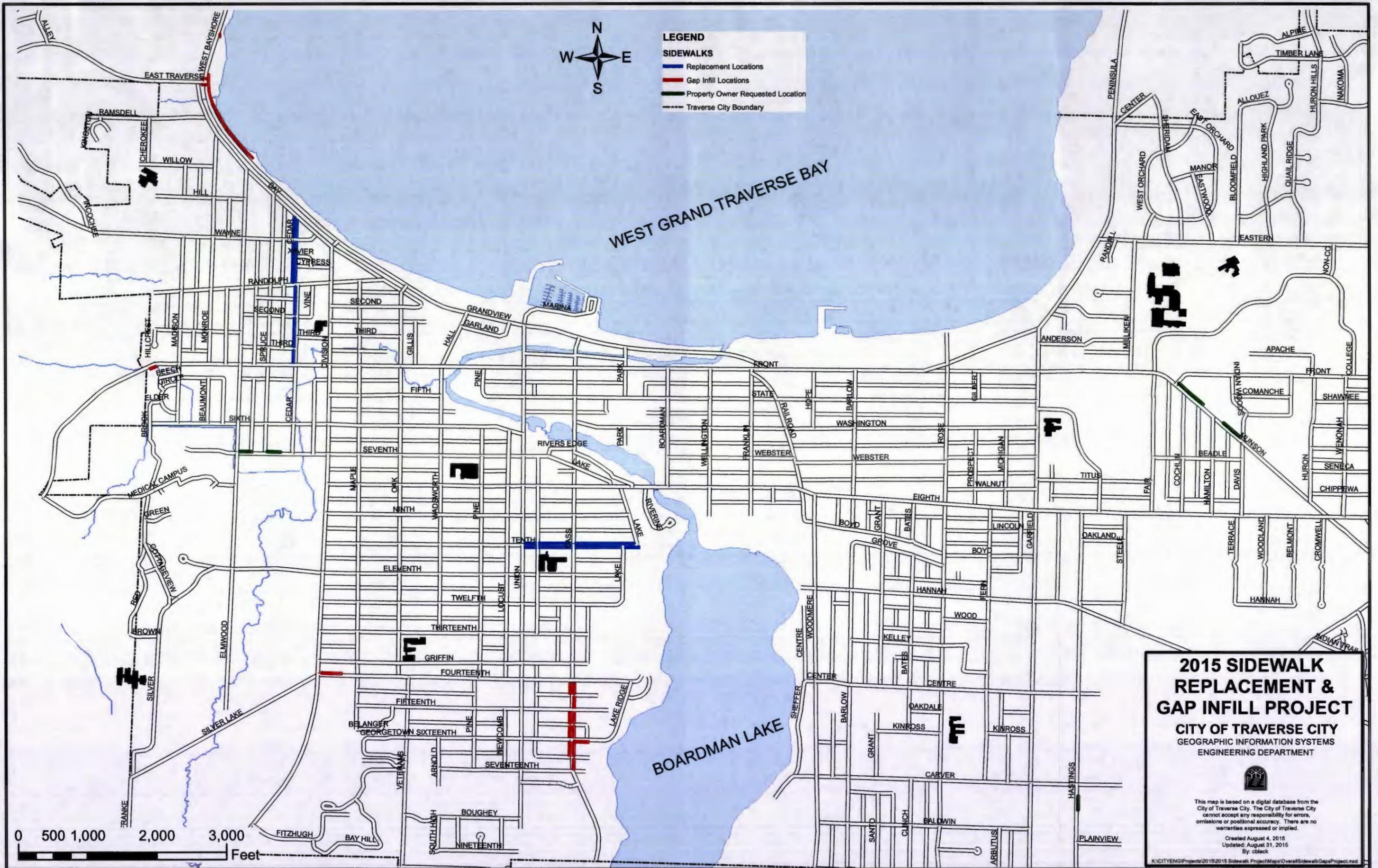
Sidewalks in other areas will be included if the property owner agrees to pay half or all of the cost through the special assessment policy or special request. Special Assessment requested locations include Munson Avenue from East Front Street to Davis Street and 7<sup>th</sup> Street on the north side between Cedar Street and Elmwood Avenue. Special request locations include repair of the retaining wall at Parking Lot C, sidewalks at the TCLP offices on Hastings Street and sidewalks for TCLP at 2760 LaFranier Road in conjunction with the new substation project.

A map showing these locations is attached for reference. Sealed proposals were advertised for and were received on August 24, 2015 for the above referenced project. Plans and specifications were provided to three contractors and/or suppliers with one bid being received for this work as follows:

Hallmark Construction, Inc.	Traverse City	\$ 419,584.65
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Hallmark Construction, Inc. has satisfactorily completed the City's sidewalk project since 2012. The Engineering Department's preliminary estimate for this work was \$430,743.55. Therefore, it is recommended, that this work be awarded to the low bidder, Hallmark Construction, Inc. and that the proper City officials be authorized to execute a unit price contract with the above-mentioned low bidder, in the amount of \$419,584.65 more or less, with funds therefore available in the public improvements projects funds.

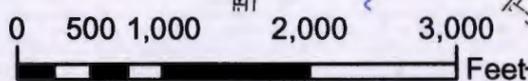
We also need the assistance of a professional land surveyor to ensure that we place the sidewalks in the proper location. We recommend that a service order be issued to Grand Traverse Surveying and Mapping in the amount of \$9,450 for this service.



**LEGEND**

**SIDEWALKS**

- Replacement Locations
- Gap Infill Locations
- Property Owner Requested Location
- - - Traverse City Boundary



**2015 SIDEWALK  
REPLACEMENT &  
GAP INFILL PROJECT**  
CITY OF TRAVERSE CITY  
GEOGRAPHIC INFORMATION SYSTEMS  
ENGINEERING DEPARTMENT



This map is based on a digital database from the City of Traverse City. The City of Traverse City cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties expressed or implied.

Created August 4, 2015  
Updated: August 31, 2016  
By: cblack

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The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: 2015 PAVEMENT PRESERVATION PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a contract for the 2015 Pavement Preservation Project. As explained by Mr. Lodge, the bids came in above the Engineering Department's preliminary estimate.

Engineering staff have identified other sources of funds to contribute to the total project cost; this is detailed in the City Engineer's memo. In short, an additional \$310,000 has been identified as additional funding for the project.

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

**that the Mayor and City Clerk execute a unit prices contract with Elmer's Crane and Dozer, Inc., in the amount of \$1,057,468.32, more or less for the 2015 Pavement Preservation Project, at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Capital Projects Fund and Parking System Fund, and with a portion of the funds to be reimbursed by the Michigan Department of Transportation and Traverse City Light and Power.**

MC/kes

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copy: Timothy Lodge, City Engineer

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# Memorandum

The City of Traverse City  
Engineering Department



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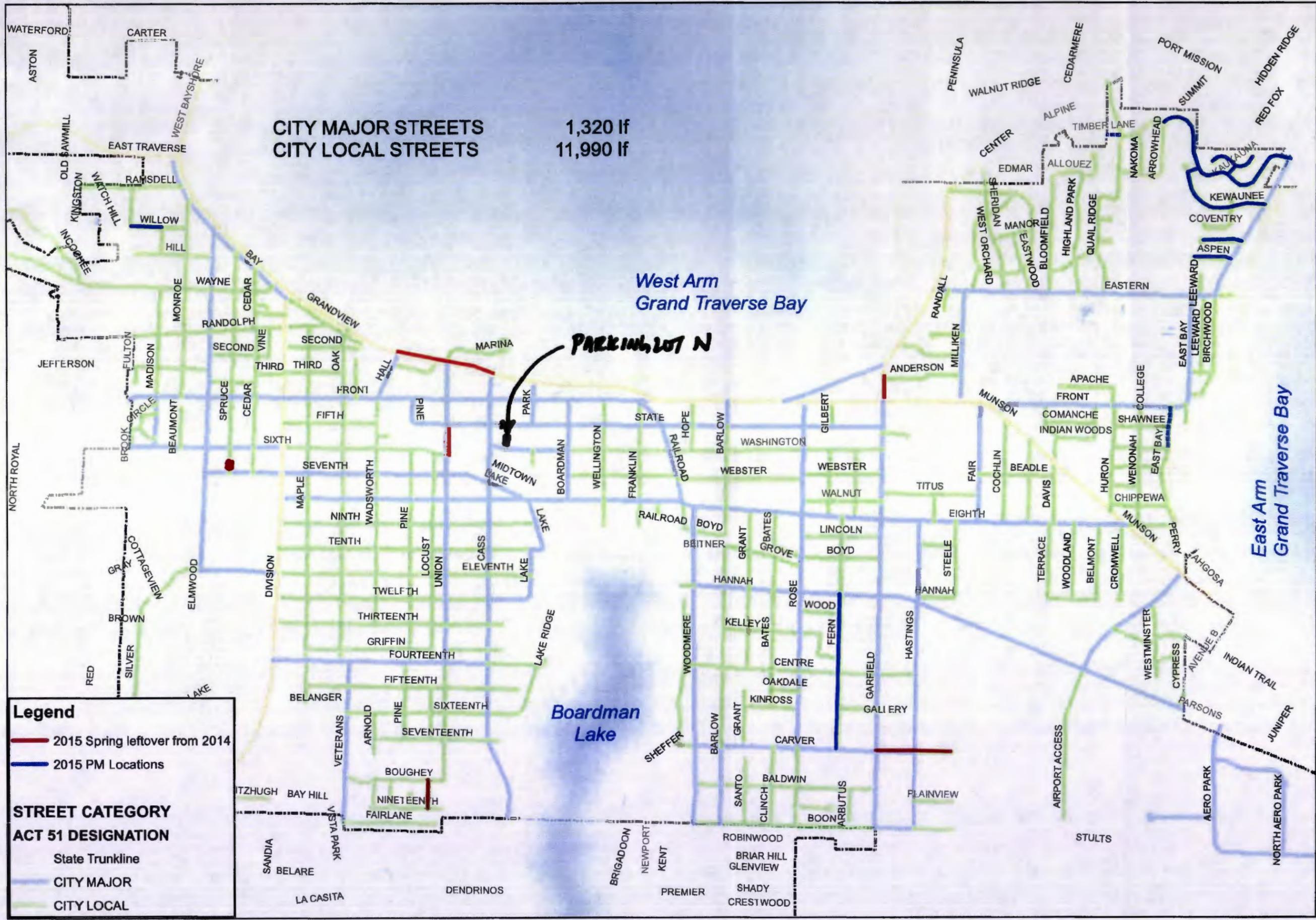
TO: Marty Colburn, City Manager  
FROM: Timothy J. Lodge, City Engineer *[Signature]*  
DATE: August 28, 2015  
SUBJECT: 2015 Pavement Preservation Project

The Engineering and Street Departments evaluated Capital Preventative Maintenance (CPM) techniques to improve pavement conditions cost effectively. Two CPM techniques, crush, shape and resurface and cold milling and resurfacing were selected for the 2015 Pavement Preservation Project for the locations shown on the map which is attached for reference. We have allocated \$750,000 for this work with the adoption of the budget. Recently, the MDOT approached the City and requested assistance with similar CPM work on M-72/US-31(Grandview Parkway) between the Hall Street and Cass Street and on M-37 (Garfield Avenue) between M-72/US-31 (Front Street) and Anderson and provided a \$125,000 work authorization to the City for their work. The work also includes reconstruction of Parking Lot N adjacent to the Washington Place Development (\$150,000) and resurfacing work on Union Street in conjunction with the conduit installation by TCLP (\$35,000)

Sealed proposals were advertised for and were received on August 24, 2015 for the 2015 Pavement Preservation Project that uses the above mentioned CPM techniques to improve hot mix asphalt (HMA) pavement conditions. Plans and specifications were provided to Contractors through the Builders Exchange of Northwest Michigan and two bids were received for this work as follows:

Contractor		Bid Amount
Elmer's Crane and Dozer, Inc.	Traverse City	\$ 1,057,468.32
Rieth Riley Construction Co. Inc.	Grawn	\$ 1,240,410.90

The Engineering Department's preliminary estimate for this work is \$1,024,870.19. The costs we estimated for Parking Lot N were too low when compared with the two bids received and account for the difference in our estimating and the low bid. Therefore, it is recommended that this work be awarded to the bidder, Elmer's Crane and Dozer Inc. and that the proper City officials be authorized to execute a unit price contract with the above-mentioned bidder, in the amount of \$1,057,468.32, more or less, with funds therefore available in various Capital Projects Funds, Parking System Fund, reimbursement by TCLP and reimbursement by the MDOT.



