

CITY OF TRAVERSE CITY



Minutes

Regular Meeting of City Commission

February 20, 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, Jody Bergman, Christopher M. Bzdok, Matthew Schmidt, Denise Scrudato, Ralph L. Soffredine.

The following Commissioners was absent: Mayor Pro Tem Scott Hardy.

The Pledge of Allegiance was recited.

Mayor Smyka presided at the meeting.

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

Rick Buckhalter, 518 West 12th Street, requested that Agenda Item 2(g) be removed from the Consent Calendar and placed elsewhere on the Agenda for full discussion.

Mayor Smyka placed it to be considered as 3(b).

Mayor Smyka removed agenda Item 7(a) as requested by Richard Lewis, City Manager.

Item 2 on the Agenda being Consent Calendar

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

- a. Minutes of the Study Session of January 31, Study Session of February 1, Regular Meeting of February 5, Study Session of February 8, and Study Session of February 12, 2007, be approved.
- b. The City Manager be authorized to issue a confirming purchase order in the amount of \$18,034.71 to Lemmen Oil Company for 10,004 gallons of dyed #2 diesel fuel without additives priced at \$1.80275 per gallon with funds therefor being available in the Garage Fund.
- c. The City Commission hereby approves the request from the Downtown Traverse City Association (DTCA) with supervisory and control authority to hold the 'Friday Night Live' events on July 20 and 27 and August 3, 10, 17, and 24, 2007, as outlined in the February 5, 2007, memo from the Downtown Development Authority Director of Marketing, subject to the DTCA and any participating non-DTCA members submitting to the City Clerk a certificate of comprehensive general liability insurance in the amount of \$1 million per occurrence naming the city as additional insured.
- d. The Mayor and City Clerk be authorized to execute the Agreement to Maintain Dams with the Light and Power Department: for the routine maintenance of the Brown Bridge Dam; for the term to expire on December 31, 2008; and subject to approval as to substance by the City Manager and as to form by the City Attorney.
- e. The Light and Power Community Investment Fund Grant in the amount of \$5,500 be accepted and that the competitive bid process be waived and that the City Manager be authorized to issue a purchase order to SEGWAY by KAR in the amount of \$5,500 for one SEGWAY I2 Police Model Human transporter, with funds therefor available in the Public Improvement Fund; and further that a budget amendment be made to increase budgeted revenues and budgeted expenses in the Public Improvement Fund by \$5,500 to reflect this grant and purchase.
- f. That parcel #28-51-634-002-00 (517 Wellington Street) be declared surplus and that staff be authorized to place it on the open market for sale at a minimum price of the appraisal amount.

- g. Moved to Old Business 3(b).
- h. An amendment to the Traverse City Code of Ordinances, *Grand Traverse Commons Joint Planning Commission*, Chapter 1224, which would establish a Grand Traverse Commons Joint Planning Commission, be introduced and scheduled for possible enactment on March 12, 2007.
- i. The Resolution City of Traverse City, Michigan, ICLEI (International Council for Local Environmental Initiatives) Membership & Cities for Climate Protection Campaign Participation be adopted.

CARRIED unanimously. (Hardy absent)

Item 3 on the Agenda being Old Business

3(a).

The next item being “Consideration of accepting an easement and authorizing a letter of understanding with The Minervini Group, LLC, relating to the acceptance of Silver Drive as a public street,” the following individuals addressed the Commission:

Commissioner Bzdok made the following disclosure: The Minervini Group, LLC, is represented by his law firm of Olson, Bzdok & Howard, PC. He has a financial conflict of interest and will be refraining from voting upon or otherwise participating in the making of the decision.

Richard Lewis, City Manager

Moved by Bergman, seconded by Soffredine, that the Grant of Easement for a Public Street from The Minervini Group, LLC, for a 66-foot wide strip of land for a public street and installation and maintenance of public utilities and certain private utilities (commonly referred to as Silver Drive) be accepted; and further that the Mayor and City Clerk be authorized to execute a Letter of Understanding with The Minervini Group, LLC, for easements relating to the Street Design

Agreement of Silver Drive, subject to approval as to substance by the City Manager and as to form by the City Attorney.

CARRIED unanimously. (Bzdok abstained, Hardy absent)

Commissioner Bzdok refrained from voting upon or otherwise participating in the making of the decision.

3(b).

The next item being from the Consent Calendar “Consideration of authorizing a contract for the 2007 Wastewater Treatment Plant Odor Control Project,” the following individuals addressed the Commission:

Rick Buckhalter, 518 West 12th Street
Richard Lewis, City Manager

Moved by Soffredine, seconded by Bzdok, that the Mayor and City Clerk be authorized to execute a contract with Arms and Cole: for the 2007 Wastewater Treatment Plant Odor Control Project; at the prices indicated in its bid of January 19, 2007, in the amount of \$147,526, more or less, with funds therefor available in the Wastewater Fund; with the work to be completed by October 1, 2007; with no city facilities, services or employees being involved except to monitor; and subject to approval as to substance by the City Manager and as to form by the City Attorney.

CARRIED unanimously. (Hardy absent)

Item 4 on the Agenda being New Business

None.

Item 5 on the Agenda being Appointments

None.

Item 6 on the Agenda being Reports and Communications

The following were received and filed:

- a. From the City Manager.
 1. Bits & Pieces.
- 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.
 - City Attorney's plan of action regarding Traverse City Charter Section 28.
 6. Memo from the City Manager regarding the 2002A Bond Refinancing savings to the City in the amount of \$779,000 (\$526,358 net present value).
 7. Report from the City Engineer - Progress Report for North Boardman Lake Trail Project.
 8. Report from the City Treasurer/Finance Director - Quarterly Financial Report ending December 31, 2006.
 9. Minutes of the ACT 345 Retirement System Board of Directors meeting of December 20, 2006.
 10. Minutes of the Parks and Recreation Commission meetings of January

4, January 11, and January 24, 2007, and ad hoc meeting of January 17, 2007.

11. Minutes of the Downtown Development Authority meetings of January 18 and January 31, 2007, and agenda of December 16, 2006.

c. From non-City officials.

1. Grand Traverse Conservation District January 2007 Report on Activities.
2. Brainstorming the Barns Meeting Summary of January 18, 2007, from the City of Traverse City/Charter Township of Garfield Recreational Authority.
3. Minutes of the City of Traverse City and Charter Township of Garfield Recreational Authority Board of Directors meeting of January 30, 2007.
4. Minutes of the Traverse Area District Library Board meetings of January 9, January 11, January 16, and January 29, 2007.
5. Minutes of the Grand Traverse Heritage Center Board meetings of December 18, 2006, and January 15, 2007.

Item 7 on the Agenda being Public Comment

The following individuals addressed the Commission:

Cindy Warner, J&S Hamburg Restaurant owner, 17850 Smokey Hollow Road, Peninsula Township

Gerry Snowden, Snowden Development, 1449 South Long Lake Road, Long Lake Township

Lee Bowman, 717 Woodmere Avenue

David Clink, 7463 Old US 31, P.O. Box 612, Petoskey, Michigan

Jim Carruthers, 218 West 11th Street

Rick Buckhalter, 518 West 12th Street
Commissioner Ralph Soffredine
Richard Lewis, City Manager
Commissioner Deni Scudato
Commissioner Matt Schmidt

There being no objection, Mayor Smyka declared the meeting adjourned at 8:02 p.m.

Debra A. Curtiss, CMC, City Clerk

Approved: _____, _____
(Date) (Initials)