

**CHARTER TOWNSHIP OF GARFIELD
TOWN BOARD MEETING
April 11, 2023**

The Town Board Meeting was called to order at the Garfield Township Hall on April 11, 2023 at 6:00p.m.

Pledge of Allegiance

Roll Call of Board Members

Present: Molly Agostinelli, Chris Barsheff, Steve Duell, Chuck Korn, Chloe Macomber, Lanie McManus and Denise Schmuckal

Staff Present: Planning Director John Sych

1. Public Comment (6:01)

None

2. Review and Approval of the Amended Agenda - Conflict of Interest (6:01)

Schmuckal moved and Agostinelli seconded to approve the amended agenda as presented with Mountain Bike Subcommittee added to Correspondence.

Yeas: Schmuckal, Agostinelli, Barsheff, Duell, Macomber, McManus, Korn

Nays: None

3. Consent Calendar (6:03)

a. Minutes

March 28, 2023 Regular Township Board Meeting
(Recommend Approval)

b. Bills

(i) General Fund \$134,602.53
(Recommend Approval)

(ii) Gourdie-Fraser
Developer's Escrow Fund – Storm Water
Reviews, Utility Plan Review, Oversight
& Closeout \$6,606.25
General Utilities \$7,700.00
Park Funds/DNR Trust Fund \$ 865.00

Total \$15,171.25
(Recommend Approval)

c. MTT Update (Receive and File)

Agostinelli moved and Schmuckal seconded to approve the consent calendar as presented.

*Yeas: Agostinelli, Schmuckal, Barsheff, Duell, McManus, Macomber, Korn
Nays: None*

4. Items Removed from the Consent Calendar (6:04)

None

5. Correspondence (6:04)**a. Mountain Bike subcommittee update**

Planner Sych stated that this correspondence is related the Mountain Bike subcommittee and Parks staff helping to identify trails to develop further or close. The Northern Michigan Mountain Bike Association to be able to act as the fiduciary for donations to the Commons Mountain Bike area. Attorney review will be sought in the fiduciary matter.

6. Reports**a. County Commissioner's Report (6:09)**

County Commissioners Brad Jewett and Lauren Flynn stated that the annual County Equalization meeting was held today and taxable values in the county went up an average of 9.1%. Commissioners also attended a study session to learn about the budget process. Cole Stoker was hired to act as counsel for the county. The commissioners also gave an update on BATA and the Pavilions. Flynn added that she will be attending the MAC conference.

b. Sheriff's Report (6:24)

Lt. Brinks reviewed statistics for the month of March 2023 and added that a drug drop off will be scheduled soon and he will be in training for the next week.

c. Planning Department Report for April 2023 (6:26)

Planner John Sych submitted the Planning Department report in writing and briefed board members on the Hickory Forest rezoning and South 22 amendment. Oleson's food complex on North Long Lake has an amendment which the Planning Commission will hear tomorrow. A grant has been submitted to the DNR Trust Fund for an accessible trail at the Commons Area. The Planning Commission also continues to work on the Master Plan.

d. Parks and Rec Report (6:28)

Parks Steward Sean Kehoe submitted a report in writing and stated that the bathroom counter will be installed in the Silver Lake men's bathroom on April 27th. He added that the Commons Area mountain bike meetings have been going well. Staff has found a vault in the Commons Area with pump heads which will need to be secured and sealed off. The River East dog park irrigation project has begun and 500 tree cages have been cut. Pickleball nets are in at the Boardman River Park and some homeless camps have already been removed at Miller Creek. The Buffalo Ridge trail tree planting will take place on May 2nd.

f. Clerk's Report (6:34)

McManus stated that her report was submitted in writing and the audit has begun this week. Her office is also working with BS&A on a new uniform chart of accounts.

g. Supervisor's Report (6:35)

Korn reported that he has been out of town and is catching up.

7. Unfinished Business

None

8. New Business**a. MPO Presentation by Networks Northwest and Consideration of Resolution 2023-11-T to establish an Intermunicipality Committee for Purposes of Transportation Planning (6:36)**

Mathew Cooke, a community planner with TTCl, gave a presentation on the new MPO status and what it means for the county and township. He reviewed the definition, structure and functions of an MPO (Municipal Planning Organization). Funding implications will mean more funding for transportation from several sources.

Schmuckal moved and Barsheff seconded to adopt Resolution 2023-11-T to establish an Intermunicipality Committee for Purposes of Transportation Planning in the Traverse City Garfield area.

