



## CITY OF TRAVERSE CITY

### Minutes

#### Regular Meeting of City Commission

**January 15, 2007**

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 Linda Smyka, Mayor Pro Tem Scott C. Hardy, Jody Bergman, Christopher M. Bzdok, Matthew Schmidt, Denise Scrudato, Ralph L. Soffredine.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Smyka presided at the meeting.

Announcements by the Mayor, City Manager, and City Commissioners.

Commissioner Bzdock requested that Agenda Item 2(d) be removed from the Consent Calendar and placed elsewhere on the agenda for full discussion.

Mayor Smyka placed it to be considered as Agenda Item 4(a).

#### **Item 2 on the Agenda being Consent Calendar**

Moved by Hardy, seconded by Soffredine, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. Minutes of the Regular Meeting of January 2, Special Meeting of January 4, and Study Session of January 8, 2007, be approved.

- b. The City Manager be authorized to issue a confirming purchase order in the amount of \$14,750 to Brenner Oil Company for 8,000 gallons of dyed #2 diesel fuel without additives priced at \$1.84375 per gallon with funds therefor being available in the Garage Fund.
- c. The City Manager be authorized to execute a letter of endorsing the Women's Resource Center grant application in the amount of \$25,000 to the Grand Traverse Band of Ottawa and Chippewa Indians to support the WRC's Extravaganza 2007.
- d. Moved to New Business 4(a).
- e. The General Purpose Financial Statements for the Fiscal Year ended June 30, 2006, be accepted.
- f. An amendment to the Traverse City Code of Ordinances, *Circuit Court Review*, Section 1324.07, which would align the appeals period for Circuit Court review of Board of Zoning Appeals decisions with the Michigan Zoning Enabling Act, as recommended by the Planning Commission, be introduced and scheduled for possible enactment on February 5, 2007.
- g. Temporary Traffic Control Order #507 regulating parking along the south side of Sixth Street generally from Pine Street to Locust Street be adopted to be made permanent.
- h. Temporary Traffic Control Order #509 authorizing stop signs on Baldwin and Boon Streets at Woodmere Avenue be adopted to be made permanent.

CARRIED unanimously.

**Item 3 on the Agenda being Old Business**

**3(a).**

The next item being "Public hearing on a request from Grand Traverse Machine Company for an Industrial Development District at 1247 Boon Street for

possible future tax abatement,” the following individuals addressed the Commission:

Richard Lewis, City Manager  
Tino Breithaupt, Senior Vice President of Economic Development, Traverse City Area Chamber of Commerce  
Mike Alfonso, Grand Traverse Machine Company President

Mayor Smyka opened the public hearing.

Jim Carruthers, 218 West 11<sup>th</sup> Street  
Tino Breithaupt, Senior Vice President of Economic Development, Traverse City Area Chamber of Commerce  
Debra Chavez, City Assessor  
Lee Bowman, 717 Woodmere Avenue

There being no one further desiring to speak, Mayor Smyka closed the public hearing.

Moved by Soffredine, seconded by Scrudato, that the Resolution Establishing Industrial Development District for Grand Traverse Machine Company No. 2007-01 be adopted, with such District generally located at 1247 Boon Street.

Roll Call:

Yes - Bergman, Hardy, Schmidt, Scrudato, Soffredine, Smyka.

No - Bzdok.

CARRIED.

**3(b).**

The next item being “Consideration of the City Manager recommendation regarding the request from Ann Rogers and Tom Karas relating to Endorsing the

US Mayor's Climate Protection Agreement," the following individuals addressed the Commission:

Richard Lewis, City Manager  
Tom Karas, 8801 Section Line Road, Interlochen  
Ann Rogers, 1236 Peninsula Drive, representing Northern Michigan  
Environmental Action Council  
Carolyn Kelly, Michigan Land Use Institute, 721 Cass Street  
Cristin Popelier, 1909 Shawnee Street, Michigan Land Use Information  
Access Association  
Monica Evans, 3840 Blueberry Lane, Honor, Chair of Sierra Club  
Emmy Lou Cholak, Long Lake Road, Long Lake Township  
Pete Muñoz, 234 East Eighth Street, SEEDS (Seeking Ecological Education  
and Design Solutions)

Moved by Scrudato, seconded by Hardy, that the Mayor be authorized to sign in support the document entitled, *Endorsing the US Mayor's Climate Protection Agreement*, with the understanding that the City of Traverse City will strive to accomplish the actions listed in items C, 1-12, and the City Manager be authorized to proceed with emissions inventory.

CARRIED unanimously.

