



**Minutes of the
City Commission for the City of Traverse City**

Regular Meeting

March 7, 2016

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: Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: Mayor Jim Carruthers.

The Pledge of Allegiance was recited.

Mayor Pro Tem Ross Richardson presided at the meeting.

2. Consent Calendar

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

- a. The minutes of the February 16, 2016, Regular Meeting, February 22, 2016, Study Session, and February 22, 2016, Special Meeting, be approved.
- b. The Grand Traverse Band of Ottawa and Chippewa Indians grant award to purchase water rescue personal protective equipment for use by the Fire Department in the amount of \$9,771.80, be accepted; and further that the Capital Projects Fund be amended to increase both budgeted revenues and budgets expenses by \$9,771.80 to reflect said grant from the Grand Traverse Band of Ottawa and Chippewa Indians.
- c. The Mayor and City Clerk execute an amendment to the agreement with Lake Street Development, LLC (originally authorized October 19, 2015),

which authorizes the relocation of public facilities as described in the February 29, 2016, communication from the City Attorney, such amendment subject to approval as to its form by the City Attorney and its substance by the City Manager.

- d. The Mayor and City Clerk execute the Consent to Assignment and Amendment of Permission of Encroachment Agreement (originally entered into with Lake Street Properties, LLC, and authorized June 6, 2011), as described in the February 29, 2016, communication from the City Attorney, contingent upon the property owner's execution of a waiver of notice and proceedings for a single-parcel special assessment; and further that the \$5,600 currently held in escrow by the City pursuant to Section 11(c) of the Permission of Encroachment Agreement dated June 7, 2011, be refunded, with the consent subject to approval as to its substance by the City Manager and its form by the City Attorney.
- e. The Mayor and City Clerk execute a three-year contract with Universal Cleaners in the approximate amount of \$71,682.92 per year at the prices indicated in its bid, for the cleaning of Department of Public Services facilities as outlined in the February 29, 2016, communication from the Director of Public Services, with funds available in the Parks and Recreation Division Budget, the Marina Fund, the Garage Fund, and the Heritage Center Fund, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney.
- f. The competitive bidding requirements of the City's Purchasing Policy be waived as it is in the best interest of the City; and that the Mayor and City Clerk execute an amendment to the consultant agreement with Leading Edge Surveying, LLC (original agreement authorized January 5, 2015, and amended July 20, 2015), in the amount of \$15,750 for the collection of rim elevations for 700 sanitary sewer collection system manholes and also to extend the completion date of their work to August 15, 2016, with all work in connection with the Stormwater and Wastewater Grant (SAW Grant), such amendment subject to approval as to its form by the City Attorney and its substance by the City Manager, with funds available in the Public Improvement Fund, to be reimbursed by the SAW Grant.

- g. The Mayor and City Clerk execute a unit prices change order to the contract with Terra Contracting Services (originally authorized March 16, 2015), in the amount of \$252,776, more or less, at the unit prices indicated in its original bid, for an additional 110,000 feet of sanitary sewer system pipe inventory cleaning and televising, with funds available in the Capital Projects Fund, to be reimbursed by the SAW Grant, such change order subject to approval as to its form by the City Attorney and its substance by the City Manager.
- h. The City Manager be authorized to issue a confirming purchase/service order in the amount of \$11822.27 to Lemmen Oil Company for 10021 gallons of dyed #2 ultra low sulfur diesel fuel without additives priced at \$1.17975 per gallon with funds available in the Garage Fund.
- i. The resolution recommending approval of the request for a new Redevelopment Liquor License with Class C Liquor License privileges from Northern Hospitality, LLC, be adopted, and that the City Clerk be authorized to issue a Liquor License Registration Northern Hospitality, LLC, to operate such license at 149 East Front Street.
- j. The General Schedule #23 - Election Records, approved by the Michigan State Administrative Board on January 16, 2016, which establishes the minimum retention period for election-related records under the care of the City Clerk, be adopted and incorporated into the Records Management and Approved Retention and Disposal Schedule (originally adopted October 5, 1998, and amended on March 1, 2010, June 6, 2011, and January 21, 2014).
- k. The City Manager be authorized to approve payment in the amount of \$42,071.46 to Traverse City Light & Power for reimbursement for the City's share of manpower and equipment charges from Penn Line Service, Inc. for emergency debris cleanup after the August 2, 2015 wind storm, with funds available in the Street Division Budget and partially offset by proceeds from the State of Michigan Section 19 Disaster Assistance Program.
- l. The City Manager be authorized to declare Vehicle #004, a 2010 Crown Victoria and Vehicle #158, a 2002 Ford Ranger Pick-up surplus, and approve a purchase order in the amount of \$52,081.00 to Signature Ford for the purchase of one 2016 Ford Police Interceptor with patrol package, and

one 2017 Ford Escape with funds available in the Garage Fund for these planned replacements.

CARRIED unanimously. (Carruthers absent)

Items removed from the Consent Calendar

None.

3. Old Business

3(a).

Consideration of introducing an amendment to the Sign Ordinance to allow electronic message board signs to change their message every hour, with such content to be static; and would allow running or blinking lights on marquee signs on buildings used solely as a theatre.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Lewis, seconded by Shamroe, that an amendment to the Traverse City Code of Ordinances, Section 1476.05, Prohibited Signs which would allow electronic message board signs to change their message every hour and Section 1476.11, Sign Illumination Regulations, which would allow running or blinking lights on marquee signs, be introduced and scheduled for possible enactment on March 21, 2016.