*Yeas: Schmuckal, Barsheff, Agostinelli, Duell, McManus, Macomber,
Korn*

Nays: None

b. Consideration of Resolution 2023-10-T regarding the Tax Exemption and Payment in Lieu of Taxes for Hammond Road Apartments (6:50)

Board members discussed the amount of PILOTs in the township.

Barsheff moved and Duell seconded to adopt Resolution 2023-10-T regarding the Tax Exemption and Payment in Lieu of Taxes for Hammond Road Apartments.

*Yeas: Barsheff, Duell, Agostinelli, Macomber, McManus, Schmuckal, Korn
Nays: None*

c. Consideration of request for engineering services from GT Road Commission for proposed Ridge View Ct. Road improvements (7:00)

Duell moved and Agostinelli seconded to allow Korn to contract with the Grand Traverse County Road Commission to provide engineering services in the amount of \$1,000 for improvements to Ridge View Court.

*Yeas: Duell, Agostinelli, Macomber, McManus, Barsheff, Schmuckal, Korn
Nays: None*

9. Public Comment: (7:01)

Brad Oleson with the Oleson foundation commented on the Rennie School Road property and water in that area.

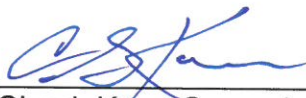
Jim Schmuckal of Windmill Lane commented on the 180 acre site owned by Oleson and the need to bring water to the site.

10. Other Business (7:08)

Duell commented on the water situation for Oleson's property and asked that an agenda item be scheduled to address the issue.

11. Adjournment

Korn adjourned the meeting at 7:24pm.



Chuck Korn, Supervisor
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49686



Lanie McManus, Clerk
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49686

CHARTER TOWNSHIP OF GARFIELD

RESOLUTION 2023-10-T REGARDING TAX EXEMPTION AND PAYMENT TO BE MADE IN LIEU OF TAXES

Board member, Chris Barsheff, supported by Board member, Steve Duell, made a motion to adopt the following amended Resolution:

RESOLUTION DESIGNATING THE MSHDA SUPPORTED HOUSING COMPONENT OF A PROPOSED APPROXIMATELY 80-UNIT MULTI-FAMILY HOUSING DEVELOPMENT TO BE TENTATIVELY KNOWN AS HAMMOND ROAD APARTMENTS, AN AFFORDABLE HOUSING COMMUNITY, LOCATED NEAR THE NORTHWEST INTERSECTION W HAMMOND AND GARFIELD ROADS, TRAVERSE CITY, MI 49686, GARFIELD TOWNSHIP, MICHIGAN, (legally described as: Part of the South half of the Southeast Quarter, Section 23, Town 27 North, Range 11 West, more fully described as commencing at the Southeast corner of said section 23; thence North 88 degrees 13 minutes 41 seconds West, along the South line of said section and the centerline of Hammond Road, 495.0 feet to the point of beginning; thence continuing along said South line, North 88 degrees 13 minutes 41 seconds West, 342.22 feet; thence North 00 degrees 52 minutes 52 seconds West, 113.71 feet; thence North 09 degrees 37 minutes 17 seconds West, 536.64 feet; thence South 89 degrees 12 minutes 14 seconds East, 104.27; thence North 57 degrees 30 minutes 46 seconds East, 512.86 feet; thence North 82 degrees 34 minutes 42 seconds East, 409.62 feet, to the centerline of Garfield Road; thence South 01 degrees 03 minutes 09 seconds West, 762.76 feet, along said centerline; thence North 88 degrees 13 minutes 41 seconds West, 495.0 feet; thence South 01 degrees 03 minutes 09 seconds West, 233.0 feet to the place of beginning) **AS A “QUALIFIED PROJECT” UNDER THE CHARTER TOWNSHIP OF GARFIELD’S AMENDED AND RESTATED ORDINANCE NO. 18.**

WHEREAS, the Township Board, pursuant to MCL 125.1401 *et seq.*, has received a request from Hammond Limited Dividend Housing Association LP - LDHALP (the “Developers”), the Developers plan to construct a new, \$13,000,000, approximately 80-unit housing project (the “Development”), to provide affordable housing in the Township at the Development. The complex is an affordable housing project (the “Development”), to be recognized as a “Qualified Project” exempt from payment of *ad valorem* property taxes and subject to the requirement that a service charge be paid to the Charter Township of Garfield in lieu of *ad valorem* property taxes in accordance with MCL 125.1415 through the fifty (50) year term of the mortgage; and

