

**CHARTER TOWNSHIP OF GARFIELD**  
**TOWN BOARD MEETING**  
**July 11, 2017**

Supervisor Chuck Korn called the Town Board Meeting to order on July 11, 2017 at 6:02 p.m. at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, Michigan.

**Pledge of Allegiance**

**Roll call of Board Members**

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

Staff Present: Rob Larrea

**1. Public Comment (6:02)**  
None

**2. Review and Approval of the Agenda - Conflict of Interest (6:03)**  
*Schmuckal asked to add Personnel Committee Report under Reports item f. Korn asked to add the Miller Creek Fishing Platform to Unfinished Business Item c. and AE Com 24 Hour Work Permit to New Business Item a.*

*Schmuckal moved and Duell seconded to approve the agenda as amended.*

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

**3. Consent Calendar (6:04)**

**a. Minutes**

June 27, 2017 Regular Meeting Minutes (Recommend Approval)

June 8, 2017 Joint Meeting with Planning Commission (Recommend Approval)

**b. Bills**

General Fund	\$341,740.51
(Recommend Approval)	

Gourdie-Fraser

Developer's Escrow Fund	\$ 4,191.30
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Utility Receiving Fund	<u>2,560.00</u>
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Total	\$ 6,751.30
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(Recommend Approval)

- c. MTT Update (Receive and File)
- d. Construction Pay Application No. 2 for Oak Terrace Drive – D.J. McQuestion and Sons, Inc. in the amount of \$230,736.68 (Recommend Approval)

*Blood Law asked to remove Consent Calendar item c. to agenda item 4.a.*

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

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

*Nays: None*

#### **4. Items Removed from the Consent Calendar (6:06)**

##### **a. MTT Report**

Blood Law asked about the Grand Traverse Mall appeal. Korn replied that it was a new appeal separate from one filed two years ago. The attorney general rejected the offer to settle and negotiations will continue with treasury department financing and legal assistance. He added that a new appraisal is needed for 2017 values. Blood Law warned that a negative outcome in the matter could affect the township and other taxing entities.

*Duell moved and Schmuckal seconded to receive and file the MTT report.*

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

*Nays: None.*

#### **5. Correspondence (6:10)**

##### **a. Grand Traverse Conservation District – June Report**

#### **6. Reports**

##### **a. Construction Report (6:11)**

Jennifer Hodges with Gourdie Fraser updated board members on the new tank and the tank project manager is looking forward to working with the Township. Contracts have been signed and a preliminary construction meeting will be scheduled soon. Flow monitoring near Meijer has been completed and an evaluation will be forthcoming. Oak Terrace utilities have been completed and Hodges indicated she was busy with several new development plan reviews.

##### **b. Sheriff's Department Report (6:17)**

No report

##### **c. County Commissioner's Report (6:17)**

Commissioner Gore Follett said that commissioners received the 2016 audit which was an unqualified audit. The 2016 budget came back with a \$2.6 million surplus. Commissioners will interview 3 candidates for the County Administrator

position and they are still reviewing pension debt options. An ad hoc committee has been formed to study the animal control issue and they are meeting with a citizens group. The county continues its search for a new Commission on Aging Director.

**d. Clerk's Report (6:25)**

Clerk McManus said her report was submitted in the packets. In August, she will be meeting with a representative from the company providing new election equipment.

**e. Supervisor's Report (6:26)**

Korn reported that he met with the group on the Boardman Lake Loop trail and they are trying to locate a portion on the far side of the railroad if possible. The Safe Routes to School application has been submitted which may result in sidewalks on one side of Barlow Street. He has spoken with contractors regarding the Audio/Visual system in the meeting room and will bring three proposals back soon. The brick work on the Town Hall building was delayed and will occur in a couple weeks.

**f. Personnel Committee (6:33)**

*Schmuckal moved and Blood Law seconded to hire Keegan Bengal for the position of Appraiser.*

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

*Nays: None*

**7. Unfinished Business**

**a. Public Hearing PD-2017-47 – rezoning of 3525 West Front Street from R-3 Multi-Family Residential to C-O Office Commercial District (6:35)**

Larrea updated board members on the proposed rezoning and said it was appropriate. The parcel is located in the medical district and the request appears to be supported by the Master Plan and has been recommended for approval by the Planning Commission. Korn opened the Public Hearing at 6:36 p.m. and seeing no one wishing to comment, closed the Public Hearing.

