



## Notice City Commission Study Session

7:00 PM

Monday, August 8, 2016

Governmental Center, Commission Chambers, 400 Boardman Avenue  
Traverse City, MI 49684

Posted and Published: 08-15-2016

The meeting informational packet is available for public inspection at the Traverse Area District Library, Law Enforcement Center, 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, MI 49684, 922-4440-TDD: 922-4412, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator. If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

At the request of City Commissioners Gary Howe, Amy Shamroe, Tim Werner and Brian Haas, City Clerk Benjamin Marentette has called this Study Session.

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 Study Session!**

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.

### **Agenda**

Pledge of Allegiance

Roll Call

1. Discussion regarding a request from Commissioners Gary Howe, Amy Shamroe, Tim Werner and Brian Haas to discuss the petitions filed with the City Clerk by the SOD Committee seeking a Charter amendment by the City voters at the November 8, 2016, election which would require any proposed building over 60 feet in height be approved by the City electorate prior to the City or City Commission granting approval for construction of any such building. (Commissioner Gary Howe, Commissioner Amy Shamroe, Commissioner Tim Werner and Commissioner Brian Haas)
2. Announcements from the City Clerk. (Benjamin Marentette)
3. Public Comment.
4. Adjournment.

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# Notice

## City Commission Special Meeting

**(To immediately follow the Study Session on Monday, August 8, 2016, which begins at 7:00 p.m.)**

Monday, August 8, 2016

Commission Chambers, Second Floor, Governmental Center

400 Boardman Avenue, Traverse City, Michigan 49684

Posted and Published: 08-05-2016

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At the request of Mayor Jim Carruthers, City Clerk Benjamin Marentette has called this Special Meeting.

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Traverse City, MI 49684

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### **Welcome to the Traverse City Commission meeting!**

Any interested person or group may address the City Commission on any agenda item when recognized by the presiding officer or upon request of any Commissioner. Also, any interested person or group may address the City Commission on any matter of City concern not on the Agenda during the agenda item designated Public Comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.

### **Agenda**

Pledge of Allegiance

Roll Call.

1. Consideration of a request from Mayor Jim Carruthers for the City Commission to adopt the necessary resolutions to place a petitioned-for proposal filed with the City Clerk on August 1, 2016, on the November 8, 2016, ballot which seeks to amend the City Charter to require that any building over 60 feet in height be approved by the electorate prior to its construction being approved by the City or City Commission, with consideration of the resolution subject to the City Clerk's determination that the petitions are sufficient. (Mayor Jim Carruthers)
2. Announcements from the City Clerk. (Benjamin Marentette)
3. Public Comment.
4. Adjournment.



The City of Traverse City

## Communication to the City Commission

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FOR THE CITY COMMISSION MEETING OF AUGUST 8, 2016

DATE: AUGUST 5, 2016

FROM: MARTY COLBURN, CITY MANAGER

SUBJECT: AUGUST 8<sup>TH</sup> STUDY SESSION

Monday's Study Session has been called by City Clerk Benjamin Marentette at the request of Commissioners Brian Haas, Tim Werner, Amy Shamroe and Gary Howe for the purpose of discussing the petitions filed with the City Clerk on August 1; and attached is a copy of one of the petition pages filed with the City Clerk.

The City Clerk's Office is currently in the process of canvassing the petitions for compliance with Michigan Department of State regulations and the validity of the signatures submitted.

We anticipate that the City Clerk will certify the sufficiency of the petitions so that the City Commission can consider adopting the necessary resolutions placing the proposal on the November 8 ballot at the August 15 Regular Meeting.

City Attorney Lauren Tribble-Laucht is preparing a confidential attorney-client communication in connection with this matter which will be distributed under separate cover.

I – along with City Attorney Lauren Tribble-Laucht and City Clerk Benjamin Marentette will be in attendance at the meeting on Monday to assist the Commission with the discussion.

MC/bcm

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# INITIATORY PETITION TO AMEND THE CHARTER OF THE CITY OF TRAVERSE CITY BY ADDING A NEW PARAGRAPH TO SECTION 28

To the City of Traverse City: We, the undersigned qualified and registered electors, residents in the City of Traverse City, in the County of Grand Traverse, State of Michigan, respectfully petition for Section 28 of the Charter of the City of Traverse City be amended by adding a paragraph to read: "It is hereby declared that buildings over 60 feet in height are generally inconsistent with the residential and historical character of Traverse City. Therefore, any proposal for construction of a building with a height above 60 feet, shall not be approved by the City or City Commission, until after the proposal is submitted to and approved by a majority of the City electors at a regular election, or at a special election."