WHEREAS, the Township Board determined that the Development is a “Qualified Project” (Resolution 2022-11-T), as defined by Charter Township of Garfield’s Amended and Restated Ordinance No. 18, and as such, the project is eligible for payment of a service charge in lieu of *ad valorem* property taxes in accordance with such Amended and Restated Ordinance No. 18, and as otherwise provided by MCL 125.1415 *et seq.*;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Development is determined to be a "Qualified Project" as defined by Charter Township of Garfield Amended and Restated Ordinance No. 18, and shall pay to the Charter Township of Garfield a service charge in lieu of *ad valorem* property taxes in an amount equal to four percent (4%) of Annual Shelter Rents, along with a Municipal Services Assessment (MSA) as provided in said Amended and Restated Ordinance No. 18 for the term of the agreement. Payment of both the service charge in lieu and MSA commence (ENTER YEAR), the calendar year in which the PILOT Agreement/Ordinance is effective, and continuing annually on or before April 1 of each year until the agreement expires.

BE IT FURTHER RESOLVED THAT:

By virtue of the adoption of this Resolution, subject to the conditions and limitations imposed under Amended and Restated Ordinance No. 18, an agreement is deemed to exist between the Charter Township of Garfield and the Developers, with the Authority as a third party beneficiary under such contract, for the Hammond Road Apartments, an 80-unit affordable housing project. It shall be deemed a default under Amended and Restated Ordinance 18, if the Development fails to meet the terms of a "Qualified Project" under said Amended and Restated Ordinance No. 18, because the Development was not completed according to the agreement, is no longer subject to the Authority Mortgage, fails to remain affordable with a recorded Regulatory Agreement, or fails to comply with Amended and Restated Ordinance 18, for any other reason prior to the expiration of the agreement.

Upon roll call vote, the following voted:

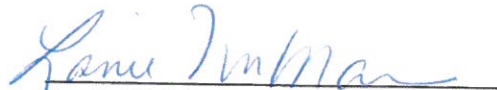
Yeas: Barsheff, Duell, Macomber, McManus, Agostinelli, Schmuckal and Korn

Nays: None

Abstain: None

Absent and Excused: None

The Chairman declared the motion carried, and Resolution 2023-10-T duly adopted.

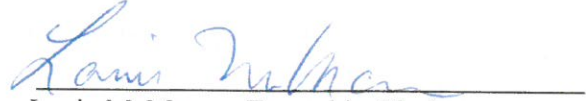

Lanie McManus, Township Clerk

CERTIFICATE

I, Lanie McManus, the duly appointed Township Clerk, hereby certify that the foregoing constitutes a true copy of a Resolution of the Township Board for the Charter Township of Garfield, adopted during a meeting of the Charter Township of Garfield Township Board, Grand Traverse County, Michigan, held on April 11, 2023, at which meeting (7) seven members were present as indicated in said Minutes and voted as therein set forth and that all signatures affixed

thereto are the genuine signatures of those so indicated, and that each signatory was duly authorized to affix his or her signature, that said meeting was held in accordance with the Open Meetings Act of the State of Michigan, and that due and proper notice of the meeting as required by law was given to the members of the Township Board, and that the Minutes of said Meeting were kept and will be and have been available as required by said Act.

Date: 4-12-2023



Lanie McManus, Township Clerk

Charter Township of Garfield
Traverse Transportation Coordinating Initiative
Resolution 2023-11-T
April 11, 2023

RESOLUTION TO ESTABLISH AN INTERMUNICIPALITY COMMITTEE UNDER MICHIGAN
PUBLIC ACT 200 OF 1957 FOR PURPOSES OF TRANSPORTATION PLANNING IN THE
TRAVERSE CITY STUDY AREA

WHEREAS, the urban transportation planning regulations implementing sections of the Federal-Aid Highway Act of 1962, and the Urban Mass Transportation Act of 1964, as amended, require that each urbanized area, as a condition of receipt of Federal transportation capital or operating assistance, having a continuing, cooperative and comprehensive (3-C) transportation planning process that results in plans and programs consistent with the comprehensively plan development of the urbanized area; and

WHEREAS, the Traverse Transportation Coordinating Initiative was initiated in 2023 to conduct a transportation planning process in response to the Federal-Aid Highway Act of 1962 and the Urban Mass Transportation Act of 1964, as amended; and

WHEREAS, urban transportation planning funds from the United States Department of Transportation are available, directly or indirectly, to the Traverse Transportation Coordinating Initiative to carry out the transportation planning process in the Traverse Study Area; and

WHEREAS, Charter Township of Garfield has previously participated and agrees to continue to participate with other local municipalities in the comprehensive, cooperative and continuing transportation planning process for that Traverse Study Area; and