*Schmuckal moved and McManus seconded THAT the Planning Commission's adopted Findings of fact for Application Z-2017-01, attached to PD Report 2017-47 and forming part of this motion, BE APPROVED.*

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

*Nays: None*

*Schmuckal moved and Duell seconded THAT application Z-2017-01, submitted by Stone Real Estate Holdings LLC to rezone lands along West Front Street to the C-O Commercial Office Zoning District, and constituting amendment No. 7 to the Garfield Township Zoning Ordinance, BE APPROVED.*

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

**b. Consideration of Resolution 2017-16-T, a resolution to adopt Zoning Ordinance Amendment No. 7 to Ordinance 68 (Zoning Ordinance) rezoning 1.75 acres of land located at 3525 West Front Street from R-3 Multi Family residential to C-O Office Commercial, without restriction**

Larrea said that this resolution solidifies the amendment approved in the previous item of business and changes the Zoning Ordinance to reflect the rezoning.

*Schmuckal moved and Walters supported to adopt Resolution 2017-16-T, a resolution to adopt Zoning Ordinance Amendment No. 7 to Ordinance 68 (Zoning Ordinance) rezoning 1.75 acres of land located at 3525 West Front Street from R-3 Multi Family residential to C-O Office Commercial, without restriction.*

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

**c. Miller Creek Fishing Platform (6:41)**

Larrea stated that the fishing platform was originally proposed as a removable dock, but maintenance concerns with installing and removal of the docks yearly were considered. Quotes were collected on a permanent dock and the Parks and Recreation Commission recommends that the Township board accept the bid from SEEDS in the amount up to \$15,650 for a 15 x 20 permanent fishing platform to be made out of black locust with two benches. The project will be funded by the Parks and Recreation Commission budget.

*Schmuckal moved and Blood Law supported that the bid from SEEDS in an amount not to exceed \$15,650 be approved for the construction and installation of a 15 x20 fishing platform.*

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

Board members asked that a discussion of a No Wake Zone and a boat wash station in the Miller Creek Fishing area be discussed that the next meeting of the Parks and Recreation Commission.

**8. New Business**

**a. AECOM 24 Hour Work Permit (6:49)**

Jason, the Project Engineer from AECOM said that the Boardman Dam will be removed and once the breaching operation is begun it needs to be worked on until completion. He anticipates that the dam removal may take up to ten days and they will begin work on July 17<sup>th</sup>. AE Com is asking permission to be

allowed to work in the area 24 hours per day for up to ten days. Larrea added that all residents within 300 feet of the site would receive notice of the work being performed.

*Schmuckal moved and Walters seconded THAT the Garfield Township Board finds that the request for a Special Permit may be granted due to the following reasons:*

- a. *The Garfield Township Board acts upon the request as a precaution to limit concerns regarding the public health, safety and welfare of residents during the described dam removal process.*
- b. *Section 4 (F) of adopted Noise Ordinance NO. 47, recognizes the need for exceptions based on the public health, safety and welfare of Garfield Township residents.*
- c. *The applicant meets the requirement of Section 6 (A) 2 and Section 6 (A) 3.*

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

*Schmuckal moved and Walters seconded THAT the request made by AECOM for the purpose stated in the attached letter dated July 6, 2017 and being made a part of this motion be granted with the following conditions:*

- a. *The permit is valid for a period of 10 consecutive days upon its commencement OR until the concern for the public's health, safety and welfare is no longer a threat, but not to exceed 10 days.*
- b. *Should at any time 24-hour operation is no longer required, all operations shall be limited to the hours between 10:00 am and 6:00 pm.*
- c. *Operations do not commence prior to notification of all residents and property owners within 300 feet of the structure in question.*

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

**9. Public Comment: (7:02)**

None

**10. Other Business (7:02)**

Duell pointed out that Ridgeview Road is in terrible condition and asked what could be done to get it repaved. The Board would need to get an estimate from the County Road Commission, then move on to establish a possible SAD. Board members agreed that the Township should reach out to residents on that road. Korn added that only sewer was in that area and it may be possible to install water there along with the road repave.

*Walters moved to inquire about Ridgeview Road improvements, obtain an estimate from the Road Commission and notify residents. Duell seconded the motion.*

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

*Nays: None*

*Abstentions: Schmuckal*

Walters inquired about the bill from CJLP for the disc golf in Silver Lake Recreation Area. A subcommittee has been formed to carefully review the bill.

Schmuckal reported that the Parks & Recreation Commission will meet monthly.

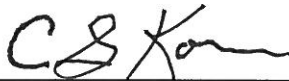
Walters asked about public recommendations on the parks and was told to bring them to a Parks and Recreation Commission work session.

Trees may need to be removed in one small piece of parkland to make room for the airport runway extension.

A Parks and Recreation survey will appear on the Township website for the public to comment on.

**11. Adjournment**

Korn adjourned the meeting at 7:15 p.m.



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



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