Carl Lehto, 15793 Smokey Hollow Road, Peninsula Township, Bethlehem Lutheran Church

Roll Call:

Yes - Haas, Howe, Lewis, Shamroe, Werner.

No - Richardson.

CARRIED. (Carruthers absent)

3(b).

Consideration of authorizing a property transfer and development agreement in connection with the realignment of Garland Street.

The following addressed the Commission:

Marty Colburn, City Manager

Lauren Tribble-Laucht, City Attorney

Rob Bacigalupi, Downtown Development Authority Executive Director

Moved by Howe, seconded by Haas, that at the Mayor and City Clerk execute the Property Transfer and Redevelopment Agreement with the Traverse City Convention and Visitors Bureau Education Foundation and the Traverse City Downtown Development Authority, regarding the realignment of Garland Street, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

Rick Buckhalter, 932 Kelley Street

Roll Call:

Yes - Haas, Howe, Lewis, Shamroe, Richardson.

No - Werner.

CARRIED. (Carruthers absent)

3(c).

Consideration of adopting a resolution of support regarding a grant application to the Michigan Department of Natural Resources for Phase One Improvements to Hickory Hills and acknowledging the grant match from Preserve Hickory as well as any grant funds received from the Trust Fund count toward the \$1.5 million in funds that must be raised to access the \$1.5 million in pledged

dollars from the Brown Bridge Trust Parks Improvement Fund (BBTF) for capital improvements at Hickory Hills; and consideration of modifying the June 1, 2015, pledge of BBTF dollars.

The following addressed the Commission:

Marty Colburn, City Manager
Benjamin Marentette, City Clerk

Moved by Haas, seconded by Shamroe, that the Resolution of Support for Michigan Natural Resources Trust Fund Grant for Hickory Hills Park Phase 1, be adopted with Preserve Hickory to provide the \$200,000 matching funds for this grant; and that the City Commission acknowledges that such matching funds and grant funds received from the Michigan Natural Resources Trust Fund in connection with this grant application count toward the \$1.5 million in funds that must be raised to access the \$1.5 million in pledged dollars from the Brown Bridge Trust Parks Improvement Fund in compliance with the June 1, 2015, action of the City Commission; and further that the portion of the City Commission action of June 1, 2015, regarding the pledge of Brown Bridge Trust Fund Parks Improvement Fund dollars for capital improvements at Hickory Hills be superseded to indicate that the pledged funds may be spent as matching funds are available, with the City Commission approving all contracts for capital improvements at Hickory Hills.

Chris Ameel, 1116 Hill Street
Rick Buckhalter, 932 Kelley Street

CARRIED unanimously. (Carruthers absent)

4. New Business

None.

5. Appointments

5(a).

Consideration of establishing an ad hoc interview committee regarding one

appointment to the Grand Traverse Commons Joint Planning Commission.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Lewis, seconded by Haas, that Carol Hale be reappointed to one three-year term, expiring May 14, 2019, (seat currently held by Carol Hale) on the Grand Traverse Commons Joint Planning Commission, subject to approval by the Charter Township of Garfield Board of Trustees.

CARRIED unanimously. (Carruthers absent)

5(b).

Consideration of appointing a third member of the City Commission to the ad hoc committee to develop a proposed policy regarding payment-in-lieu-of-tax (PILOT) arrangements.

Moved by Howe, seconded by Shamroe that Commissioner Lewis be appointed to the City Commission Ad Hoc Committee Regarding Payment in Lieu of Tax (PILOT) Arrangements to develop a proposed policy, seat previously held by Mayor Pro Tem Richardson, which was originally established on February 1, 2016.

CARRIED unanimously. (Carruthers absent)

5(c).

Consideration of accepting the resignation of Rob Richardson from the Traverse City Coast Guard City Committee and appointing an ad hoc interview committee to make a recommendation to fill the vacancy.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Lewis, seconded by Shamroe, that the resignation of Robert

Richardson be accepted and that Tom Allard be appointed to one unexpired three-year term, expiring August 25, 2018, (seat previously held by Robert Richardson) on the Traverse City Coast Guard City Committee.

CARRIED unanimously. (Carruthers absent)

5(d).

Consideration of approving the Planning Commission's appointment of its representative to the Board of Zoning Appeals.

Moved by Howe, seconded by Haas, that Linda Koebert be appointed to one unexpired three-year term expiring June 30, 2018 (seat previously held by Jody Bergman), as the Planning Commission's representative on the Board of Zoning Appeals, as recommend by the City Planning Commission.

CARRIED unanimously. (Carruthers 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 Act 345 Retirement System meeting of November 18, 2015.
 3. Minutes of the Traverse City Light and Power Board meetings of

January 26 and February 9, 2016.

4. Minutes of the Traverse City Planning Commission meetings of January 5, January 12, and January 20, 2016.
 5. Quarterly Financial Report from the City Treasurer/Finance Director for the Second Quarter which ended December 31, 2015.
- e. Reports and correspondence from non-City officials.
1. Monthly Operations Report for the Wastewater Treatment Plant from CH2M for January 2016.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Chris Maxbauer, 503 West Eighth Street, Grand Traverse County
Board of Commissioners
Rick Buckhalter, 932 Kelley Street

3. Mayor and City Commissioners.

Commissioner Gary Howe
Marty Colburn, City Manager

8. Adjournment

There being no objection, Mayor Pro Tem Ross Richardson declared the meeting adjourned at 8:12 p.m.

Benjamin Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)