CITY MAJOR STREETS 1,320 lf  
 CITY LOCAL STREETS 11,990 lf

**Legend**

- 2015 Spring leftover from 2014
- 2015 PM Locations

**STREET CATEGORY**

**ACT 51 DESIGNATION**

- State Trunkline
- CITY MAJOR
- CITY LOCAL



**City of Traverse City  
 2015 Pavement  
 Preservation Projects**

Document Path: S:\GIS\Urban's Projects\Asset Management\2015 Street Projects\2015 Spring Project Locations.mxd

REVISED  
 8-9-15 PL  
 1-26-15  
 JPT

This map is based on digital databases from the City of Traverse City. Traverse City cannot accept any responsibility for errors, omissions or positional accuracy. There are no warranties expressed or implied.



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>*msc*</sup> MARTY COLBURN, CITY MANAGER

SUBJECT: 2015 PHASE ONE PAVING AND RESURFACING PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a contract for the 2015 Phase One Paving and Resurfacing Project. As explained by Mr. Lodge, this project encompasses various elements, including the paving of streets, installation of leaching basins, and installing a turn-around. It also includes street reconstruction, watermain replacement, curb and gutter replacement and an extension of sidewalk.

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

**that the Mayor and City Clerk execute a unit prices contract in the amount of \$867,403.80, more or less, with Elmer's Crane and Dozer, Inc., for the 2015 Phase One Paving and Resurfacing Project at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the various funds of the Capital Projects Fund.**

MC/kes

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copy: Timothy Lodge, City Engineer

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# Memorandum

The City of Traverse City  
Engineering Department



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TO: Marty Colburn, City Manager  
FROM: Timothy J. Lodge, City Engineer   
DATE: September 1, 2015  
SUBJECT: 2015 Phase One Paving and Resurfacing Projects

Sealed bids were advertised for and were received on August 31, 2015 for the above referenced project. Plans and specifications were available to contractors thru The Builders Exchange of Northwest Michigan. Contractors inquired and viewed the plans and specifications online with two bids being received for this work as follows:

Contractor		Bid Amount
Elmer's Crane and Dozer, Inc.	Traverse City	\$ 867,403.80
DJ McQuestion & Sons, Inc.	Leroy	\$ 936,631.30

The Engineering Department's preliminary estimate for this work is \$829,293.25. The project includes the paving of Plainview Street, the gravel street between Hastings Street and the Airport north-south runway. The work includes supplementing the gravel surface, grading and paving, installation of leaching basins and installing a turn-around "Tee" to accommodate City maintenance vehicles. Also included in the project is street reconstruction, watermain replacement, curb and gutter replacement, extending the sidewalk and related restoration work on Union Street between 16<sup>th</sup> and Boughey Street. The projects were reviewed and approved by the Planning Commission on September 3, 2014 and August 5, 2014 respectively.

Finally, the project includes replacing the watermain in Union Street from 14<sup>th</sup> Street to 16<sup>th</sup> Street and in Lake Street from the Old Town Parking Deck to Cass Street that froze and broke during the cold winter weather. Funding for the project is split with \$520,000 from the water fund out of the 2015/16 Fiscal Year and the remaining \$350,000 from the street reconstruction budget for the 2014/15 and 2015/16 Fiscal Years.

Therefore, it is recommended that this work be awarded to the low bidder, Elmer's Crane and Dozer, Inc. and that the proper City officials be authorized to execute a unit price contract with the above-mentioned low bidder, in the amount of \$867,403.80, more or less, with funds therefore available in the various funds of the Capital Projects Fund.



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: 2015 GILLIS STREET SANITARY SEWER PROJECT

Attached is a memo from City Engineer Timothy Lodge recommending a contract for the 2015 Gillis Street Sanitary Sewer Project. As explained by Mr. Lodge, this project includes the replacement of sanitary sewer lines on Gillis Street and repair of a drainage issue on Madison Street which has become a contact nuisance and safety issue in the winter months.

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

**that the Mayor and City Clerk execute a unit prices contract in the amount of \$66,913, more or less, with Elmer's Crane and Dozer, Inc., for the 2015 Gillis Street Sanitary Sewer Project at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the various funds of the Capital Projects Fund.**

MC/kes

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copy: Timothy Lodge, City Engineer

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# Memorandum

The City of Traverse City  
Engineering Department



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TO: Marty Colburn, City Manager  
FROM: Timothy J. Lodge, City Engineer *TJ Lodge*  
DATE: September 1, 2015  
SUBJECT: 2015 Gillis Street Sanitary Sewer Project

Sealed bids were advertised for and were received on August 31, 2015 for the above referenced project. Plans and specifications were available to contractors thru The Builders Exchange of Northwest Michigan. Contractors inquired and viewed the plans and specifications online with three bids being received for this work as follows:

Contractor		Bid Amount
Elmer's Crane and Dozer, Inc.	Traverse City	\$ 66,913.00
CJ's Excavating, Inc	Cadillac	\$ 106,011.32
DJ McQuestion & Sons, Inc.	Leroy	\$ 129,711.00

The Engineering Department's preliminary estimate for this work is \$51,661.00. The project includes replacing the 130 feet of sanitary sewer in Gillis Street from West Front Street north to the Alley serving the North Peak parking lot. This sewer was found in poor condition as we completed the work for West Front Street and is required to be replaced. We also included work to remedy a drainage issue on Madison Street that has been a constant nuisance and safety issue with freezing water in the street. The location is between Wayne Street and Randolph Street. The Streets Division spent between two and three days a week during periods of last two winters and installing a catch basin will alleviate this nuisance and safety issue.

Funding for the project is split with \$52,000 from the sewer fund and the remaining \$16,000 from the street reconstruction budget.

Therefore, it is recommended that this work be awarded to the low bidder, Elmer's Crane and Dozer, Inc. and that the proper City officials be authorized to execute a unit price contract with the above-mentioned low bidder, in the amount of \$66,913.00, more or less, with funds therefore available in the various funds of the Capital Projects Fund.



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: SNOW GROOMERS – FOR USE AT HICKORY HILLS

Attached are memos from Director of Public Services Dave Green, Hickory Hills Manager Barry Smith and Garage Superintendent Dave Courtad, recommending the purchase of two snow groomers for use at Hickory Hills.

As explained, both groomers that are currently in service have become too costly to maintain and have surpassed their life of service. We anticipate the new groomers serving their intended purpose for at least 20 years, possibly longer with strategic maintenance. The cost of both groomers came in under the City's approved 2015-2016 budget authorization of \$500,000.

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

**that two snow groomers be declared surplus and the City Manager be authorized to issue a purchase order to Kassbohrer All-Terrain Vehicles, Inc. in the total amount of \$481,006 for one 2015 Kassbohrer Pisten Bully 100 and one 2015 Kassbohrer Pisten Bully 400 (snow groomers) for use at Hickory Hills, with funds available in the Garage Fund,**

**and further that the Mayor and City Clerk execute a storage agreement with Kassbohrer All-Terrain Vehicles, Inc. for maintenance and storage of the new snow groomers until the fall of 2015 in a not to exceed amount of \$10,000, subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Garage Fund.**

MC/kes

K:\tcclerk\city commission\purchase orders\Hickory Hill Snow Groomers\_02150908

copy: Dave Green, Director of Public Services  
Barry Smith, Hickory Hills Manager  
Dave Courtad, Garage Superintendent

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# Memorandum

The City of Traverse City  
Department of Public Services



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TO: Martin Colburn, City Manager  
FROM: Dave Green, DPS Director *DG*  
DATE: August 31, 2015  
SUBJECT: 2015/2016 Vehicle Replacement Purchase

Attached are two memorandums related to the planned purchase of two snow groomers to be used at the Hickory Hills Ski Area. One is from Barry Smith, Hickory Hills Manager, explaining the operational differences between the "small groomer" and the "large groomer" as well as the reasoning he used in recommending what brand of groomers he would like to see us purchase. The other is from Dave Courtad, Garage Superintendent, outlining the bid process he used for two groomers.

While this is an expensive purchase for the City we believe the time to replace these pieces of equipment has come. The maintenance costs for the existing groomers are increasing at an alarming rate as well as the time they end up in the garage out of service. As the "on the rack" time increases, the time to be out on the hill grooming decreases.

We will be placing these two new groomers into a 20 year depreciation cycle with an increase in preventative maintenance and overall care from the beginning of their service with the hope of extending this period even further in order to reduce the overall burden to the Parks and Recreation Divisions budget.

We received two bids for each size groomer as follows:

Small Groomer

Kassbohrer Pisten Bully 100	\$194,100.00
Prinoth Husky	\$230,000.00

Large Groomer

Kassbohrer Pisten Bully 400	\$286,906.00
Prinoth BR350	\$285,000.00

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## Memorandum

The City of Traverse City  
Department of Public Services



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I concur with both Barry and Dave on their recommendation to go with the same manufacturer even though the low bid for the large groomer is \$1,906.00 dollars less. We believe the efficiencies we will gain in both the maintenance and operational processes involved with the groomers will far outweigh the small amount we would save by going with two different manufactures.

Also, if this purchase request is approved, I would like to ask for City Commission approval to enter into an agreement with Kassbohrer whereby the City agrees to pay Kassbohrer \$10,000 in exchange for Kassbohrer to return to Traverse City in the spring of 2016 to retrieve the groomers, take them back to Minnesota, provide inside secure protected storage all summer, perform required preventative maintenance on both units and then deliver them back to Traverse City by late fall of 2016. This agreement accomplishes two things. It provides us the two new groomers for this ski season eliminating any worry about the old groomers holding up one more year with potentially high maintenance and repair costs and it gives us this winter to locate the pole barn/maintenance building we have planned for Hickory (CIP Project # 328) as depicted in the renderings shown in the Hickory Hills Master Plan. Once the site is located and surveyed, a design package can be put together in the spring with bidding and construction to follow the summer and fall of 2016 ensuring the building will be ready for the new groomers when Kassbohrer returns them.

Therefore, please request that the City Commission declare two groomers surplus and approve a purchase order to Kassbohrer All-Terrain Vehicles, Inc. of Shakopee, MN. in the amount of \$481,006.00 for one 2015 Kassbohrer Pisten Bully 100 and one 2015 Kassbohrer Pisten Bully 400 with funds available in the Garage Fund for this planned equipment replacement purchase and also that they authorize the proper City officials to enter into a storage agreement for the groomers until the fall of 2016 at a not to exceed cost of \$10,000 with funds also available in the Garage Fund..

