

CHARTER TOWNSHIP OF GARFIELD
TOWN BOARD MEETING
February 11, 2020

Chuck Korn called the Town Board Meeting to order on February 11, 2020 at 6:00 p.m. at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, Michigan.

Pledge of Allegiance

Roll call of Board Members

Present: Jeane Blood Law, Lanie McManus, Denise Schmuckal, Steve Duell, Dan Walters, Molly Agostinelli, and Chuck Korn

Staff Present: Planning Director John Sych

1. Public Comment (6:01)

Valarie Handy wanted to speak regarding item 8b and said she is in support of the financial request that will be presented this evening.

Marsha Smith of Newport Street also supported the proposed trail and the financial request.

2. Review and Approval of the Agenda - Conflict of Interest (6:05)

Blood Law presented a conflict but board members waived the conflict.

Agostinelli moved and Walters seconded to approve the agenda as presented.

Yeas: Agostinelli, Walters, Duell, Schmuckal, Blood Law, McManus, Korn

Nays: None

3. Consent Calendar (6)

a. Minutes

January 14, 2020 Regular Meeting
(Recommend Approval)

b. Bills

General Fund \$443,085.09
(Recommend Approval)

c. Consideration of All Traffic Solutions Renewal invoice (Recommend Approval)

- d. **Consideration of Resolution 2020-02-T, a Resolution to Allow Local Residents to Protest in Writing to the Board of Review (Recommend Approval)**
- e. **PD 2020-13 Township Board Strategic Plan – 2019 – Year End Report (Receive and File)**
- f. **PD 2020-24 Planning Commission 2019 Annual Report (Receive and File)**
- g. **PD 2020-25 – Parks and Recreation Commission 2019 Annual Report (Receive and File)**
- h. **Consideration of PD 2020-26 – Park Reservation Application and Rental Policies (Recommend Approval)**
- i. **Consideration of PD 2020-27 Parks CIP 2020 Project (Recommend Approval)**
- j. **Consideration of PD 2020-28 BVNP Pickleball Court Agreement with TAPA, Donation of Picnic Benches and Revised Pickleball Court Policy (Recommend Approval)**
- k. **Consideration of a request from Tim Hinkley, President of Traverse City Boom Boom Club, for a contribution of \$3,500 for the 2020 July 4th Fireworks**

Board members asked to remove items 3.b. and 3.h. from the consent calendar.

Duell moved and Agostinelli seconded to adopt the consent calendar as amended.

*Yeas: Duell, Agostinelli, Schmuckal, McManus, Walters, Blood Law, Korn
Nays: None.*

4. Items Removed from the Consent Calendar

b. Bills

Questions were asked regarding a plowing bill and parks maintenance bills.

Duell moved and Schmuckal seconded to approve the bills in the amount of \$443,085.09.

*Yeas: Duell, Schmuckal, Walters, Blood Law, Agostinelli, McManus, Korn
Nays: None*

h. Consideration of PD 2020-26 – Park Reservation Application and Rental Policies

Board members expressed concerns with half day reservations since parking could become an issue. Changes discussed at the Parks Commission level did not seem to be on the form as presented to the board. The board decided not to postpone action until the form was changed.

Schmuckal moved and Blood Law seconded to postpone a decision on the Park Reservation Application and Rental Policies.

Yeas: Schmuckal, Blood Law, Walters, Agostinelli, Duell, McManus, Korn

Nays: None

5. Correspondence (6:17)

- a. Board Member Basics – Presented by Kit Tholen, GT County Deputy Civil Counsel
- b. Grand Traverse Conservation District – January 2020 Report

6. Reports

a. Sheriff's Report (6:17)

Lt. Chris Oosse reported that there were 109 traffic citations and 80 criminal arrests in the township last month. He commented on the recent lockdown misunderstanding at the Grand Traverse Mall. The Ironman race is coming again this summer but only a couple roads will be affected in the township.

b. County Commissioner's Report (6:20)

Commissioner Brad Jewett reported that commissioners are discussing the airport governance issue and there will be a joint meeting on March 17th. The Cass Road Drainage district is still on hold and being reviewed by the Drain Commissioner.

c. Planning Department Monthly Report PD-2020-29 (6:23)

John Sych reviewed the projects that are ongoing in the Planning Department. Board members asked questions and discussed the projects.

d. Treasurer's Report (6:28)

Blood Law mentioned that a new CD was purchased.

e. Clerk's Report (6:28)

McManus said her report was submitted in writing and her office is busy issuing absentee ballots.

f. Supervisor’s Report (6:30)

Korn said that at three new firefighters will begin their jobs three months early because of the need. The Metro Administration Building needed a new roof which was approved. A request from three new developments along the Long Lake Township side of Gray Road would like to hook into municipal water. A new school will be located on Franke Road and the streetlight maps will be updated again.

