

CITY OF TRAVERSE CITY



Minutes

Regular Meeting of City Commission

March 5, 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 7:03 p.m.

The following Commissioners were present, constituting a quorum: Mayor Linda Smyka, Mayor Pro Tem Scott C. Hardy (departed at 7:15 pm), Jody Bergman, Matthew Schmidt, Denise Scrudato, Ralph L. Soffredine.

The following Commissioners were absent: Christopher M. Bzdok.

The Pledge of Allegiance was recited.

Mayor Smyka presided at the meeting.

Presentation of the Sara Hardy Humanitarian Award to Stephen Perdue.

There being no objection, Mayor Smyka modified the order of the agenda to have *Announcements by the Mayor, City Manager, and City Commissioners* after the Consent Calendar.

Item 2 on the Agenda being Consent Calendar

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

- a. Minutes of the Regular Meeting of February 20 and Study Session of February 26, 2007, be approved.
- b. The Mayor and City Clerk be authorized to execute an Amendment to the Parking Area Lease with Pine Street Development One, LLC for the use of

- 305 West Front Street (Parking Lot S) originally approved on June 5, 2006, to change the parking arrangement to a month-to-month basis as described in the February 27, 2007, memorandum from the Downtown Development Authority Executive Director, with such Amendment subject to approval as to substance by the City Manager and as to form by the City Attorney.
- c. The Mayor and City Clerk be authorized to execute a Lease Agreement with Stiebel Properties LLC at \$568 per month with an end-of-year utility adjustment, for Oakwood Cemetery Office space at 806 Hastings Street, with funds therefor available in the Parks Department Budget, with such Agreement subject to approval as to substance by the City Manager and as to form by the City Attorney.
 - d. The City Manager be authorized to issue a confirming purchase order in the amount of \$17,587.50 to Brenner Oil Company for 10,000 gallons of unleaded gasoline priced at \$1.75875 per gallon with funds therefor being available in the Garage Fund.
 - e. A Michigan Liquor Control Commission Resolution which would grant a request to transfer ownership of a 2006 Class C Liquor License (currently held in escrow at 7525 Cedar Run, Long Lake Township) to Leave It To Dan, LLC, with the license to be operated at 237 East Front Street, be adopted.
 - f. A Michigan Liquor Control Commission Resolution which would grant a request for a new Entertainment Permit to be used in conjunction with a 2006 Club Liquor License, as requested by the Traverse City Golf and Country Club, with the Permit to be operated at 1725 South Union Street, be adopted.
 - g. A Resolution authorizing generic service credit as part of the Michigan Municipal Employees' Retirement System MERS for Timothy J. Lodge be adopted, with the entire cost to be paid by the employee.
 - h. Amendments to the Traverse City Code of Ordinances, *Modification of Definitions from the General Provisions and Definitions Section of the Zoning Code*, Section 1320.07; *Modification of Building Heights in the OS*

(Open Space) District, Section 1328.06; Modification of Building Heights in the RC (Residential Conservation) District, Section 1330.06; Modification of Building Heights in the R-1a and R-1b (Single Family Dwelling) Districts, Section 1332.06; Modification of Building Heights in the R-2 (Two-Family Dwelling) District, Section 1334.06; Modification of Building Heights in the R-9, R-15 and R-29 (Multiple Family Dwelling) Districts, Section 1336.06; Modification of Building Heights in the HR (Hotel Resort) District, Section 1338.06; Modification of Building Heights in the C-1 (Office Service) District, Section 1340.06; Modification of Building Heights in the C-2 (Neighborhood Center) District, Section 1342.06; Modification of Building Heights in the C-3 (Community Center) District, Section 1344.06; Modification of Building Heights in the C-4 (Regional Center) Districts, Section 1346.06; Modification of Building Heights in the D (Development) Districts, Section 1347.06; Modification of Building Heights in the T (Transportation) District, Section 1348.06; Modification of Building Heights in the GP (Government/Public) District, Section 1350.06; Modification of Building Heights in the I (Industrial) District, Section 1354.06; Modification of Building Heights in the NMC (Northwestern Michigan College) Districts, Section 1356.06; Modification of Building Heights in the H (Hospital) Districts, Section 1358.06; Modification of Special Land Use Permits Granted by the City Commission in the Special Land Use Chapter of the Zoning Code, Section 1364.08; Modification of Master Site and Facilities Plans in the Site Plan and Site Development Standards Section of the Zoning Code, Section 1366.08; Modification of Building Heights in the Size and Area Requirements Section of the Zoning Code, Section 1368.01, which would remove the reference to stories from the zoning code and replace with other criteria in certain sections, as recommended by the Planning Commission, be introduced and scheduled for possible enactment on March 19, 2007.

CARRIED unanimously. (Bzdok absent)

Commissioner Bergman abstained and refrained from voting upon or otherwise participating in the making of the decision on agenda item 2(e).

Mayor Pro Tem Hardy abstained and refrained from voting upon or

otherwise participating in the making of the decision on agenda item 2(e).

Commissioner Hardy departed the meeting.

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

Item 3 on the Agenda being Old Business

None.

Item 4 on the Agenda being New Business

4(a).

The next item being “Consideration of request from the Traverse City Film Festival to use the Open Space for its 2007 Traverse City Film Festival, as recommended by the Parks and Recreation Commission,” the following individuals addressed the Commission:

Robert Cole, Public Services Director
Peter Doren, City Attorney
Mark Ryan, 1118 Santo Street

Moved by Soffredine, seconded by Bergman, that the request from the Traverse City Film Festival (the Festival) to use the Open Space for the Film Festival be referred to the March 19, 2007, meeting.

CARRIED unanimously. (Bzdok and Hardy absent)

Item 5 on the Agenda being Appointments

5(a).

The next item being “Consideration of appointment by the City Manager to the Brown Bridge Advisory Committee, subject to approval by the City Commission,” the following individual addressed the Commission:

Richard Lewis, City Manager

Moved by Scudato, seconded by Schmidt, that the City Manager's appointment of Michael Kreft to a three-year term (seat held by Joseph Elliott) expiring October 5, 2009, on the Brown Bridge Advisory Committee, be approved.

CARRIED unanimously. (Bzdok and Hardy absent)

5(b).

The next item being "Consideration of appointments to TC-TALUS Board of Directors as nominated by the Board," the following individual addressed the Commission:

Richard Lewis, City Manager

Moved by Soffredine, seconded by Scudato, that Jeff Cockfield be reappointed to a three-year term expiring December 31, 2009; and John Nelson be appointed to a three-year term (seat held by Sam Mitchell) expiring December 31, 2009, to the TC-TALUS Board of Directors, as nominated by the Board.

CARRIED unanimously. (Bzdok and Hardy absent)

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.
-Charter Section 28.
 6. Minutes of the Light and Power Board meetings of January 23 and February 3, 2007.
 7. Minutes of the Act 345 Retirement System Board meeting of January 31, 2007.
 8. Minutes of the Traverse City Planning Commission meeting of February 7, 2007.
- c. From non-City officials.
1. Wastewater Treatment Plant Monthly Operations Report for January 2007 from Operations Management International, Inc., (OMI).

Item 7 on the Agenda being Public Comment

The following individuals addressed the Commission:

Ann Rogers, 1236 Peninsula Drive
Mark Ryan, 1118 Santo Street
Rick Buckhalter, 518 West 12th Street
Commissioner Deni Scrudato

There being no objection, Mayor Smyka declared the meeting adjourned at

7:49 pm.

Debra A. Curtiss, CMC, City Clerk

Approved: _____, _____
(Date) (Initials)