## City of Traverse City Memorandum

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**To:** Dave Green, DPS Director  
**From:** Barry Smith, Hickory Hills Manager *BAS*  
**Re:** Hickory Hills Groomer Replacement  
**Date:** July 10, 2015

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The grooming equipment for Hickory Hills Ski Area consists of a 1971 Bombardier Ski Dozer and a 2000 Bombardier BR275. Both machines have exceeded their useful life and will cost a considerable amount of money to keep them in operational condition. Technological advances and demand for more consistently groomed snow surfaces make it necessary to replace the outdated equipment.

The replacement vehicle for the 1971 Bombardier Ski Dozer is referred to as a "Small Groomer" in the bid process. This equipment will serve as a utility vehicle for snowmaking, cross country groomer with a track setter, tow path groomer, backup groomer for the large snow groomer and will be used for any on-hill maintenance.

The replacement vehicle for the 2000 Bombardier BR275 is referred to as a "Large Groomer" in the bid process. This equipment will serve as the main downhill groomer, terrain park groomer and will be used to push out snow piles during snowmaking.

The City of Traverse City received bids from two manufacturers of grooming equipment:

Small Groomer

Kassbohrer Pisten Bully 100	\$194,000.00
Prinoth Husky	\$230,000.00

Large Groomer

Kassbohrer Pisten Bully 400	\$286,906.00
Prinoth BR350	\$285,000.00

There is a considerable difference between the bids for the "Small Groomer" while the bids for the "Large Groomer" are very close. I would recommend that, as we have done in the past, use the same manufacturer for both the "Small and Large Groomers". This would allow for consistency in parts, service, training and operation. It is my recommendation that we offer the bid to Kassbohrer for both groomers.

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# Memorandum

The City of Traverse City  
Department of Public Works



**TO: Dave Green**

**CC:**

**FROM: Dave Courtad Garage Superintendent**

**DATE: July 2, 2015**

**SUBJECT: Equipment Purchase Snow groomers**

**Bids were solicited to purchase and deliver 2 different snow-groomers for use at Hickory Hills one was for a Large groomer to handle the ski hills etc. and a smaller one to be used in the trail system.**

**The following bids were received for the Large Groomer:**

- 1: Kassbohrer All Terrain Vehicles, Inc. of Shakopee, MN \$286,906.00**
- 2: Prinoth, LLC of Grand Junction, Colorado \$285,000.00**

**The following bids were received for the Small Groomer:**

- 1: Kassbohrer All Terrain Vehicles, Inc. of Shakopee, MN \$ 194,100.00**
- 2: Prinoth LLC of Grand Junction, Colorado \$230,000.00**

**In looking over all of the specifications along with input from our Mountain Manager at Hickory Hills, and in addition our Technical staff we have determined that it would best serve the city to purchase the same brand vehicles for ease of operation and repair.**

**Would you please request of the City Commission permission to issue a purchase order to Kassbohrer All Terrain Vehicles, Inc. of Shakopee, MN for \$481,006.00 for both the Large and Small Groomers with implements and to request the current equipment numbers #147 and #148 Snow Groomers 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', written in a cursive style.

City of Traverse City, Michigan  
INTERNAL SERVICE FUND  
GARAGE FUND

~~2014-15~~ Vehicle Replacement Schedule  
**2015-2016**

Department	Vehicle Description	Estimated Replacement Costs
Police	2010 Ford Crown Vic Cruiser	\$ 28,500
Police	2010 Ford Crown Vic Cruiser	28,500
Police	2006 Harley Davidson	20,000
Street	1995 F450 Dump Truck	65,000
Water	2001 F350 Dump Truck w plow	62,000
garage	2001 Dodge Ram w/Utility body,compressor	65,000
Street	2001 Holder C9700	85,000
Fire	1994 Pierce Dash Fire Pumper	618,000
TCLP	2002 Freightliner w/altec digger	285,000
TCLP	2007 GMC Savanna 4wd Van	28,000
Engineering	2001 E150 van	60,000
#147 Parks	2000 Bombardier Groomer	300,000
#148 Parks	1970 Bombardier Groomer	200,000
Street	2001 Holder C9700	84,000
Parks	2003 Tennant Litter Sucker	38,000
TCPS	2002 Ford Ranger	27,500
<b>Estimated Total Replacement Cost</b>		<b>\$ 1,994,500</b>



The City of Traverse City

## Communication to the City Commission

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FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: REQUEST FOR SPECIAL LAND USE PERMIT – THE WODA GROUP, INC. (15-SLUP-01) – POSSIBLE RESCHEDULING OF PUBLIC HEARING

As you are aware, the Commission took action to schedule a public hearing on the request for a Special Land Use Permit in connection with the development at 305 West Front Street for September 21, 2015. The City Commission also referred the request for a PILOT, or payment-in-lieu-of-taxes arrangement, to the September 21, 2015 meeting.

In connection with this matter, attached are two letters which were received by the City Clerk's Office – one from Erik Falconer and Joe Sarafa, members of Pine Street Development One, LLC, and another from Craig Patterson. These letters were also distributed to you at the August 31, 2015, Study Session. The gentlemen affiliated with Pine Street Development One, LLC, are requesting that the consideration of their request for the Special Land Use Permit be tabled for 90-days to allow them time to gather additional information to consider the concerns and questions raised by the City Commission.

Please note their request is simply in regard to the Special Land Use Permit request, not the request for a payment-in-lieu-of-taxes arrangement from The Woda Group, Inc.

If it is the desire of the City Commission to approve the request from Pine Street Development One, LLC, to postpone consideration of their request for a Special Land Use Permit, the closest available Regular Meeting would be December 7, 2015. However, if the City Commission would like to proceed as scheduled and take action on September 21, 2015, no action is needed for tonight.

- *Motion on the next page* -

The following motion would be appropriate to approve the developer's request to postpone consideration of the Special Land Use Permit:

**that the City Commission approves the request from Pine Street Development One, LLC, as outlined in their letter dated August 26, 2015, to postpone consideration of a request for a Special Land Use Permit in connection with their development at 305 West Front Street until its Regular Meeting of December 7, 2015.**

MC/kes

K:\tcclerk\city commission\Special Land Use Permit\WODA SLUP\_Request for Extension\_20150908.doc

copy:           Jean Derenzy, Grand Traverse County Deputy Director of Planning and  
                  Development  
                  Russell Soyring, City Planning Director  
                  Joe Sarafa, Pine Street Development One, LLC  
                  Erik Falconer, Pine Street Development One, LLC  
                  P. Craig Patterson, Woda Development Construction Management  
                  Senior Vice President

August 26, 2015

City of Traverse City  
City Commission  
400 Boardman Avenue  
Traverse City, MI 49684

RECEIVED  
AUG 27 2015  
CITY OF TRAVERSE CITY  
CITY CLERKS OFFICE

Dear City Commissioners,

On behalf of Pine Street Development One, LLC (PSDO), and in partnership with The Woda Group, Inc. (Woda), we are asking the Traverse City City Commission to table consideration of the Special Land Use Permit for the proposed development of the property located at 305 W. Front Street.

Earlier this year, PSDO met with the Traverse City Planning Commission and heard a number of concerns and issues. In response, we took the time necessary to properly address them, and in a subsequent meeting our project passed the planning commission with a 5-2 vote. At the August 17 City Commission meeting, we heard different concerns and questions, several of which require substantial review and coordination. After careful consideration and discussion with various organizations and individuals, it is clear that we will need additional time to properly consider and respond to the issues raised.

PSDO believes that its proposal is compliant with all city ordinances and the Master Plan, as well as all recent regional planning initiatives, including the Grand Vision. However, we do recognize that those responsible for approving significant initiatives such as 305 W. Front Street need—and deserve—time and information in order to be comfortable with their decisions. PSDO is committed to providing all reasonable information and presenting the case that this project is an asset to the city and essential to our community.

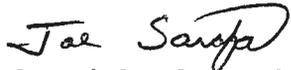
As such, we are asking for the City Commission to table the consideration of our Special Land Use Permit until such time that additional information can be gathered to consider the concerns and questions that have been raised by the City Commission. It is expected that this time frame will be approximately 90 days.

Additionally, please note that Woda still seeks the City Commission's approval of a Payment in Lieu of Taxes (PILOT) as required by their Michigan State Housing Development Authority (MSHDA) application for 64-units of single-family affordable housing. Approval of this PILOT in September is essential to Woda's application, which has an October 1 submission deadline. However, it is important to understand that approval of the PILOT does not mean approval of the SLUP. They are two separate issues and both must be obtained before the project can commence. PILOT approval at this time simply affords Woda the courtesy of

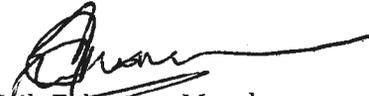
proceeding—at its own cost—with its MSHDA application and competition with other downstate affordable housing projects.

Thank you for your consideration of this request. We look forward to the opportunity to share additional information and continue a conversation that is so important to our city and community.

Sincerely,



Joseph Sarafa, Member  
Pine Street Development One, LLC



Erik Falconer, Member  
Pine Street Development One, LLC



DEVELOPMENT  
CONSTRUCTION  
MANAGEMENT

wodagroup.com

229 Huber Village Blvd., Suite 100  
Westerville, OH 43081  
Office: 614.396.3200  
Fax: 614.396.3210

RECEIVED

AUG 27 2015  
CITY OF TRAVERSE CITY  
CITY CLERKS OFFICE

August 26, 2015

Mr. Joseph Sarafa  
Mr. Erik Falconer  
Pine Street Development One, LLC  
11123 Burgai Road  
Traverse City, Michigan 49684

RE: Special Land Use Permit; August 31 Meeting

Erik, Joe,

I request that we delay our presentation to the Commissioners on August 31. I believe more time is needed to prepare the required information supporting the SLUP; especially in light of comments made by Mayor Estes and the Commissioners on August 17. Our combined affordable and market-rate housing project is far too important to the stakeholders of the City and Downtown to "rush" the process.

I do think it is important to reintroduce the PILOT and seek approval in the upcoming September<sup>8<sup>th</sup></sup> Commission meeting. The PILOT is an essential component to our application and I don't want to delay the discussion and vote. In our experience, most Michigan PILOT ordinances have a contingency that construction must start within 18-24 months after the PILOT is approved. A contingency such as this will give assurance that the PILOT will not take affect if the SLUP is ultimately denied by the Commission. A positive vote in September will underscore the Commissioner's commitment to establish affordable workforce housing in Traverse City.

dist

Please let me know if you have any questions.

Sincerely,

  
P. Craig Patterson  
Sr. Vice President

Craig Patterson is  
aware the pilot  
is scheduled for  
9/21, not 9/8.

-Bee Baller  
City Clerk



The City of Traverse City

## Communication to the City Commission

FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: <sup>MAC</sup> MARTY COLBURN, CITY MANAGER

SUBJECT: ALLOCATION OF FUNDS – BROWN BRIDGE TRUST PARKS  
IMPRVEMENT FUND

The Brown Bridge Advisory Committee was established by the City Commission to address and advise on behalf of the Brown Bridge Quiet Area. In their time as a committee, they have prepared a conceptual plan addressing the management of Brown Bridge Quiet Area Recreational activities. The Committee is proposing a Capital Improvement Plan over a period of five years with specific projects listed; I have attached the plan. Their intent is to pursue these as future Capital Improvement Plans within the City programming and requesting a pledge of \$300,000 from the Brown Bridge Trust Parks Improvement Fund. They recognize the requirement of a 50% matching fund through various non-City sources.