7. Unfinished Business

None

8. New Business

a. Public Hearing/Findings of Fact – PD 2020-21 – Chick-Fil-A C-G Rezoning

Korn opened the Public Hearing at 6:54pm and hearing no one wishing to speak, the Public Hearing was closed.

Schmuckal moved and Blood Law seconded that the Planning Commission’s recommended Findings of Fact for the application Z-2019-03 as provided in PD Report 2020-21 and forming part of this motion, BE APPROVED.

*Yeas: Schmuckal, Blood Law, Agostinelli, McManus, Walters, Duell, Korn
Nays: None*

Schmuckal moved and Blood Law seconded that application Z-2019-03, submitted by Jennifer Santelli, Chick-fil-A, Inc., to rezone the following parcels from the C-L Local Commercial zoning district to the C-G General Commercial zoning district:

**Parcel No. 05-106-002-10, located at 3980 N. US 31 South;*

**Parcel No. 05-016-007-10, located at 3980 N. US 31 South;*

**The portion of Parcel No. 05-016-007-00, located at 3755 Veterans Drive, that is within 366 feet of the right-of-way of US 31 and located between Parcel No. 05-016-002-10, No. 05-016-007-10, and No. 05-016-002-00, with any remaining portion of this parcel to be zoned as R-1 – One Family Residential;*

and constituting Amendment No. 22 to Garfield Township Ordinance No. 68, BE APPROVED based on the adopted Findings of Fact and for the reasons set forth in PD Report 2020-21.

*Yeas: Schmuckal, Blood Law, Walters, Agostinelli, Duell, McManus, Korn
Nays: None*

Schmuckal moved and Blood Law seconded that Resolution 2020-03-T for adopting Amendment No. 22 to Garfield Township Ordinance No. 68, rezoning the following parcels from the C-L Local Commercial zoning district to the C-G General Commercial zoning district BE ADOPTED.

**Parcel No. 05-106-002-10, located at 3980 N. US 31 South;*

**Parcel No. 05-016-007-10, located at 3980 N. US 31 South;*

**The portion of Parcel No. 05-016-007-00, located at 3755 Veterans Drive, that is within 366 feet of the right-of-way of US 31 and located between Parcel No. 05-016-002-10, No. 05-016-007-10, and No. 05-016-002-00, with any remaining portion of this parcel to be zoned as R-1 – One Family Residential.*

*Yeas: Schmuckal, Blood Law, Agostinelli, Duell, Walters, McManus, Korn
Nays: None*

b. Consideration of PD 2020-30 Boardman Lake Trail recommendation for Financial Contribution (6:56)

Martin Colburn, City Manager of Traverse City introduced Julie Clark Executive Director of TART who talked about the history of the funding and design of the project. She said that the trail has received two grants from the TAP people. Clark emphasized that it has been a community project for years and many entities have worked together to provide this trail. It provides transportation opportunities as well as wellness and health opportunities. The trail is close to completion but extra monetary support is needed to finish the trail. She asked for a \$200,000 donation from Garfield Township to complete the trail system. Chris Kushman spoke regarding the BVNP trail system budget. Trustees discussed the project and the financing.

Schmuckal moved and Blood Law seconded to postpone a decision on the Boardman Lake Trail contribution.

*Yeas: Schmuckal, Blood Law, Duell, Walters, McManus, Agostinelli, Korn
Nays: None*

Schmuckal left the meeting at 8:02pm.

c. Consideration of a payment in lieu of taxes agreement for a portion of The Village at LaFranier Woods (8:04)

Melissa Satterfield, representing Reenders, Inc., spoke about the Village at LaFranier Woods project and is requesting a 40-year PILOT. The Village will consist of a 115 unit senior congregate apartment building. Financing for the development has been awarded through MSHDA

pending a PILOT and a PUD from the township. They propose a gap financing program to reach all types of income levels.

Walters moved and Duell seconded to move forward with the PILOT pending an attorney review of the contract for the Village at LaFranier Woods.

*Yeas: Walters, Duell, Blood Law, McManus, Agostinelli, Korn
Nays: None*

9. **Public Comment:**
None

10. **Other Business (8:27)**
McManus was notified that there will not be a May election. The city has raised rates for election workers wages and so may propose a raise in wages for the Garfield Township elections workers.
Sych commented on the Parks CIP plan.

11. **Adjournment**
Korn adjourned at 8:30pm.



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 2020-02-T

ADOPTION OF AUTHORIZATION TO ALLOW LOCAL RESIDENTS TO PROTEST IN WRITING TO THE BOARD OF REVIEW

WHEREAS, the GENERAL PROPERTY TAX ACT 206 of 1983, MCL 211.30, as amended, provides the requirements for the conduct of the board of review. These requirements include how resident taxpayers may be authorized to file a protest before the board of review by letter; and

WHEREAS, the Township Board of the Charter Township of Garfield, Grand Traverse County, Michigan, desires to allow all taxpayers the opportunity to file a protest before the board of review by letter; and

WHEREAS, the Garfield Township Township Board is authorized by MCL 211.30(8), as amended, to adopt an ordinance or a resolution giving resident taxpayers authority to file his or her valuation protest before the board of review by letter without a personal appearance by the taxpayer or his or her agent.