**WARNING - A person who knowingly signs this petition more than once, signs a name other than his or her own, signs when not a qualified and registered elector, or sets opposite his or her signature on a petition, a date other than the actual date the signature was affixed is violating the provisions of the Michigan election law.**

Signature	Printed Name	Street Address	Zip Code	Date of Signing		
				Month	Date	Year
<i>Jennifer A. Florence</i>	Jennifer A. Florence	314 E. Bay Blvd N.	49686	7	15	16
<i>Steven Rutkowski</i>	Steven Rutkowski	141 Birchwood Ave	49686	7	16	16
<i>Cynthia Rutkowski</i>	Cynthia Rutkowski	141 Birchwood Ave	49686	7	16	16
<i>Dean Ringsmoth</i>	Dean Ringsmoth	131 Birchwood Ave	49686	7	16	16
<i>Ken Haug</i>	Ken Haug	136 Birchwood Ave	49686	7	16	16
<i>Kimberly A. Haug</i>	Kimberly A. Haug	136 Birchwood Ave	49686	7	16	16
<i>Valerie Banducci</i>	Valerie Banducci	144 Birchwood Ave	49686	7	16	16
<i>JANES VANZALE</i>	JANES VANZALE	219 Birchwood Ave	49686	7	16	16
<i>Jo Clark</i>	Jo Clark	220 Bushwood Ave	49686	7	16	16
<i>Robin Stanley</i>	Robin Stanley	229 Birchwood Ave.	49686	7	16	16
<i>Lenore E. Berlin</i>	Lenore E. Berlin	501 Birchwood Ave.	49686	7	16	16
<i>Matt Koss</i>	Matt Koss	517 Birchwood Ave	49686	7	16	16

CIRCULATOR- Do not sign or date certificate until after circulating petition.

**CERTIFICATE OF CIRCULATOR**

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City of Traverse City, and the elector was qualified to sign the petition.

**Warning: A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as a circulator is guilty of a misdemeanor.**

*Florian F. Rundio Jr*  
 (Signature of Circulator)

FLORIAN F. RUNDIO JR  
 (Printed Name of Circulator)      7 18 2016  
 (Date)

TRAVERSE CITY  
 (City or Township Where Qualified to be Registered)

3049 ARROWHEAD DR  
 Complete Residence Address (Street and Number, Zip Code)

STATE OF MICHIGAN )  
 )SS  
 COUNTY OF GRAND TRAVERSE)



On this 18 day of JULY, 2016, personally appeared the above-named circulator, who verified under oath, that the statements in the certificate of circulator are true.

*Kenneth Adam Zacks*  
 Notary Public, Grand Traverse County, Michigan  
 Acting in Grand Traverse County, Michigan  
 My Commission Expires: 12/9/2022

Paid for by SOD Campaign Committee, 1749 Indian Woods Drive, Traverse City, MI 49686.  
 The body, organization, or person primarily interested in and responsible for the circulation of this petition and the securing of the amendment is the organization SOD Campaign Committee.



The City of Traverse City

## Communication to the City Commission

FOR THE CITY COMMISSION MEETING OF AUGUST 8, 2016

DATE: AUGUST 5, 2016

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

SUBJECT: AUGUST 8<sup>th</sup> SPECIAL MEETING – REQUESTED BY MAYOR JIM CARRUTHERS

Attached is a memo from Mayor Jim Carruthers which requested that the City Clerk call a Special Meeting for Monday, to immediately follow the Study Session.

The Mayor has requested that the Commission adopt the necessary resolutions to place the ballot proposal requested by petitions filed with the City Clerk on August 1, 2016.

The City Attorney is working to prepare these resolutions for consideration by the Commission; and we will distribute those to you electronically on Monday once they are finalized. As you are aware, the City Commission cannot adopt the resolutions placing this proposal on the November 8 ballot until they are certified as sufficient by the City Clerk. City Clerk Benjamin Marentette expects that to be completed on Monday; we will keep you informed.

MC/bcm

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# Memorandum

The City of Traverse City



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TO: Benjamin Marentette, City Clerk

COPY:

FROM: Mayor Jim Carruthers 

DATE: Friday, August 5, 2016

SUBJECT: SPECIAL MEETING – AUGUST 8, 2016

I am requesting a Special Meeting of the City Commission on August 8, 2016, to immediately follow the Study Session. The purpose of the Special Meeting is for the City Commission to adopt the necessary resolutions to place the proposal called for in the petitions filed with the City Clerk on August 1, 2016, on the November 8, 2016, Ballot. This Special Meeting is contingent upon the petitions being certified by the City Clerk no later than Monday, which is anticipated.