In December 2014, the City Commission transferred \$1.2 Million from the Brown Bridge Trust Fund to a Brown Bridge Trust Parks Improvement Fund. Oil and gas royalties were estimated to be received at \$360,000 per year over the next five years, totaling \$1.8 Million. After a five year period, the total funds were estimated at \$3 Million. Since then, the oil and gas royalties collected have been significantly reduced due to market valuations.

January through June 2015, the City collected \$110,000 in oil and gas royalties. At the current rates, we would estimate raising only \$2.3 Million after a five-year period. The City Commission pledged up to \$1.5 Million for Hickory Hills at its June 1, 2015 meeting. The additional \$300,000 will fit within the available funds estimated over a five-year period.

- *Motion on the next page* -

If the City Commission desires to pledge up to \$300,000 to the Brown Bridge Advisory Committee, over a period of five years, contingent upon non-City source matching funds, to carry out its plan dated August, 2015, the following motion would be appropriate:

**that the Capital Improvement Plan include \$300,000 from the Brown Bridge Trust Parks Improvement Fund for the Brown Bridge Advisory Committee to complete improvement to the Brown Bridge Quiet Area, over a period of five years and;**

**further, that the City Commission pledge up to \$300,000 from the Brown Bridge Trust Parks Improvement Fund for improvements at the Brown Bridge Quiet Area consistent with the Brown Bridge Quiet Area Park Improvement Fund, such funds to be spent only when full match has been raised from non-City sources within a period of five years.**

MC/jd

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copy: Steve Largent, Grand Traverse Conservation District

# **Brown Bridge Quiet Area**

## **PARK IMPROVEMENT FUND**

BROWN BRIDGE ADVISORY COMMITTEE

August 2015

“The simple truth is that Michigan has always been and will always be a ‘quality of life’ state... the quality of human life in Michigan depends on nature. The natural beauty of Michigan is much more than a source of pleasure and recreation. It shapes our values, molds our attitudes, feeds our spirits.” –Michigan Governor William Milliken, Michigan Blue Economy Report

The following is a request to the City Commission for an allocation of **\$287,500** from the Brown Bridge Trust Fund for recreational improvements to the Brown Bridge Quiet Area.

### **Brief Background**

#### **Location**

The 1310-acre City owned Brown Bridge Quiet Area, is located 11 miles southeast of Traverse City on the Boardman River, a State designated Natural River and Blue Ribbon trout stream.

#### **Hydro-electric**

The City acquired the property in the early 1900's to construct Brown Bridge Dam which produced hydro-electric continuously from 1921 until it was decommissioned by Traverse City Light & Power in 2004. Brown Bridge Dam was removed in 2012, and is the first of three dams slated for removal as part of the largest dam removal effort in Michigan's history.

#### **Oil & Gas Exploration & Brown Bridge Trust Fund**

In 1977, the citizens of Traverse City approved a ballot proposal to allow drilling for oil and gas on Brown Bridge property. The City did drill and strike oil, then subsequently set up the Brown Bridge Trust Fund (BBTF) for the oil and gas revenue. Yearly earned-interest from the BBTF was placed in the City's General Fund. The BBTF grew to over 13 million dollars before City voters approved capping the BBTF at 12 million for a period of 5-years and taking the 1.2 million plus additional revenue generated by the active wells to establish the Park Improvement Fund.

#### **Vision Statement**

The City's Vision Statement for Brown Bridge is to: “restore, preserve, and protect the integrity of the natural environment including its inhabitants, yet allow managed public use for generations to come.”

### **Resolution of Commitment – July 1, 1991**

Being “cognizant of the marvelous beauty and splendor of the Brown Bridge Quiet Area” and wishing the property “to be managed and maintained in such a manner that many generations of citizens may enjoy this area”, the City Commission on July 1, 1991, adopted a resolution committing the City to protecting and preserving the Brown Bridge Quiet Area.

### **Brown Bridge Recreation Management Plan**

There is an existing management plan for the Brown Bridge Quiet Area that provides direction for management activities on the entire 1310 acre property. However the plan does not include specific recommendations for recreational improvements to bottomlands exposed by the removal of Brown Bridge Dam in 2012. Therefore a Recreation Management Plan was developed as an Addendum to the greater plan with a focus on recreation on, and around, the newly exposed bottomlands.

The Boardman River is the dominate recreation and ecologic feature in the Quiet Area. As such, the river influences use patterns and consequently decisions on trail placement and other recreational facilities. Because the river is such a draw, adequate access must be provided for users. If this access is not provided, users will create their own access points leading to erosion and ecologic degradation. Broadly speaking, access needs to be provided in two ways: views of the river, and points to physically enter and exit the river.

The trails on the north side of the river, specifically the access road created during dam removal, provide ample opportunities for users to view the river as it winds its way through the property. Where the river diverges from the trail for a substantial length, users will often create their own trails to view and access the river. In order to protect the bottomlands as they revegetate, sustainable trails need to be established in anticipation of this use. Users may then be directed to these managed trails, and overlook decks.

### **Land Based Trails**

There is a well-developed land-based recreational trail system within the Quiet Area which consists of over eight miles of trails that traverse the property in an east-west direction. These trails are primarily used for hiking, snowshoeing, and skiing. Bikes are allowed on Brown Bridge Road through the Quiet Area and on surrounding county roads.

A section of TART’s new Boardman River Trail system runs through the Quiet Area. This 24 mile trail is a non-motorized trail that runs from City of Traverse City through the Boardman River Valley ultimately connecting with the North Country Trail near Scheck’s State Campground just east of Quiet Area.

The removal of Brown Bridge dam in 2012 exposed approximately 175 acres of bottomlands where additional trails were created according to a plan approved by the Brown Bridge Advisory Committee. One of the more popular trails is the former access road that was constructed for heavy equipment during dam removal. This trail runs along the river at the base of the steep north bank from the north end of the former dam, east to the base of east access steps. The access road was only supposed to be temporary for construction purposes but the BBAC quickly realized the value of this road as a recreational trail and requested that it be left in place for public use.

In general terms there are two sets of parallel trails that follow the Boardman River on the north and south sides. A noticeable shortcoming of the trail system is a disconnect on each side of the Boardman River. The Brown Bridge Management Plan calls for two recreational bridges to connect the trails and create a circular loop. One of the bridges is planned to be placed at the location of the historic Brown's Bridge, while the other is planned for the east end of the property where a footbridge once existed several years ago.

### **River Trail**

The removal of Brown Bridge dam recaptured 2.8 miles of new/relic Boardman River where the pond once occupied. There's been a noticeable shift in the use patterns post dam removal versus pre-dam removal. This new section of river has become highly popular with paddlers.

Prior to dam removal many paddlers avoided the pond because of the potential for stiff headwinds and high waves. With the dam removed, the river is easily navigated and has become a "must do" section for paddlers.

There are two state public access sites upstream of Brown Bridge. Paddlers have the choice of "putting-in" at either the Fork's or Scheck's public access sites. To paddle from the Forks to Brown Bridge takes approximately 3 hours and from Scheck's to Brown Bridge takes only about an hour and a half. Paddlers also have the option of parking and launching at Brown Bridge and floating to Shumsky state landing or continue all the way to Beitner Road.

### **Proposal**

The Brown Bridge Advisory Committee is requesting approval of a **\$287,500** allocation from the Brown Bridge Trust Fund (Park Improvement Fund), contingent upon an equal amount of matching funds being raised from other sources.

In summary, the request is focused on the two foot- bridges to connect the north and south side trail systems, providing universal river access, fish habitat improvements, and interpretive signage.

The following is a narrative description of each of the project components proposed for funding through the Park Improvement Fund:

**Upper Trail Connector Bridge (East-end):** This proposed pedestrian bridge over the Boardman River is located at the site of a former bridge that was constructed by the Boy Scouts in the 70's near the outlet of Grasshopper Creek. High water and the lack of maintenance caused the bridge to fail and it was removed in the 80's. Recently a riverfront property owner donated a bridge that can be used at the site. This bridge combined with the Historic Brown's Bridge (West-end) will provide a 9-mile loop trail.

**Historic Brown's Bridge (West-end):** Most people don't know that in 1869 William Walter Brown purchased 80 acres from the state of Michigan for \$50. Soon thereafter Mr. Brown and his neighbors constructed a bridge across the Boardman for local and stage coach use. This bridge soon became the river crossing site of the area's first State road. The site was also home to an inn called the "Half-Way House" because of its mid-point position between Grand Rapids and the Straits. Today there is great interest in constructing a foot bridge at the original site of the historic Brown's Bridge. Not only would the bridge provide a critical recreational trail connection across the Boardman River but it will also serve as an important bridge to the past.

**Universal River Access Upgrade:** The current access is not universally accessible. Design and install a universal river access, including the connecting trail when the historic Brown's Bridge is constructed.

**Fishing Access & Habitat Improvement:** Provide areas of hardened access to allow for fishing access and install associated fish habitat improvements to maximize the recreational experience.

**Interpretive and Navigational Signage:** Design and install interpretative and navigational signage to improve wayfinding and education opportunities on the trails.

**Overlook/Historical Display at Former Powerhouse:** Design and install an overlook and historic display featuring one of the turbines removed from the powerhouse during decommissioning of the dam.

**North Parking Lot Improvements:** Gravel and re-grade parking lots on Ranch Rudolf Road; Replace fencing.

**Trail Upgrades:** Establish an ADA trail from Buck's Landing to an area overlooking the new river channel and bottomlands.

The following is a summary budget:

**Recreational Improvement****Budget**

Upper Trail Connector Bridge (East-end)	\$80,000
Historic Brown's Bridge (West-end)	\$195,000
Universal River Access Upgrade	\$55,000
Fishing Access & Habitat Improvement	\$85,000
Interpretive and Navigational Signage	\$20,000
Historical Display at Former Powerhouse	\$15,000
North Parking Lot Improvements	\$30,000
Trail Upgrades	\$95,000
<b>Total</b>	<b>\$575,000</b>

**Park Improvement Fund Request (50% of Total) = \$287,500**

**Funding Plan**

This request will be matched through a variety of non-City sources. These include: Rotary Charities grants, Rotary Gourmet Game Dinner funding, private donations, MDNR Recreation Fund grants, in-kind and donated materials and services.



The City of Traverse City

## Communication to the City Commission

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FOR THE REGULAR CITY COMMISSION MEETING OF SEPTEMBER 8, 2015

DATE: SEPTEMBER 3, 2015

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: DOWNTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS – APPOINTMENTS

Attached is a memo from Deputy City Clerk Katelyn Stroven indicating the Mayor's appointments to the Downtown Development Authority Board of Directors. As indicated by Ms. Stroven, appointments to this board are four years in duration, expiring September 15<sup>th</sup> and are made by the Mayor and approved by the City Commission.

The following motion would approve the Mayor's appointment:

**that the Mayor's reappointment of Bill Golden (seat previously held by Bill Golden) to one four-year term expiring September 15, 2019, and the Mayor's appointment of Allison Beers and Gabe Schneider (seats previously held by Jan Chapman and Ross Biederman respectively) each to one four-year term expiring September 15, 2019, effective September 15, 2015, on the Downtown Development Authority Board of Directors, be approved.**

MC/kes

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copy: Rob Bacigalupi, Downtown Development Authority Executive Director

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# Memorandum

The City of Traverse City



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To: Marty Colburn, City Manager  
copy: Benjamin Marentette, City Clerk  
From: Katelyn Stroven, Deputy City Clerk  
Date: September 3, 2015  
Subject: Downtown Development Authority Board of Directors – Appointments

There are three terms expiring September 15, 2015, on the Downtown Development Authority Board of Directors. Of the three terms, two individuals, Jan Chapman and Bill Golden are seeking reappointment, while the third individual, Ross Biederman, is not.