NOW THEREFORE BE IT RESOLVED, pursuant to MCL 211.30(8), as amended, that the Township Board of the Charter Township of Garfield, authorizes all resident and non-resident taxpayers, or their agents, to protest or appeal to the board of review by letter. Said letters must be delivered to the physical or electronic address provided in the notice or publication. For valuation appeals to the March meeting of the board of review, letters must be received prior to the deadline on the publication. For Principal Residence appeals to the July and December meetings of the board of review, letters must be received by 5:00pm on the day prior to the meeting stated on the public notice.

BE IT ALSO RESOLVED, that the Charter Township of Garfield Assessor shall include a statement notifying taxpayers of this option in each assessment notice under MCL 211.24c and on each notice or publication of the meeting of the board of review.

The foregoing resolution offered by Board Member Steve Duell and supported by Board Member Molly Agostinelli.

Upon roll call vote, the following voted:

Yeas: Duell, Agostinelli, Walters, Blood Law, Schmuckal, McManus, Korn

Nays: None

Abstain: None

Absent and Excused: None

The Chairman declared the motion carried, and Resolution 2020-02-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 February 11, 2020, 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: 2-12-2020



Lanie McManus, Township Clerk

**CHARTER TOWNSHIP OF GARFIELD
GRAND TRAVERSE COUNTY, MICHIGAN**

ORDINANCE NO. 68 (Zoning Ordinance): AMENDMENT NO. 22

RESOLUTION #2020-03-T

A RESOLUTION TO AMEND GARFIELD TOWNSHIP ORDINANCE NO. 68 (Zoning Ordinance):

WHEREAS the Charter Township of Garfield regulates the use and development of land pursuant to the authority of the Michigan Zoning Enabling Act, Act 110 of 2006, as amended;

WHEREAS application Z-2019-03 has been received to rezone approximately two (2) acres of land (“subject property”) as described by the following:

- Parcel No. 05-016-002-10, from C-L Local Commercial to C-G General Commercial;
- Parcel No. 05-016-007-10, from C-L Local Commercial to C-G General Commercial;
- The portion of Parcel No. 05-016-007-00 that is within 366 feet of the right-of-way of US 31 and located between Parcel No. 05-016-002-10, No. 05-016-007-10, and No. 05-016-002-00, from C-L Local Commercial to C-G General Commercial, with any remaining portion of this parcel to be zoned as R-1 – One Family Residential

WHEREAS the subject property is identified by the Garfield Township Future Land Use Map as Commercial and Institutional; and

WHEREAS the request has been determined to be consistent with the Master Plan; and

WHEREAS the Garfield Township Planning Commission, after a November 13, 2019 public hearing, recommended approval of the application; and

WHEREAS the Township Board, following a public hearing on February 11, 2020, and having adopted Findings of Fact in support of approval of the application to rezone the subject property;

NOW, THEREFORE, THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:

AMENDMENT NO. 22 TO GARFIELD TOWNSHIP ORDINANCE NO. 68 (Zoning Ordinance):

At the request of the owners and their representatives and encompassing the following properties;

- Parcel No. 05-016-002-10;
- Parcel No. 05-016-007-10;
- The portion of Parcel No. 05-016-007-00 that is within 366 feet of the right-of-way of US 31 and located between Parcel No. 05-016-002-10, No. 05-016-007-10, and No. 05-016-002-00, with any remaining portion of Parcel No. 05-016-007-00 to be zoned as R-1 – One Family Residential.

situated in the Charter Township of Garfield, Grand Traverse County, Michigan have been rezoned by way of a map amendment from C-L Local Commercial to C-G General Commercial.

Moved: Denise Schmuckal

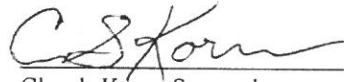
Supported: Jeane Blood Law

Ayes: Schmuckal, Blood Law, McManus, Walters, Duell, Agostinelli, Korn

Nays: None

Absent and Excused: None

By:



Chuck Korn, Supervisor
Charter Township of Garfield

CERTIFICATE

I, Lanie McManus, Clerk of the Charter Township of Garfield, do hereby certify that the above is a true and correct copy of Resolution 2020-03-T which was adopted by the Township Board of the Charter Township of Garfield on the 11th day of February 2020. Amendment No. 22 to Garfield Township Ordinance No. 68 (Zoning Ordinance) shall take effect upon the expiration of seven (7) days following publication.

Dated: 2-12-2020



Lanie McManus, Clerk
Charter Township of Garfield

Introduced: January 14, 2020
Adopted: February 11, 2020
Published: February 16, 2020
Effective: February 23, 2020