

CHARTER TOWNSHIP OF GARFIELD
TOWN BOARD MEETING
August 8, 2023

Supervisor Chuck Korn called the Town Board Meeting to order at the Garfield Township Hall on August 8, 2023 at 6:00p.m.

Pledge of Allegiance

Roll Call of Board Members

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

Absent and Excused: Lanie McManus

Staff Present: John Sych, Planning Director

1. Public Comment (6:01)

Kevin Query of Traverse City commented on behalf of the Curling Club and stated that they want to apply for a Class C liquor license soon.

2. Review and Approval of the Agenda - Conflict of Interest (6:04)

Duell moved and Schmuckal seconded to approve the agenda as presented.

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

Nays: None

3. Consent Calendar (6:04)

a. Minutes

July 11, 2023 Regular Meeting
(Recommend Approval)

b. Bills,

(i) General Fund \$88,624.15
(Recommend Approval)

(ii) Gourdie-Fraser
Developer's Escrow Fund – Storm Water
Reviews, Utility Plan Review, Oversight
& Closeout \$ 30,479.25
General Utilities 56,180.00
Park Funds/DNR Trust Fund 18,350.00

Total \$105,009.25
(Recommend Approval)

c. MTT Update (Receive and File)

- d. **STC Assessment Audit for 2023 (Receive and File)**
- e. **Schedule a Public Hearing for September 12, 2023 to establish the property tax millage rate to be levied to support the Township's 2024 General and Fire Fund accounts (Recommend Approval)**
- f. **Consideration of Resolution 2023-19-T, a resolution recommending approval of an On-Premises Tasting Room Permit for Nocturnal Bloom brewing, LLC (Recommend Approval)**
- g. **Consideration of Contractor's Application for Payment No. 3 – Final to Walton Contracting, Inc. for River East Recreation Area Improvements Phase II (Recommend Approval)**
- h. **Consideration of River East Recreation Area Improvements Phase II – Dog Park, Close-out and Turnover Documents (Recommend Approval)**
- i. **Consideration of Village at LaFranier Woods – Water Main and Sanitary Sewer Extension Close-out and Turnover Documents (Recommend Approval)**
- j. **Resolution to approve Grand Traverse Metro Emergency Services Authority Budget Proposal (Recommend Approval)**

Board members removed the General Fund Bills from the Consent Calendar.

Agostinelli moved and Barsheff seconded to adopt the Consent Calendar as amended.

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

4. Items Removed from the Consent Calendar (6:08)

a. Bills – General Fund

Board members asked questions regarding the General Fund Bills.

Schmuckal moved and Duell seconded to approve the General Fund bills in the amount of \$88,624.15.

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

5. Correspondence (6:10)

- a. Traverse Connect Q2 Growth Barometer Results and Quarterly Accomplishments

6. Reports**a. County Commissioner's Report (6:11)**

County Commissioners Brad Jewett and Lauren Flynn reported that the board approved a \$13 million bond to build a new facility in Kingsley and added that a new phone service for jail inmates was approved. Leelanau and Grand Traverse counties have approved the BATA agreement and the Sheriff is retiring on September 3rd. Flynn stated that they traveled to Austin, Texas to a County Commissioner conference and a community needs assessment for Grand Traverse County parks will be going out soon.

b. Construction Report (6:28)

Township Engineer Jennifer Graham included her report in writing and added that due to high demands, booster station 5 will be bid next year. River East has been closed out for Phase 2 and Phase 3 is moving forward and the bathroom project will be bid out this fall. Construction reviews are keeping her busy.

c. Sheriff's Report (6:35)

Acting Lieutenant Roy Raska gave the statistics for July 2023 and added that fraud awareness presentations were given last month.

d. GT Metro Fire Report (6:38)

Metro Fire Chief Pat Parker shared statistics for July 2023. He added that Metro hired an investigator for the department who will be moving here soon. Excess equipment will be going up for bids and training is ongoing. Metro is once again doing the Safe Neighborhood program and testing smoke alarms in homes.

e. Traverse Connect Presentation (6:45)

Warren Call with Traverse Connect presented the Market Feasibility Study to board members. He talked about the availability and demand for light industrial uses in the township. He reviewed main corridors in the township and their capacity for industrial uses and expansion and noted that water and sewer could be expanded for any diversified needs. Flex space is also in demand. Call also touched on housing and development in the township.

f. Planning Department Report for August 2023 (7:09)

Planner John Sych submitted his report in writing and added that there were several items to be heard at the next meeting and he mentioned that the Master Plan project is on track to wrap up at the end of the year.

g. Parks and Rec Report (6:15)

Parks Steward Derek Morton stated that a full report was included in writing. He added that the pavilion at Silver Lake Recreation area was hit by a car and is being repaired. Staff is bidding out work to be done to the pavement on the walking loop and working on a trail head for the Commons Area.