After advertising for this board on the city's website, Facebook page, and Twitter page, we received several eligible candidates, Allison Beers, Gabe Schneider, Debbie Hershey, Jeff Schwartz, Bradley Matson, and Scott Hardy. I have attached their applications for your reference.

The Mayor interviewed candidates on Tuesday, August 18<sup>th</sup> and Thursday, August 20<sup>th</sup> and as a result has elected to reappoint Bill Golden and appoint Allison Beers and Gabe Schneider, each to one four-year term expiring September 15, 2019.

Appointments to this board are made by the Mayor and approved the City Commission.

If you have any questions, please do not hesitate to contact me.

Thank you!

**Downtown Development Authority  
Board of Directors**

	<u>Initial Apt. Date</u>	<u>Termination</u>
<b>Michael Estes - Mayor</b> 1023 Nakoma Dr, TC, 49686 929-0827 (Res) <a href="mailto:mestes@traversecitymi.gov">mestes@traversecitymi.gov</a>	11/10/11	11/3/15
<b>Ross Biederman (DDA Interest, City Resident)</b> 1003 Peninsula Dr, TC, 49686 947-1838 (Res) 947-7675 (Bus) <a href="mailto:rossb@wtcmradio.com">rossb@wtcmradio.com</a>	10/04/14	09/15/15 09/15/19
<b>- Not Seeking Reappointment -</b>		
<b>Bill Golden (DDA Interest)</b> 4125 Summerhill Rd, TC, 49684 947-6924 (Res) 947-3367 (Bus) <a href="mailto:goldens@goldenshoestc.com">goldens@goldenshoestc.com</a>	02/21/12	09/15/15 09/15/19
<b>- Seeking Reappointment -</b>		
<b>Harry Burkholder (City Resident)</b> 418 W. 11th St, TC, 49684 421-1599 (Res) 929-3696 (Bus) <a href="mailto:burkholder@liaa.org">burkholder@liaa.org</a>	09/07/10	09/15/18
<b>Jan Chapman (DDA Interest)</b> 118 East 12th St, TC, 49684 941-0485 (Res) 946-6211 (Bus) <a href="mailto:janc@wccw.fm">janc@wccw.fm</a>	10/06/03	09/15/15 09/15/19
<b>- Seeking Reappointment -</b>		
<b>Stephen Constantin (DDA Resident/Interest)</b> 223 Midtown Dr, TC, 49684 995-0447 (Res) <a href="mailto:steve.constantin@gmail.com">steve.constantin@gmail.com</a>	07/20/09 (Eff. 09/15/09)	09/15/16
<b>John DiGiacomo (City Resident, DDA Interest)</b> 440 N. Spruce, TC, 49684 714-4730 (Bus) <a href="mailto:john@revisionlegal.com">john@revisionlegal.com</a>	09/04/12 (Eff. 09/15/12)	09/15/16
<b>Rick Korndorfer (City Resident, DDA Interest)</b> 602 W. 9th St, TC, 49684 590-9006 (Res)	09/04/12 (Eff. 09/15/12)	09/15/16

rickkorndorfer@gmail.com

Charles B. Judson (DDA Interest) 101 N. Park St, TC, 49684 486-4519 (Cell) 929-4878 (Bus) <u>cjudson@shrr.com</u>	10/06/08	09/15/16
T. Michael Jackson (DDA Interest) 217 Sixth St, TC, 49684 922-9232 (Res) 883-6272 (Cell) <u>tmjackson36@gmail.com</u>	09/03/13 (Eff. 09/15/13)	09/15/17
Leah Bagdon - McCallum (City Resident) 224 W. 17th, TC, 49684 944-0376 (red) 995-7719 (Bus) <u>lmbagdon4@hotmail.com</u>	09/15/10	09/15/18
Joe Winowiecki (City Resident) 406 Fifth St, TC, 49684 883-7452 (Res) 946-5868 (Bus) <u>joew@versustech.com</u>	09/15/10	09/15/18

Rob Bacigalupi, Executive Director (contact person - 922-2050)

This Board consists of 12 members, including the Mayor who is a statutory member. The other members are **appointed by Mayor and approved by City Commission.**

- At least a majority of the members (7) shall be persons having an interest in property located in the downtown district, or be officers, members, principals or employees of a legal entity having an interest in property in the Downtown District.
- Not less than one of the members shall be a resident of the downtown district, if the district has 100 or more persons residing within it.

Members shall **not be in default** to the City, shall be **adults**, and....  
Policy on Appointments and Committees

All appointments (except the Mayor) are **4-year terms** and expire 9/15.

An appointment to fill a vacancy shall be made by the mayor for the unexpired term only.

Creation of Downtown Development Authority provided for by 1975 PA 197 as amended MCL 125.1651 and TC Code §298.

**Purpose:** To increase property values in the business district of the City, and promote economic growth pursuant to Act 197 of the Public Acts of 1975.

The DDA was established at the September 5, 1978, regular meeting of the City Commission by ordinance.

Meets the 3rd Friday each month @ 8am in the Commission Chambers.

RECEIVED

JUL 21 2015

City of Traverse City  
Application to Become Involved



CITY OF TRAVERSE CITY  
CLERKS OFFICE

Thank you for your interest in serving on one of Traverse City's boards or committees! Volunteers help to secure our community's beauty and promote its enhancement - Benjamin C. Marentette, City Clerk

Board/Committee you are interested in serving (indicate up to three): DDA

Name: Allison Beers

Address: 10248 Fishers Run Traverse City MI 49685  
(Street) (City) (State) (Zip)

E-Mail Address: Allison@eventsnorth.com

Preferred Phone No.: 231-883-2708 Additional Phone No.: \_\_\_\_\_

Occupation: owner, Events North : public speaker (if retired, please provide your career)

**Before submitting your application, please be sure to attach a brief letter indicating the following:**

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Describe your involvement in the community on a board/committee or in another volunteer capacity.
- Any other helpful information relevant to your application.

**While it is not required, a resume is helpful in the recruitment process for City boards and committees.**

YES  NO Are you in default to the City?  
If yes, please note applicants in default to the City are not eligible for consideration.

YES  NO Do you or immediate family members currently serve on a City board or committee?  
If yes, which board? \_\_\_\_\_

YES NO Did you attach the required letter outlining the items requested above?

**The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.**

Allison M. Beers  
Signature

7/20/15  
Date

*Please return your application, letter, and optional resume to City Clerk, 400 Boardman Avenue, Traverse City, MI 49684. If you have any questions, please feel free to contact our office at (231) 922-4480. Again, thank you for your interest!*



Events North  
Allison Beers  
250 East Front Street  
Suite 317  
Traverse City, MI 49684

RE: DDA Board Application

July 20, 2015

I am writing to express my interest in serving Traverse City as a board member of the DDA.

Since moving to Traverse City 10 years ago, I have enjoyed donating my time in various capacities. I feel blessed to get to live in this town and I want to make sure that it continues to flourish for generations to come. I feel it is my civic duty to give back where I can in our community.

I believe my experience to date on various boards as well as in the tourism industry could provide a unique voice to the board. Through my involvement with the community and the DTCA I have followed the work of the city and the DDA. I would be a board member that would hit the ground running.

I have served on the boards of the DTCA, Cherry Festival Foundation, Chamber of Commerce, Big Brothers Big Sisters, Rotary Club of Traverse City, Young Professionals, and Rotary Charities.

If you have any questions, I am happy to comment. I can be reached at 231.883.2708 or [Allison@EventsNorth.com](mailto:Allison@EventsNorth.com)

A handwritten signature in black ink that reads 'Allison M. Beers'.

Allison Beers  
Owner, Events North

# Allison Beers

10248 Fishers Run  
Traverse City, MI 49685  
(231) 883-2708 Allison@EventsNorth.com

---

## **Employment**

**Events North** (Traverse City, MI)

October 2005 – present

*Owner*

- Planning and execution of nonprofit, corporate and social meetings and events

**Put Your Phone Down** (Traverse City, MI)

December 2013- present

*Owner*

- Public speaker on modern day business etiquette presented across the country

**Idea Stream** (Traverse City, MI)

February 2007 – May 2008

*Director, Public Relations & Marketing*

- Managed client relations and projects
- Developed and implemented marketing plans for clients

**VIKTOR Incentives & Meetings** (Traverse City, MI)

October 2005 - February 2007

*Product Development & Purchasing*

- Researched, planned, budgeted and negotiated contracts for all future programs
- Planned and operated programs for budgets from \$300K to \$7 million
- Implemented new procedures for contract negotiations
- Managed all contact and relationships with vendors/suppliers

**Global Events Partners, Philadelphia** (Philadelphia, PA)

February 2004 – May 2005

*Director of Operations*

- Managed day to day operations for a \$5 million annual revenue corporation
- Planned and operated programs for budgets over \$500,000
- Supervised 30+ employees, six on a day to day basis
- Developed computer program for the special events industry

**PGI, Inc.** (Philadelphia, PA)

July 2002 – Feb. 2004

*Project Manager / Production Manager*

- Planned, managed and operated meetings, events and video production

**Manayunk Brewery** (Philadelphia, PA)

Oct. 2001 -June 2002

*Director of Special Events & Communications*

## **Education**

**Albion College**

**Bachelor of Arts Degree**

May 2001

Double Major:

English and Communication

Concentration in Mass Communication with emphasis in Public Relations

**The George Washington University**

**Certificate in Event Management**

August 2001

## **Industry & Volunteer Involvement / Awards**

**Traverse City Business News**

40 Under 40

2008 - 2014

**Michigan Meetings + Events Magazine**

Hall of Fame Inductee- Best Event Planner

2014

Best Event & Meetings Planner in Michigan

2010, 2011, 2013, 2014 & 2015

**Allison Beers – continued**

**Michigan Society of Association Executives**  
Rising Star

2013

**Albion College- Young Alumni Awards**  
Top 10 Graduates in 10 Years

May 2010

**Traverse City Chamber of Commerce**

Board of Directors  
Chamber's Business Advocacy Council  
Young Professionals Program Chair  
Young Professionals Founding Member  
Young Professionals Advisory Council  
Annual Dinner Planning Committee  
Young Professionals Program Coordinator  
Founder of Buy Local Initiative (20%)

January 2015- present  
September 2014- present  
January 2015 – December 2015  
November 2007  
November 2007- Nov. 2009  
November 2008- present  
November 2009- December 2014  
November 2011

**Rotary International- Traverse City Noon Club**

Member  
Rotary Charities Board of Directors  
Good Works Committee  
Board of Directors  
Wheels of Hope Board of Directors  
Youth Exchange Committee

March 2006- present  
June 2013- present  
December 2009- present  
June 2012- June 2014  
June 2012- June 2014  
May 2007- June 2013

**Big Brothers Big Sisters of Northwestern Michigan**  
Board of Directors

June 2009- May 2011

**Downtown Traverse City Association**

Board of Directors  
Secretary

June 2011- present  
June 2012- present

**Women's Resource Center Extravaganza / Taste of Grand Traverse**

Raffle Chair  
Marketing Chair  
Event Chair

June 2005 – June 2007  
June 2007 – June 2008  
June 2008 – May 2010

**Inland Seas**

Consultant-Special Events

March 2008 – present

**Michigan Meetings + Events Magazine**

Editorial Advisory Board  
Contributing Writer

December 2010- 2012  
December 2008 – present

**National Cherry Festival**

Cherry Festival Foundation President  
Cherry Festival Foundation Board of Directors  
Board of Directors Nominating Committee