WHEREAS, Michigan Public Act 200 of 1957 provides for the creation, by two or more municipalities, of an Intermunicipality Committee for the purpose of studying area problems; and

WHEREAS, the Intermunicipality Committee may accept gifts and grants from the Federal, State and Local Governments, also from private individuals, foundations or agencies, if such grants are made for furtherance of the objectives for which the Intermunicipality Committee is established; and

WHEREAS, resolution to join in creating an Intermunicipality Committee as provided by Michigan Public Act 200 of 1957, does not obligate the Charter Township of Garfield to any dues, fees or other financial commitments to the Intermunicipality Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Garfield, together with the City of Traverse City, the Charter Township of East Bay, the Charter Township of Elmwood, the Township of Acme, the Township of Long Lake, the Township of Peninsula, the Township of Green Lake, the Township of Bingham, the County of Grand Traverse, the Bay Area Transit Authority, the Grand Traverse County Road Commission and the Leelanau County Road Commission has duly considered the creation of such an Intermunicipality Committee and the Charter Township of Garfield does hereby agree to join with those municipalities similarly agreeing to jointly and mutually establish and organize an Intermunicipality Committee under Michigan Public Act 200 of 1957 for the purpose of studying the area transportation problems of mutual interest and concern, such Intermunicipality Committee hereinafter referred to as the Traverse Transportation Coordinating Initiative;

BE IT FURTHER RESOLVED THAT:

1. the Intermunicipality Committee created by this resolution shall be that organization previously established and presently operating as a voluntary association under the name Traverse Transportation Coordinating Initiative;
2. in addition to the municipalities herein named, and accordance with the Bylaws, the Traverse Transportation Coordinating Initiative as an Intermunicipality Committee shall include a duly appointed representative from the Grand Traverse County Road Commission, Leelanau County Road Commission, Federal Highway Administration, Michigan Department of Transportation, Bay Area Transportation Area, and Cherry Capital Airport Authority;
3. membership on the Committee may in the future include other such units of government, agencies, commissions or committees that would be eligible in accordance with the Bylaws;
4. the Bylaws, as approved by the Traverse Transportation Coordinating Initiative and attached hereto, shall be the Bylaws of the Intermunicipality Committee;
5. the Traverse Transportation Coordinating Initiative shall operate and act in compliance with and under the authority of Michigan Public Act 200 of 1957 and shall have the duties, privileges and rights prescribed in that Act;
6. the Traverse Transportation Coordinating Initiative shall develop transportation plans and programs for the Traverse Urbanized Area, integrally considering local, county, regional and state plans;
7. the Traverse Transportation Coordinating Initiative broad objectives encompass, but are not limited to the following:
 - a. to develop transportation plans and programs and establish processes for the continuing review of plans, recommendations, and programs to facilitate the movement of persons and goods in the Traverse Study Area;
 - b. to design and carry out the assembling and analysis of information pertaining to transportation within the area;
 - c. to coordinate transportation facility implementation and operation within the Traverse Study Area;
 - d. to review and evaluate the planning and programming of transportation related activities, projects and programs within the Traverse Study Area as they may impact the transportation system;
 - e. to assist in project implementation where such projects require organizational, functional and operational analysis and/or to undertake those implementation functions not reserved to other agencies or as may be appropriately delegated by such other agencies; and
 - f. to establish and implement a continuing program of public information regarding transportation planning, programs and projects.

Signatories to this resolution mutually agree to join in and ascribe to this comprehensive, continuing and cooperative transportation planning process for the Traverse Study Area, in fulfillment of the requirements of the Federal-Aid Highway Act of 1962, the Urban Mass Transportation Administration Act of 1964, as amended, and other relevant acts, regulations, or directives pertaining to Federal and State participation in the transportation planning program and projects in the TC/Garfield Urbanized Area.

On a motion made by Denise Schmuckal seconded by Chris Barsheff, to adopt the Resolution in support of the establishment of an intermunicipality committee, under Michigan Public Act 200 of 1957, for the purposes of transportation planning in the Traverse Study Area.

Roll call vote:

Ayes- Schmuckal, Barsheff, McManus, Macomber, Duell, Agostinelli and Korn

Nays- None

CERTIFICATE

I, Lanie McManus, do hereby certify that the foregoing is a true copy of a resolution adopted by the Charter Township of Garfield Board, at a regular board meeting, held at the Charter Township of Garfield Board Room on April 11, 2023.



Lanie McManus, Township Clerk
Charter Township of Garfield