Schmuckal reported on the flagpole placement at Silver Lake Park and stated that the Parks Commission approved the donation of electrical work at the Silver Lake Pavilion pending board approval. The donor wants to do the electric first and then will erect the flagpole. Board members agreed to the donation of electricity at the Silver Lake Park pavilion. The Parks Commission also looked at priority projects for 2024. Staff will prepare a budget and bring it back to the Parks Commission on October.

h. Treasurer's Report (7:15)

Macomber submitted her report in writing and added that the state budget was approved and 1% would be added to ARPA funds if it could be used in 2024. Board members gave feedback for project lists.

Schmuckal moved and Agostinelli seconded to move forward with the proposed ARPA spending plan.

Macomber stated that the allocated percentages are flexible and board members will be able to discuss the specific projects that department heads come up with before any money is spent.

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

i. Clerk's Report in Writing (7:31)

McManus submitted her report in writing.

j. Supervisor's Report (7:31)

Supervisor Korn stated that he was invited to a meeting to discuss the homeless problem in the area. Petitions have been put together for the Jefferson Street project.

7. Unfinished Business (7:36)

None

8. New Business

a. Public Hearing – Consideration of Amendment to Ordinance 15 – Operation and Maintenance of the Grand Traverse County Water Supply System No. 1, Resolution 2023-21-T (7:36)

This Amendment would allow for modifications to the water and sewer to be made by resolution instead of by ordinance. Korn opened the public

hearing at 7:38pm, and seeing no one wishing to comment, closed the public hearing.

Schmuckal moved and Duell seconded to adopt Amendment to Ordinance 15 – Operation and Maintenance of the Grand Traverse County Water Supply System No. 1, Resolution 2023-21-T.

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

Nays: None

**b. Consideration of Birmley Meadows Site Condominium application
SPR 2023-04 (7:39)**

Birmley Meadows is a proposed 26-lot residential site condominium development immediately adjacent to the north of the existing Birmley Hills Estates subdivision. The site is directly accessed from Birmley Estates Drive and Farmington Drive, which both provide access from Birmley Road. The site is about 16 acres and zoned R-1 One-Family Residential. This application is for a site condominium development of 26 single-family residential lots. According to the application, the lots will be between 15,000 and 40,000 square feet, the development will be served by municipal water and sewer, and all utilities will be underground. Sych stated that all criteria has been met

Schmuckal moved and Barsheff seconded THAT Findings of Fact for Application SPR-2023-04, submitted by T&R Investments, for a site condominium at Parcel #05-026-020-33, as presented in Planning Department Report 2023-93 and as recommended for adoption by the Planning Commission, BE ADOPTED.

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

Nays: None

Schmuckal moved and Barsheff seconded MOTION THAT application SPR-2023-04, submitted by T&R Investments, for a site condominium at Parcel #05-026-020-33, BE APPROVED subject to the following conditions:

- 1. Final engineering review and approval by the Township Engineer is required including all infrastructure and stormwater.*
- 2. All final reviews from agencies with jurisdiction shall be provided prior to any Land Use Permits being issued.*
- 3. The applicant shall record promptly the Report and Decision Order (RDO) and any amendment to such order with the Grand Traverse County Register of Deeds in the chain of title for each parcel or portion thereof to which the RDO pertains. A copy of each recorded document shall be filed with the Township prior to any Land Use Permits being issued.*
- 4. After recording the condominium plan, master deed, bylaws and deed*

restrictions, the developer shall file two (2) copies of each document, including all pertinent attachments, with the Township.

5. Condominium Protective Covenants and Deed Restrictions which hold harmless the Township for improvements within the site condominium subdivision and which require conformance with all conditions and requirements of condominium plan approval and this ordinance shall be required.

6. The Condominium Master Deed and Bylaws shall include the following statement: "Condominium Amendments which are recorded prior to the receipt of written Garfield Township Planning Department approval shall be considered null and void."

7. After the construction of all improvements, the developer shall file with the Township two (2) copies of the as-built condominium plan and a certification from the developer's engineer that the improvements have been installed in conformance with the approved construction drawings

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

c. Consideration of recommending a Class C Liquor License for High Tops, Resolution 2023-18-T (7:42)

Philip Beehler of Traverse City spoke about the Class C license and proposed his idea for a restaurant in the Grand Traverse Mall. His daughter also spoke and said that they were trying to open a restaurant to help revitalize the mall. Board members discussed the proposed project and asked questions. The applicants will return on August 22nd to give a presentation with further information pertaining to their project and the liquor license.

d. Consideration of ordering two streetlights for Kensington West Condominiums (7:55)

Board members agreed to move ahead with two new streetlights for the Kensington West Condominiums Association. The township will front the cost and the association will pay the township back.

Schmuckal moved and Duell seconded to order two streetlights for Kensington West Condominiums.

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

9. Public Comment: (7:58)

10. Other Business (7:58)

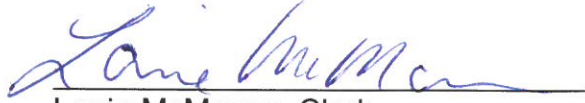
None

11. **Adjournment**

Korn adjourned the meeting at 7:59pm.



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



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