November 2011- August 2014  
May 2011- present  
September 2010

**Traverse City Film Festival**

Special Events Manager

June 2006 – August 2009

**Ladies in the Business**

Founder

June 2004 – present

**Mid-Atlantic Events Magazine**

Contributing Writer

December 2004- August 2005

**Allison Beers – continued**

**International Society of Event Specialists (ISES)**  
Member  
Vice President of Membership, Philadelphia Chapter

September 2000-August 2006  
June 2003- June 2005

**Northern Michigan Environmental Action Council**  
Nominee- Environmentalist of the Year (Professional)

April 2012

**Speaking/Educational Instruction in Event Management**

**Temple University (Philadelphia, PA)**  
*Faculty Appointment for Event Management Certification Classes*

March 2005 - May 2006

**Northwestern Michigan College (Traverse City, MI)**  
*Instructor for Event Management Classes*

Sept. 2008

**Michigan Festivals and Events Association**  
*Big Impact, Small Budget:*  
*Creating the Perfect Event While Keeping Your Budget in Mind*

September 2013

**NorthSky Nonprofit Network**  
*Getting Strategic About Event Planning*

February 2013

RECEIVED

JUL 20 2015

City of Traverse City  
Application to Become Involved

CITY OF TRAVERSE CITY  
CITY CLERKS OFFICE



*Thank you for your interest in serving on one of Traverse City's boards or committees! Volunteers help to secure our community's beauty and promote its enhancement – Benjamin C. Marentette, City Clerk*

Board/Committee you are interested in serving (indicate up to three): DDA

Name: Gabe Schneider

Address: 148 E. Front, suite 203 Traverse City MI 49684  
(Street) (City) (State) (Zip)

E-Mail Address: gabe@northernstrategies360.com

Preferred Phone No.: 517-449-6453 Additional Phone No.: \_\_\_\_\_

Occupation: Government Relations Consultant (if retired, please provide your career)

**Before submitting your application, please be sure to attach a brief letter indicating the following:**

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Describe your involvement in the community on a board/committee or in another volunteer capacity.
- Any other helpful information relevant to your application.

**While it is not required, a resume is helpful in the recruitment process for City boards and committees.**

YES  NO Are you in default to the City?  
If yes, please note applicants in default to the City are not eligible for consideration.

YES  NO Do you or immediate family members currently serve on a City board or committee?  
If yes, which board? \_\_\_\_\_

YES NO Did you attach the required letter outlining the items requested above?

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Gabe Schneider  
Signature

7-17-15  
Date

*Please return your application, letter, and optional resume to City Clerk, 400 Boardman Avenue, Traverse City, MI 49684. If you have any questions, please feel free to contact our office at (231) 922-4480. Again, thank you for your interest!*

July 17, 2015

Mr. Benjamin Marentette, MMC, Clerk  
City of Traverse City  
Governmental Center 1<sup>st</sup> Floor  
400 Boardman Ave.  
Traverse City, MI 49684

Dear Mr. Marentette:

I am writing regarding my interest in serving on the Traverse City Downtown Development Authority Board of Directors. I believe that my prior work experience, prior volunteer experience and passion for the community of Traverse City make me an ideal candidate for this position.

After graduating from MSU's James Madison College with a degree in International Relations, I moved to Traverse City to begin a career working for U.S. Senator Carl Levin. In this capacity, I served first as the Senator's Community Affairs Specialist and then Regional Representative in the Northern Lower Michigan region (18 counties). Following the Senator's retirement in 2014, I started my own business, Northern Strategies 360 a government relations consulting firm, based in Traverse City and located downtown on Front Street.

Since moving to Traverse City I have also had the opportunity to volunteer in several capacities. I served as a Director for the Adams Chapter of Trout Unlimited and most recently was elected Vice President of the chapter. I am also currently volunteering with TART Trails as a trail champion for a new mountain bike trail project.

When starting my business, I decided that I wanted to Live. Work. Play. here in Traverse City and passionately believe in this motto. My wife and I have made the decision to do what it takes to stay in this community, raise a family in this community and hopefully give back to this community to ensure its continued growth and success.

I believe that an opportunity to serve on the Traverse City Downtown Development Authority Board of Directors will allow me to give back to this tremendous community in a new way. My work experience, skills and volunteer experience as well as my passion for this area make me an ideal candidate.

Thank you for considering my application.

Sincerely,



Gabe Schneider

# RECEIVED

AUG 03 2015

## City of Traverse City Application to Become Involved



*Thank you for your interest in serving on one of Traverse City's boards or committees! Volunteers help to secure our community's beauty and promote its enhancement – Benjamin C. Marentette, City Clerk*

Board/Committee you are interested in serving (indicate up to three): \_\_\_\_\_

Traverse City DDA

Name: Debbie Hershey

Address: 305 E. Eighth St. Traverse City, MI 49684  
(Street) (City) (State) (Zip)

E-Mail Address: hershey@aem.org

Preferred Phone No.: 231-350-2144 Additional Phone No.: 231-377-2029

Occupation: legal, marketing, non-profit (if retired, please provide your career)  
see attached resume

**Before submitting your application, please be sure to attach a brief letter indicating the following:**

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Describe your involvement in the community on a board/committee or in another volunteer capacity.
- Any other helpful information relevant to your application.

**While it is not required, a resume is helpful in the recruitment process for City boards and committees.**

YES  NO  Are you in default to the City?  
If yes, please note applicants in default to the City are not eligible for consideration.

YES  NO  Do you or immediate family members currently serve on a City board or committee?  
If yes, which board? \_\_\_\_\_

YES  NO Did you attach the required letter outlining the items requested above?

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Debra S. Hershey  
Signature

8/01/15  
Date

*Please return your application, letter, and optional resume to City Clerk, 400 Boardman Avenue, Traverse City, MI 49684. If you have any questions, please feel free to contact our office at (231) 922-4480. Again, thank you for your interest!*

## Debra S. Hershey

---

305 East Eighth St.  
Traverse City, MI 49684

Phone: (231) 350-2144  
E-Mail: hershey@acm.org

---

### EDUCATION

SYRACUSE UNIVERSITY: Syracuse, New York  
Bachelor of Science, Communications

OHIO NORTHERN UNIVERSITY LAW SCHOOL: Ada, Ohio, Juris Doctorate

### RELEVANT SKILLS:

Skilled presenter and public speaker

Creator and facilitator of strategic and long term planning for organizations

Board trainer

Bond/Operating Levy planning and implementation

Grant writer

Community leader

Successful event planner

Significant fundraising experience

International experience with both students and government officials

### PROFESSIONAL EXPERIENCE

Sept 2012-Sept 2014 *Director of Development City Opera House, Traverse City:* Responsible for the development of all fundraising activities for a 120 year-old historic opera house. Includes grant writing, donor appeals, production of annual report and donor materials. Works with Board of Directors on development strategies and long range planning including strategic plans, policies, and bylaws.

Feb 2010-Sept 2012 *Executive Director, Grass River Natural Area:* Served as the Executive Director of a non-profit that manages a 1,443 acre nature preserve in Antrim County, Michigan. GRNA's mission is environmental education and the protection of the natural area. Responsibilities included creation of long term planning strategies, communications to donors, Antrim County commissioners, granting authorities, and the media. Recently created and wrote all text for a new website. Planned and executed all development activities for the organization including grants, donor appeals, long term planning documents, and events. Provided board training and orientation. Wrote and created all presentations, annual reports, and donor literature.

- Dec 2006 – Dec 2008 *President, School Toolbox LLC*: Provide communications services to school districts including development of Communications Plans, Strategic Plans, Written Materials, School Board Training, and Levy Campaign Strategies.
- May 2004 - June 2006 *Business Development and Marketing, Lorenz Williams Clinton, Dayton, Ohio*: Marketing and business development services for one of the largest and oldest architecture firms in Dayton. Worked with K-12 school clients on developing public relations materials and campaign strategies for bond levy campaigns. Wrote text for Master Planning documents, developed all presentations to schools. Also planned high profile events.
- Nov 2001 - June 2002 *Speech/Drama Teacher, Kaiserslautern High School and Ramstein Junior High School, Kaiserslautern, Germany*: Directed 43 high school students in a production of *Fiddler on the Roof* and taught speech and drama classes to middle school students.
- May 1998 - May 1999 *Field Service Representative, New Jersey School Boards Association, Trenton, New Jersey*: Provided direct training and membership services to approximately 55 school boards in southern New Jersey. Trained school board members in the areas of public engagement, school marketing, design of school bond levies and budget campaigns, parent involvement, conflict management, effective boardsmanship, strategic planning, superintendent evaluation, and board self-evaluation. Public speaker in the areas of school public relations, the design of effective bond levy campaigns, and key communicator programs. Published articles in the NJSBA's *School Leader Magazine*.
- Feb 1997 - May 1998 *District Public Information Officer, Galloway Township Public Schools, Galloway, New Jersey*: Designed a public relations plan for the school district and produced all newsletters, flyers, and brochures. Successfully planned and passed a \$19 million middle school bond levy. Tracked school funding legislation and participated in negotiating additional funding for the district. Organized community activities to strengthen support for the school system.
- Dec 1994 - June 1995 *Marketing and Public Relations Consultant, International School Wiesbaden, Germany*: Responsible for publicizing and promoting a new international school in Wiesbaden. Developed contact lists, conducted market research, designed brochures, and created and managed a high-profile media event to announce plans for the new school. Also served in many volunteer capacities including: member of the Planning Commission to build the new school, Social and Fund Raising Director, author of Orientation Manual, orientation class instructor, and member of a board-appointed committee to evaluate board governance for the Frankfurt International School.

June 1981 - June 1988 *Attorney, Sheeskin, Hillman, & Lazar, P.C., Rockville, Maryland:* Attorney in the general practice of law including experience in civil litigation, domestic relations, criminal law, negligence, and contracts.

### VOLUNTEER POSITIONS

- Aug 2013 – present *Old Town Playhouse Artistic Committee:* Elected position by Old Town Playhouse membership. Responsible for the long term strategies for the success of the oldest community theater in Traverse City. Select plays for the upcoming season and decide on strategies and planning for the future of the organization.
- June 2007 – June 2008 *President, Oakwood Band Parents Association:* Responsible for publicity, strategic planning, communications, and fundraising.
- Jan 2005 – Oct 2009 *Member of the Oakwood Rotary Board:* Chair for *That Day In May*, the largest yearly fundraising event for the Oakwood Rotary, and Chair of the Foreign Exchange Student Committee. Recipient of the 2007 Outstanding Community Leader Award.
- Jan 2004 – Oct 2009 *Oakwood City Board of Education:* Elected school board position, serving as Vice-President, Student Achievement Liaison, NSBA Affiliate, Communications Chair, Legislative Liaison, and member of the Policy Committee. Led goal setting and long term planning sessions for school district.
- April 2005 - June 2006 *YWCA Dayton Board of Directors:* Served on the board of the YWCA, participating in the planning of the Women of Influence Luncheon and the Professional Women's Learning Series at Sinclair Community College.
- May 2005 - Oct 2005 *Dayton Canstruction 2005 Coordinator:* Planned event to benefit Foodbank Dayton for the AIA (American Institute of Architects). Teams of architects and engineers mentored 75 area students to design large sculptures out of food cans. Responsibilities included all aspects of the event: locating venue, corporate sponsorships, catering, entertainment, all media releases, and design of invitation and program. The goal was to raise 15,000 pounds of food, and over 41,000 pounds were collected.
- Jan 2000 - April 2001 *Public speaker for DoDDS Europe schools:* Guest speaker at conferences regarding the parent's perspective on educational issues. Addressed the DoDDS Europe Principals', Assistant Principals', and "Parents as Partners" conferences.
- Oct 1999 - May 2002 *Odyssey of the Mind:* Served as the European Regional Director for Odyssey of the Mind and coached three teams (grades 4-6), each of whom won the European Regional finals in successive years. Responsible for raising significant funds to send winning teams to the United States.
- Sept 1999-April 2002 *School positions for DoDDS Europe schools:* Member of the Strategic Planning Committee for DoDDS Europe, charged with creating a new strategic plan and long term goals. Communications Liaison for the European Congress of PTA. In

Ramstein, Germany. Served as member of two School Advisory Committees and “Parents as Partner” Liaison.