**3(c).**

The next item being "Consideration of trial and settlement strategy in connection with *City of Traverse City v Incochee Woods Development, LLC*. (Grand Traverse County Circuit Court No. 06-25303-CH)," the following individuals addressed the Commission:

Richard Lewis, City Manager  
Peter Doren, City Attorney  
Sandy Cartwright, 602 North Elmwood Avenue

Moved by Schmidt, seconded by Scrudato, that the City Commission enter into closed session immediately following the public comment portion of the

Agenda to consider the trial and settlement strategy in connection with *City of Traverse City v Incochee Woods Development, LLC* (Grand Traverse County Circuit Court No. 06-25303-CH).

Roll Call:

Yes - Bergman, Hardy, Schmidt, Scrudato, Soffredine, Smyka.

No - None.

Abstention - Bzdok.

CARRIED unanimously. (Commissioner Bzdok abstained)

**Item 4 on the Agenda being New Business**

**4(a).**

The next item being from Consent Calendar, “Consideration of authorizing the City Manager to develop a possible City ordinance for consideration and to request Grand Traverse County to consider a County ordinance, which will establish smoke-free workplaces and smoke-free public buildings,” the following individual addressed the City Commission:

Richard Lewis, City Manager

Moved by Schmidt, seconded by Soffredine, that the City Manager be directed to develop a possible City ordinance for consideration, to request Grand Traverse County to consider a County ordinance, and to request the Michigan Municipal League to consider a state-level initiative, which will establish smoke-free workplaces and smoke-free public buildings.

CARRIED unanimously.

There being no objection, Mayor Smyka opened the floor for public comment on this matter.

Bonnie Willings, 1111 Lake Ridge Drive, Tobacco Coalition  
Bill Plough, 1122 Lake Ridge Drive  
Scott Sieffert, 859 East Eighth Street

**Item 5 on the Agenda being Appointments**

**5(a).**

The next item being “Consideration of appointment by the Mayor of a City Commission representative to the Grand Traverse County Board of Public Works, subject to approval by the City Commission and confirmation by the Grand Traverse County Board of Commissioners,” the following individuals addressed the Commission:

Richard Lewis, City Manager  
Peter Doren, City Attorney

Moved by Hardy, seconded by Soffredine, that the Mayor’s appointment of Commissioner Chris Bzdok to an unexpired three-year term (seat previously held by former Commissioner Csapo) expiring December 31, 2008, on the Grand Traverse County Board of Public Works be approved, subject to confirmation by the Grand Traverse County Board of Commissioners.

CARRIED unanimously.

**5(b).**

The next item being “Consideration of appointment by the Mayor of a City Commission representative to the Grand Traverse County Resource Recovery Council, subject to approval by the City Commission and confirmation by the Grand Traverse County Board of Commissioners,” the following individual addressed the Commission:

Richard Lewis, City Manager

Moved by Schmidt, seconded by Bergman, that the Mayor’s appointment of

Commissioner Denise Scudato to an unexpired three-year term (seat previously held by former Commissioner Csapo) expiring December 31, 2008, on the Grand Traverse County Resource Recovery Council be approved, subject to confirmation by the Grand Traverse County Board of Commissioners.

CARRIED unanimously.

**Item 6 on the Agenda being Reports and Communications**

The following were received and filed:

- a. From the City Manager.
  1. Bits & Pieces.  
-Update on West Front Street 145 Project negotiation.
- b. From other City officials, boards and committees.
  1. Report from the Mayor serving on the Downtown Development Authority Board.
  2. Report from Commissioners serving on the Light and Power Board.
  3. Report from the Mayor and Commissioner serving on the Planning Commission.
  4. Report from Commissioners serving on other boards.
  5. Report from the City Attorney.
  6. Planning Commission and Board of Zoning Appeals Annual Reports for 2006.
  7. Minutes of the Parks and Recreation Commission meeting of December 7, 2006.

8. Minutes of the ACT 345 Retirement System Board meeting of November 29, 2006.
- c. From non-City officials.
1. Minutes of the Traverse Area District Library Board meeting of December 14, 2006

**Item 7 on the Agenda being Public Comment**

The following individuals addressed the Commission:

Jim Carruthers, 218 West 11<sup>th</sup> Street  
Chris Maxbauer, 503 West Eighth Street  
Rick Buckhalter, 518 West 12<sup>th</sup> Street  
Peter Doren, City Attorney  
Commissioner Scott Hardy  
Commissioner Ralph Soffredine

The City Commission entered closed session at 8:53 p.m.

The City Commission returned to open session at 9:28 p.m.

There being no objection, Mayor Smyka declared the meeting adjourned at 9:29 p.m.

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Debra A. Curtiss, CMC, City Clerk

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