

# CITY OF TRAVERSE CITY



## Minutes

### Regular Meeting of City Commission

**November 17, 2008**

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 Michael Estes, Mayor Pro Tem Christopher M. Bzdok, Jody Bergman, Barbara D. Budros, James Carruthers, Denise Scrudato, Ralph L. Soffredine.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Estes presided at the meeting.

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

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

Mayor Estes placed it to be considered as Agenda Item Old Business 3(a).

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

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

- a. Minutes of the Regular Meeting of November 3, 2008; and Organizational Meeting of November 10, 2008, be approved.
- b. The City Manager be authorized to issue a confirming purchase/service

order in the amount of \$16,081.07 to Brenner Oil Co. for 9,996 gallons of unleaded gasoline priced at \$1.60875 per gallon with funds therefor being available in the Garage Fund.

- a. The request from the Downtown Traverse City Association to allow horse-drawn carriage rides within the city limits during Santa's arrival and the holiday tree lighting on November 28, 2008; and Midnight Madness on December 12, 2008, as outlined in the November 7, 2008, letter from the Downtown Traverse City Association and Downtown Development Authority Marketing Director be approved, subject to Abraham Carriage Service 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.
- b. The Mayor, Police Chief, and City Treasurer be authorized to execute the Michigan Department of Community Health Office of Drug Control Policy Byrne Memorial Formula Grant Program Subcontract to accept grant funds in the amount of \$16,212 for the continuation of the Traverse Narcotics Team.
- c. The City Manager be authorized to execute a letter endorsing the Foundation for Mental Health's grant application in the amount of \$32,659 to the Grand Traverse Band of Ottawa and Chippewa Indians to support the Foundation of Mental Health's affordable special needs rental housing program.
- d. Moved to Old Business 3(a).
- e. The Michigan Liquor Control Commission Resolution recommending approval of a request from 2M Entertainment, LLC (Café Habana) for a Dance-Entertainment Permit to be utilized in conjunction with its existing Class C Liquor License operated at 423 South Union, be adopted.
- f. An amendment to the Traverse City Code of Ordinances, *City Commission Organizational Meeting and Term Expirations*, Sections 220.02 and 220.04, which will change the City Commission Organizational Meeting to 7:00 pm in the future be introduced and scheduled for possible enactment on

December 1, 2008.

- g. An amendment to the Traverse City Code of Ordinances, *Clarification of Alcoholic Beverage Ban in City Parks*, Section 1064.09, which clarifies that only beer and wine are allowed in city parks unless otherwise banned by the City Commission, which was introduced on November 3, 2008, be enacted with an effective date of November 27, 2008.

CARRIED unanimously.

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

**3(a).**

The next item being from the Consent Calendar, “Consideration of adopting a Resolution - Findings for Concurrence for 101 North Park Street Development for the purpose of environmental assessment and response activities,” the following individuals addressed the Commission:

Mayor Pro Tem Bzdok made the following disclosure: His law firm Olson, Bzdok & Howard, PC, represents the Grand Traverse County Brownfield Redevelopment Authority. He has a financial conflict of interest and will be refraining from voting upon or otherwise participating in the making of a decision.

Commissioner Bergman made the following disclosure: The City may be concurring with the 101 North Park Street (Bridgestone/Firestone) Amended Brownfield Plan. Comstock Construction, a company in which she has ownership interest, has a contract for working on the Project. She has a financial conflict of interest and will be refraining from voting upon or otherwise participating in the making of a decision.

Jean Derenzy, Grand Traverse County Brownfield Redevelopment Authority  
Coordinator

Bryan Crough, Downtown Development Authority Executive Director

Moved by Soffredine, seconded by Budros, that the Resolution Supporting Findings for Concurrence for 101 North Park Street (Bridgestone/Firestone)

Amended Brownfield Plan, for the purpose of amending the plan to provide environmental assessment and response activities for the site, be adopted.

CARRIED unanimously.

Mayor Pro Tem Bzdok and Commissioner Bergman abstained and refrained from voting upon or otherwise participating in the making of the decision.

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

**4(a).**

The next item being “Consideration of adopting a Resolution authorizing a Light and Power employee to purchase generic pension service credit at the employee’s expense as allowed by the Michigan Employees’ Retirement System,” the following individuals addressed the Commission:

James Delaney, Human Resource Director  
Debbra Curtiss, City Clerk

Moved by Budros, seconded by Scudato, that the Resolution authorizing generic services credit as part of the Municipal Employees Retirement System MERS for Glen Dine not be adopted.

Roll Call:

Yes - Bergman, Budros, Bzdok, Carruthers, Scudato, Estes.

No - Soffredine.

CARRIED.

**4(b).**

The next item being “Consideration of establishing City Commission retreat date for strategic planning,” the following individual addressed the Commission:

Ben Bifoss, City Manager

No action was taken.

**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 Acting City Manager.
  1. Citizens Operational & Financial Analysis Committee (COFAC) Update #3.
- b. From other City officials, boards and committees.
  1. Report from the Mayor serving on the Downtown Development Authority.
  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 Treasurer/Finance Director regarding the Fair and Accurate Credit Transaction Act.
  6. Report from the City Treasurer/Finance Director regarding banking services.
  7. Report from the City Engineer regarding project updates.
  8. Minutes of the Parks and Recreation Commission meeting of October 2, 2008.

9. Minutes of the ACT 345 Retirement System Board meeting of September 16, 2008.
- c. From non-City officials.
1. Minutes of the City of Traverse City and Charter of Garfield Township Recreational Authority Board of Directors meeting of October 29, 2008.
  2. Minutes of the Grand Traverse County Road Commission meetings of September 17 and October 15, 2008.
  3. Minutes of the Traverse Area District Library Board meeting of October 9, 2008.
  4. CH2MHILL OMI Monthly Operations Report for September 2008 regarding the Wastewater Treatment Plant.
  5. Northwest Michigan Community Media Center LIAA Interim Report to Local Government Sponsors dated October 28, 2008.

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

The following individuals addressed the Commission:

- a. Reserved.

None.

- b. General.

Chris Maxbauer, 503 West Eighth Street  
Rick Buckhalter, 932 Kelly Street

- c. Mayor and City Commissioners.

None.

There being no objection, Mayor Estes declared the meeting adjourned at 7:49 pm.

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Debra A. Curtiss, MMC  
City Clerk

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

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