Dec 1996 - March 1997 *Member, Blue Ribbon Panel for Education*: Appointed by the Superintendent of Schools, Galloway Township, New Jersey, to work with four other key community leaders on school overcrowding, curriculum, and technology issues.

May 1996 - April 1997 *Chair, Concerned Citizens for Better Schools*: Oversaw the activities of non-profit citizens’ group dedicated to ensuring quality education in Galloway Township, New Jersey. Frequent interaction with school administrators and politicians. Information source for the public.

Sept 1992 - Dec 1993 *Editor, American Women’s Club of the Taunus Newsletter*: Edited a monthly 44-page newsletter for the international community in Frankfurt, Germany. Supervised all production aspects including writing, editing, artwork, proofreading, and layout.

Jan 1984 - March 1990 *Hexagon, Inc*: Hexagon, a non-profit, all-volunteer membership organization, each year performs Washington's only original, political, satirical, musical, comedy revue to sold-out audiences. Since the first show in 1956, Hexagon has contributed more than \$3 million to 30+ Washington area charities. Acted, sang and danced in Hexagon revues. Served as Social Director and Charity Vice President, responsible for heading the selection committee to choose the charity recipient. Planned a large dinner, dance, and fundraising evening to benefit the selected charity.

## DDA Application Letter for Debra Hershey

Dear Selection Committee:

Please accept my application for a position on the DDA board in Traverse City. My husband and I moved to the area six years ago, and we have never been happier. As you can see from the attached resume, we have moved frequently due to my husband's work. However, we have now selected the Traverse City area as our permanent home.

Wherever we have lived, I have always dived into local activities as a way to connect with people and to volunteer to help strengthen my community. I have served on many non-profit boards and have assisted organizations in improving communications with their constituents.

For six years, I served as an elected school board member and worked often with local government agencies. Our board was an integral part of the discussions regarding growth and the future direction of the city of Oakwood, Ohio. Additionally, I worked for an architecture firm and assisted in the writing of master plans for various entities. Such plans have always been fascinating to me. The use of thoughtful planning to benefit the community is part of my motivation to serve on the DDA.

Since moving to Northern Michigan, I have been involved in the non-profit and arts communities. I am very familiar with budgeting, strategic planning, goal setting, and engaging the public in meaningful discussions regarding future growth strategies. I had the pleasure to work both with Bryan Crough and Rob Bacigalupi during my time at City Opera House and became interested in the work of the DDA through them.

In my positions of Executive Director and Development Director for non-profits in the area, I was involved in the planning, designing, and building of a new education center for the Grass River Natural Area and other building projects, including the new dressing room project at City Opera House.

In my professional life I have been primarily responsible for creating and executing budgets, long term goals and strategies, development plans, grant writing, public presentations, fund-raising and friend-building events, and engaging the public in discussions regarding future development. A major part of my job at Grass River and City Opera House was funding and implementing major building projects. Additionally, my legal background allows me to understand contracts, laws and policies and to apply them to decision making.

Much of my board service and volunteer efforts have focused on education and the arts. I am currently the Vice-Chair of the Artistic Committee at Old Town Playhouse and I perform, direct, and work in many volunteer capacities throughout their

season. I also volunteer at City Opera House and the State Theater. The arts culture in Traverse City is, among many things, one of factors that make our city great. I am intrigued about their future development and how it affects life in the city.

I am now retired. I have no desire to sit on boards to pad my resume or make a name for myself. My reasons for wishing to serve on the DDA are simple. We have lived in many places, and we are delighted with life in Traverse City. I retired somewhat early in life and I have much to offer. It would be interesting to sit on a board that plans for the future of our area, and I believe I have the skillset to make valuable contributions to the DDA board.

Thank you for your consideration.

*Debra S. Hershey*



## City of Traverse City Application to Become Involved

Board(s)/Committee(s) on which you are interested in serving: Downtown Development Authority

(Please limit to three boards/committees)

Name: Bradley Matson E-Mail Address: bcmatson@gmail.com

Address: 415 E Front Traverse City MI 49686

Occupation: Software Development (Street) (City) (State) (Zip)  
(if retired, please provide your career)

Home telephone number: (231) 342 8389 Work telephone number: ( )

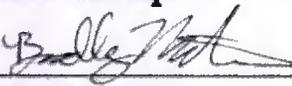
We would appreciate your answering the following questions, which simply assist the City Clerk's Office in meeting the requirements of certain City boards and committees.

Are you a registered City voter? Yes Do you reside within the city limits? Yes  
 Do you own taxable property within the City? Yes Are you a downtown district (DDA) resident? Yes Do you have Aownership interest@ in downtown district (DDA) property? \_\_\_\_\_ Are you in default to the City? No Are you an officer, member, principal, or employee of a legal entity owning property interest located in the downtown district (DDA)? Yes  
 Are you a resident of a complex operated by the City? No Do you live within the Traverse City Light and Power service area? Yes Are you or are any of your immediate family members employees of any level of the legislative, judicial or executive branch of government? No  
 Are you or are any of your immediate family members a member of any other City board or Committee? No  
 If yes, which? \_\_\_\_\_

Please attach a brief letter sharing with us the following information:

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Any other helpful information relevant to your application.

**The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.**

  
Signature

7/12/2014  
Date

Thank **you** for your application.... volunteers secure our community's beauty and promote its enhancement!  
 – Benjamin C. Marentette, City Clerk

Please return this application, with your letter, to: City Clerk, 400 Boardman Avenue, Traverse City, MI 49684. Please feel free to contact our office at (231) 922-4480 with any questions.

## **DDA Application Letter**

### **Why are you applying for a city board or committee seat?**

I'd love to see Traverse City become a sustainable example of livability, natural beauty, and forward thinking. This is the type of place I would want my children to grow up in and I think we each play a part in affecting the future of TC. In the short-term this means becoming an educated citizen on the many issues facing our community and also leading the community to discover forward thinking ideas that will benefit TC in the years to come.

### **How do you believe your appointment would benefit the city?**

As a 30 year old raised in Traverse City, I believe that I would bring a unique perspective to the committee and help provide insight into the young professional perspective of the City. I believe that it is in TC's best interest to make the town attractive to young professionals and creative talent that may want to move to here. Since we live and work within the DDA zone I believe that I am uniquely positioned to understand the downtown on a deeper level.

### **Any other helpful information relevant to your application.**

I grew up in Traverse City and attended Hope College in Holland, MI. In 2009, I met my wife, Kirsten, at the TCFF. Soon after, we moved to Tucson, AZ to work for a tech company. Upon returning to town in 2012, we founded CoWharf Coworking space on Front St. and have been involved in making Traverse City more livable for young professionals and creative talent with the newly founded ThinkTC group. In 2013 my business partner and I founded The Kitchen Digital, which is a software company specializing in smartphone applications. My wife and I currently live at 309 E 8th St and are moving to Front St within the month.



City of Traverse City
Application to Become Involved

RECEIVED

JUL 24 2014

Board(s)/Committee(s) on which you are interested in serving: Downtown City Development Authority

Name: Jeff Schwartz E-Mail Address: jeff@egi.tc

Address: 3016 Cass Rd Traverse City, MI 49684

Occupation: Self-Employed

Home telephone number: 231 883-1225 Work telephone number: 231 946-0712

We would appreciate your answering the following questions, which simply assist the City Clerk's Office in meeting the requirements of certain City boards and committees.

Are you a registered City voter? No Do you reside within the city limits? No
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Are you or are any of your immediate family members employees of any level of the legislative, judicial or executive branch of government? No
Are you or are any of your immediate family members a member of any other City board or Committee? No
If yes, which?

Please attach a brief letter sharing with us the following information:

- Why are you applying for a city board or committee seat?
- How do you believe your appointment would benefit the city?
- Any other helpful information relevant to your application.

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Signature: Jeff E. Schwart

Date: 7/22/14

Thank you for your application.... volunteers secure our community's beauty and promote its enhancement! - Benjamin C. Marentette, City Clerk

To Whom It May Concern:

Recently I was invited to submit an application requesting consideration as a board member of the Downtown Development Authority.

I am a property owner downtown and, therefore, take more than a passing interest in the direction of the DDA. Also, as I near retirement, I am developing more of a sense of civic duty and a desire to "give back". I have been somewhat entrepreneurial all of my life, so business and risk-taking are not foreign to me.

If the City and the Board believes that it could benefit from my time and efforts, I would be glad to help.

Respectfully,

Jeff Schwartz

(231) 883-1225



City of Traverse City
Application to Become Involved

RECEIVED

JUL 17 2014

CITY OF TRAVERSE CITY
CITY CLERK'S OFFICE

Board(s)/Committee(s) on which you are interested in serving: Downtown Development Authority

(Please limit to three boards/committees)

Name: Scott Hardy E-Mail Address: shardy@armscale.com

Address: 521 Washington TC MI 49686
(Street) (City) (State) (Zip)

Occupation: Project Manager (if retired, please provide your career)

Home telephone number: (231) 492-5898 Work telephone number: (231) 947-3312

We would appreciate your answering the following questions, which simply assist the City Clerk's Office in meeting the requirements of certain City boards and committees.

Are you a registered City voter? yes Do you reside within the city limits? yes
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Signature: Scott Hardy

Date: 7/17/14

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Scott Hardy  
521 Washington Street  
Traverse City, MI 49686  
(231) 492-5898

---

Thursday, July 17, 2014

**Benjamin Marentette**  
City Clerk  
City of Traverse City  
400 Boardman Ave.  
Traverse City, MI 49684

**RECEIVED**

**JUL 17 2014**

**CITY OF TRAVERSE CITY  
CITY CLERKS OFFICE**

**Dear Mr. Marentette,**

My name is Scott Hardy and I am a lifelong, with some gaps, resident of Traverse City. I am writing to submit my name as a potential applicant for a four year term on the Downtown Development Authority. I have previously served on both the DDA and the City Commission. I also currently serve on the TCAPS School Board and the Women's Resource Center Board. I have found public service to be amazingly rewarding and take great satisfaction in giving back to the community in which I, and my family, were raised. The obligation for public service is a responsibility that has been taught to me by my parents and one which I take very seriously. I also find it very rewarding to contribute to the betterment of a community I love and find the best in Michigan.

Having previous experience on the DDA Board allows me to understand both the issues and the process of the DDA immediately. Having been away from the board has also given me the opportunity to view the challenges of the downtown and DDA district with a much more balanced and realistic perspective. Grappling with the issues of a much larger TCAPS district, and the many areas outside of Traverse City we serve, has presented me with a much clearer picture of how residents of the region view Traverse City and the downtown. Also with my wife's business in downtown, which I am heavily involved with, I also see the fluid and dynamic nature of an urban retail business. I understand the financial pressure that both your DDA tenants and the DDA itself face and look forward to the opportunity to serve my city and her residents.

