

**STATE BAR OF MICHIGAN
GOVERNMENT LAW SECTION**

**Minutes of November 20, 2017, Meeting
(via electronic vote)**

From the Chair-Karrie Zeits:

Tom Schultz from Johnson Rosati volunteered to write a motion/letter opposing the publication of the recent case involving Traverse City affirming the circuit court's reversal of the City Commission's grant of a special use permit based on a determination that the findings were not adequate. The GLS is being asked if they would like to participate in the motion/letter to the extent that it can under the Court Rules. Per Mr. Schultz, publication is opposed because the findings rejected by the courts as not being enough to support the determination are more than the vast majority of findings a PC or Council/Board normally makes and the court's opinion implies that relying upon the findings of staff/administration is not enough.

Mr. Shultz has indicated that he would prepare the motion/letter at no cost. The MTA has already agreed to be involved and the LDF has also approved.

Electronically pursuant to Bylaws §§ 6.2.3 and 6.2.5.

MOTION BY WATZA, SECOND BY STREMERs to authorize GLS's participation in the motion/letter to the Court of Appeals opposing publication in the matter of NMEAC v City of Traverse City, COA 332590.

THE MOTION PASSED 18 YES NAYS-0 ABSTAIN -2. See attached attendance sheet.

Approved by vote of the Council.

Ayes: Michael Watza, Lori Bluhm, Greg Stremers, Christopher Forsyth, Gerald A. Fisher, Anita Hitchcock, Debra A. Walling, Eric D. Williams, Michael P. McGee, Ex Officio-Mark E. Nettleton, Sonal Hope Mithani, Audrey J. Forbush, Jeffrey V. H. Sluggett, Catherine A. Mullhaupt, Kester So, Mary J. Fales, Helen Lizzie Mills, James E. Tamm

Nays: None

Votes Not Cast: Karrie A. Zeits

Abstain: Carol Rosati and Steve Joppich