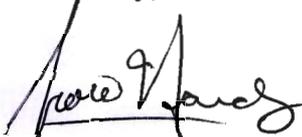
Scott Hardy  
521 Washington Street  
Traverse City, MI 49686  
(231) 492-5898

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I currently also serve as the TCAPS representative on the GT County Planning Commission and if appointed would ask to be replaced on that board.

In closing I look forward to interviewing for the position and would hope I am given a fair opportunity to prove just how much passion I have for serving on a commission I have respected and valued for years.

Sincerely,



Scott Hardy  
521 Washington St.  
Traverse City, MI 49686  
[shardy@armscole.com](mailto:shardy@armscole.com)  
(231) 492-5898



City of Traverse City
Application to Become Involved

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Date 7/17/14

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Thursday, July 17, 2014

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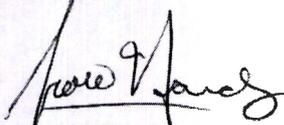
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[shardy@armscole.com](mailto:shardy@armscole.com)  
(231) 492-5898

**MINUTES**

**ACT 345 RETIREMENT SYSTEM**

DATE: June 24, 2015  
LOCATION: Mayors Conference Room, Government Center, 400 Boardman Ave., Traverse City, MI 49684  
TIME: 12:00 Noon.  
PRESENT: C. Rueckert, W. Twietmeyer, J. Bussell, W. Kuhn  
ABSENT: J. Jenkins  
GUESTS:  
STAFF: B. Postma

C. Rueckert called the regular meeting to order at 12:05 pm.

Moved by W. Kuhn, seconded by J. Bussell that the minutes of the May 27, 2015 regular meeting be approved.

**Motion approved 4-0.**

Warrant No. 590 in the amount of \$191,348.84 for Retirees Benefits for July 2015 was approved and signed by W. Kuhn and J. Bussell..

Moved by W. Kuhn, seconded by J. Bussell that the Board authorize payment of \$2,379.85 to Gabriel, Roeder, Smith & Company for preparation of the Summary Annual Report and the Participant Benefit Statements.

**Motion approved 4-0.**

No action was taken regarding the payment to Gabriel, Roeder, Smith & Company for the GASB 67 billing.

Moved by W. Kuhn, seconded by J. Bussell that the Retirement Board approves the travel budget for the 2015-2016 fiscal year.

**Motion approved 4-0.**

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

**Motion approved 4-0.**

Meeting adjourned at 12:37 pm

  
William E. Twietmeyer  
Secretary/Treasurer

for City Commission

**MINUTES  
TRAVERSE CITY PLANNING COMMISSION  
Regular Meeting**

**TUESDAY, JULY 07, 2015**

**7:30 P.M.**

**Commission Chambers  
Governmental Center, 2nd Floor  
400 Boardman Avenue  
Traverse City, Michigan 49684**

**PRESENT:** Vice-Chairperson Jody Bergman, Commissioners Michael Dow, Jeanine Easterday, Janet Fleshman, Linda Koebert, Tim Werner, Chairperson John Serratelli, Bill Twietmeyer and Jan Warren

**ABSENT:** None.

**STAFF PRESENT:** Russ Soyring, Planning Director; Missy Luick, Planning and Engineering Assistant

**1. CALL MEETING TO ORDER-** Chairperson Serratelli called the meeting to order at 7:30 p.m.

**2. ROLL CALL**

**3. ANNOUNCEMENTS**

Chairperson Serratelli introduced the new city manager Mr. Marty Colburn. Marty Colburn thanked him for the warm welcome. Mr. Soyring introduced the Planning Department summer intern Caroline Lindquist from UNC-Chapel Hill.

**4. APPROVAL OF MINUTES.**

April 7, 2015 Regular Meeting, April 21, 2015 Study Session, May 19, 2015 Study Session and June 16, 2015 Study Session minutes.

Motion by Commissioner Dow, second by Commissioner Twietmeyer, to approve the minutes of April 7, 2015 Regular Meeting, April 21, 2015 Study Session, May 19, 2015 Study Session and June 16, 2015 Study Session minutes. Motion carried 9-0.

**5. OLD BUSINESS**

**A.** Special Land Use Permit request and Site Plan Review Request by Craig Patterson of The Woda Group, Inc on behalf of Pine Street Development One, LLC to allow for a taller building, which we define as taller than 60ft., at 305 W. Front Street (For introduction and possibly scheduling a Public Hearing for August 4, 2015) General and specific standards must be met.

Mr. Soyering summarized the staff memo dated June 30, 2015. The request is for or two taller building buildings and Site Plan Approval at 305 W. Front Street. Both buildings would be approximately 96 feet tall measured at the street elevation. Together, the two buildings are proposed to have 174 upper story dwelling units with over 20,000 square feet of commercial space at street level. A single driveway on Pine Street would provide access to a two level parking deck with 183 parking spaces. Sidewalks along Front and Pine Streets provide pedestrian access and a future public boardwalk is indicated along the river's edge

Part of the site is currently leased as a public parking lot. To the south of the subject property is Riverview Terrace, a nine story residential building. To the north across Front Street are one to four story commercial buildings. To the west is the Boardman River and to the east across Pine Street is a parking area and one and two story commercial buildings.

Mr. Soyering noted that the current plans do not meet the driveway separation requirements and will have to be amended. Also there is a required setback of 25 feet from the bridge abutment. In addition, the applicant is required to have a model of the buildings and that has not yet been provided.

Doug Mansfield, Mansfield Land Use Consultants, 830 Cottageview Drive, Suite 201 presented the project plans to the Commission. He also stated that the interior layout of the dwelling units has changed and the revised plans currently house 172 dwelling units (not 174 as Mr. Soyering previously mentioned.)

Commission discussion included the river boardwalk, stormwater management, sidewalk/pedestrian improvements and trees that will be saved along the dockline/riverwalk corridor.

Public comment on the subject was made by the following individuals:

- Tony Lentych, Executive Director of TC Housing Commission, made general comments.
- Ellen Corkrin, 150 Pine Street made general comments.
- Elizabeth Osborne, 150 Pine Street, made general comments.
- Betsy Zeerip, 150 Pine Street, made general comments.
- Roland Schlagel, 322 15<sup>th</sup> Street, made general comments.
- John Nelson, 4022 Incochee Crest, made general comments.
- Rich Buckhalter, 932 Kelly Street, made general comments.
- Barb Huegli, 206 West 15<sup>th</sup> Street, made general comments.

Additional commission discussion included analyzing the proposed building mass.

Motion by Commissioner Warren, second by Commissioner Werner, that the Planning Commission has the materials needed for introduction and that a Public Hearing be scheduled on August 4, 2015 to consider the Special Land Use Permit request and Site Plan Review request by Craig Patterson of The Woda Group, Inc on behalf of Pine Street Development One, LLC to consider a taller building at 305 W. Front Street.

Motion carried 9-0.

- B.** An amendment to the Traverse City Code of Ordinances General Provisions and Definitions Section 1320.07, *Definitions*; Industrial (I) District Section 1354.01, *Uses Allowed*, regarding allowing funeral services and crematories with conditions. (For introduction and possibly scheduling a Public Hearing for August 4, 2015)

Mr. Soyring summarized his July 1, 2015 memo to the Commission.

Motion by Commissioner Koebert, second by Commissioner Easterday, that a Public Hearing be scheduled for August 4, 2015 to consider amendment to the Traverse City Code of Ordinances General Provisions and Definitions Section 1320.07, *Definitions*; Industrial (I) District Section 1354.01, *Uses Allowed*, regarding allowing funeral services and crematories with conditions.

Motion carried 9-0.

## **6. NEW BUSINESS**

- A.** Parks and Recreation prioritization for Parks Projects and Brown Bridge Trust Fund (Discussion by Parks and Recreation Chairperson, Brian Haas)

Chairperson Serratelli introduced Brian Haas.

Mr. Haas presented.

Commission discussion included improving coordination between Parks and Recreation and the Planning Commission and possibly entertaining a joint study session among the two Commissions in late fall.

- B.** Conditional rezoning request initiated by Doug Mansfield of Mansfield Land Use Consultants, on behalf of Traverse Development Group to rezone the properties

located at 2351, 2455, 2457 and 2359 North Aero Park Court from I (Industrial District) to C-3 (Community Center District) with conditions (For introduction and possibly scheduling a Public Hearing for August 4, 2015)

Mr. Soyring summarized his July 1, 2015 memo to the Commission.

Doug Mansfield, Mansfield Land Use Consultants, 830 Cottageview Drive, Suite 201 presented.

Commission discussion.

Motion by Commissioner Koebert, second by Commissioner Dow, that the request from Doug Mansfield on behalf of Traverse Development Group to rezone the properties located at 2351, 2455, 2457 and 2359 North Aero Park Court from I (Industrial District) to C-3 (Community Center District) with conditions as offered by the applicant be scheduled for a Public Hearing for the August 4, 2015 Regular Meeting.

Motion carried 9-0.

- C. Request initiated by David Socks, on behalf of James Labreck to possibly rezone or conditionally rezone the property located at 209 W Fourteenth Street from R-9 (Multi-Family Dwelling District) to C-1 (Office Service District) (Discussion)

Mrs. Luick summarized her July 1, 2015 memo to the Commission.

Jeff Cockfield of Grand Traverse Engineering presented on behalf of the applicant.

Commission discussion included exploring R-29 instead of C-1, and possible traffic calming in the alley.

The following individuals made public comment on the subject:

- Barbara Huegli, 216 West 15<sup>th</sup> Street, made general comments.
- Katherine Phillips, 205 West 14<sup>th</sup> Street, made comments in opposition.
- Natalie Kohler, 228 west 15<sup>th</sup> Street, made general comments.
- Roland Schlagel, 322 West 15<sup>th</sup> Street, made comments in opposition.
- Amber Parken, 202 West 15<sup>th</sup> Street, made general comments.

- D. Planning Commission representative to serve on the Traverse City Place Plan Committee (Action Requested)

**PLANNING COMMISSION  
MEETING MINUTES  
JULY 7, 2015  
Page 5**

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Motion by Commissioner Easterday, second by Commissioner Dow, that Linda Koebert, a member of the Planning Commission, shall serve on the staff-led Traverse City PlacePlan Committee.

Motion carried 9-0.

**7. CORRESPONDENCE –None**

**8. REPORTS**

- A. City Commission - Commissioners Easterday reported.
- B. Board of Zoning Appeals - Commissioner Bergman reported.
- C. Grand Traverse Commons Joint Planning Commission - Commissioners Warren reported.
- D. Arts Commission- Commissioner Warren reported.
- E. Planning Commission
  - 1. Housing Building Committee— No report.
  - 2. Active Transportation Committee—Commissioner Werner reported.
  - 3. Master Plan Review Committee—No report.
  - 4. Parking Regulation Committee- Commissioner Serratelli reported.
- F. Planning Department—No report.

**9. PUBLIC COMMENT**

Comment by Commissioner Warren to consider not holding a Planning Commission meeting during the National Cherry Festival.

**10. ADJOURNMENT**

Chairperson Serratelli adjourned the meeting at 10:15 p.m.

Respectfully submitted,

Date:

August 4, 2015

Jan Warren  
Jan Warren, Secretary *RS*