

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF FEBRUARY 21, 2000**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Supervisor Gabrielson called the meeting to order at 7:30 p.m.

Present: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, Mathis, McKenna
Office Manager Broecker and Attorney Cooley.

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 2/21/00 Fenton Township Board Meeting agenda as presented.

Motion by: Ketchmark

Seconded: McKenna

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

Trustee McKenna noted that the board's approval to allow Trustee Lambert to abstain from voting on the question of his re-appointment to the ZBA was omitted from the 2/7/00 meeting minutes. The minutes will be corrected accordingly. The minutes of the 2/7/00 regular meeting stand approved as amended. The minutes of the 2/12/00 workshop meeting and the 1/26/00 area-wide meeting on planning and growth stand approved as presented.

EXPENDITURES:

Motion to approve invoices for payment as presented.

Motion by: Ketchmark

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Tri-County Recreation Program

Trustee Mathis reported that, due to the elimination of several ball fields at Fenton High School, the Tri-County Recreation baseball/softball program will be smaller this year.

Area-Wide Meeting on Planning & Growth

Supervisor Gabrielson reported that a follow-up meeting on planning and growth issues was held. The communities agreed to form committees to study specific priorities.

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COMMUNICATIONS:

None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Rezoning #332, James Moran, part of parcel 06-04-300-013; AG to R-1E/1st Reading

Supervisor Gabrielson reviewed the proposed rezoning. Mr. Moran explained that he wants to rezone the property to allow it to be split and another house built. It was noted that the rezoning request is consistent with the township's land use plan. There was no public comment. The second reading of the proposed rezoning ordinance will be conducted at the 3/6/00 meeting.

Rezoning #333, Gregory Hoover, parcel 06-03-200-029; AG to C-3/1st Reading

Supervisor Gabrielson reviewed the proposed rezoning. Joe Wizynajtys, representing the applicant, explained that the subject parcel is approximately 6 acres in size and that C-3 zoning would be appropriate due to the proximity to the US-23 expressway and the surrounding uses. Trustee McKenna reported that the Planning Commission has recommended approval of the rezoning. It is consistent with surrounding zoning and complies with the land use plan. There was no public comment. The second reading of the proposed rezoning ordinance will be conducted at the 3/6/00 meeting.

UNFINISHED BUSINESS-OTHER:

Workshop Meeting – 3/4/00

Supervisor Gabrielson announced that the March workshop meeting has been rescheduled to Saturday March 4, 2000, beginning at 9:00 a.m.

NEW BUSINESS:

Lot Split #68, Transfiguration Lutheran Church, 06-24-501-022

Supervisor Gabrielson reported that the requested lot split is for a sale that actually occurred several years ago. The parties failed to obtain the appropriate approvals from the township at that time. It was also noted that the proposed split does not result in any non-conforming lots.

Motion to approve the division of parcel 06-24-501-022 as requested.

Motion by: Mueller

Seconded: Ketchmark

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Motion carried.

Resolution No. 2000-04, Request for Tavern License – Head 2 Head, LLC

Supervisor Gabrielson reviewed a letter from Head 2 Head, LLC requesting a tavern license. Applicant Robert McColgan explained that their proposed business is a league-based video game establishment. The focus of their business would be league play in various video sports games, comparing it to a "bowling alley for video games". The board discussed the issue, voicing the strongest concern regarding what controls would

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be in place to ensure that minors in the establishment would not have access to alcoholic beverages. Mr. McColgan responded that the later hours of operation would be adult only, with no minor permitted on premise. Alcohol would be available during the earlier hours but would be limited to the food service area. Trustee Lambert and Trustee McKenna stated opposition to approval of the tavern license. The presence of minors and the relatively small size of the establishment were their primary concerns. Clerk Mueller disagreed, stating that the small size of the business would actually make it easier to control the sale and consumption of alcohol. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-04

*WHEREAS, **Head 2 Head, LLC** has requested that the Charter Township of Fenton Board of Trustees recommend the issuance of a Tavern License for a business to be located at 3235 Thompson Road;*

*THEREFORE BE IT RESOLVED, that the request from **Head 2 Head, LLC** for a Tavern License for a business located at 3235 Thompson Road be recommended for issuance.*

Motion to adopt Resolution No. 2000-04 as presented.

Motion by: Ketchmark

Seconded: Mueller

Ayes: Gabrielson, Mueller, Ketchmark, Mathis

Nays: Garfield, Lambert, McKenna

Motion carried. Resolution declared adopted.

Resolution No. 2000-05, Consent to Research the Concept of an Area-Wide Website

Office Manager Broecker asked the board to consider a resolution to continue the investigation of a possible shared website with the City of Fenton, Tyrone Township and the Fenton Area Chamber of Commerce. There is not commitment to any funding at this time. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-05

WHEREAS, the internet is used extensively by people and organizations for the purposes of education, reference, information, leisure, commerce, etc., and

WHEREAS, websites are considered essential for an organization to meet the needs of its customers, clients or constituents due to the ever-expanding use of technology, and

WHEREAS, municipalities have an obligation to provide necessary information to its citizens and to provide that information in the best way possible and in the most cost effective and professional manner possible, and

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WHEREAS, the creation of an area-wide website will help sustain the flow of information to citizens as well as improve access and promote the many positive aspects of not just one community, but an entire region including the City of Fenton, Fenton Township, Tyrone Township and the Fenton Area Chamber of Commerce;

THEREFORE BE IT RESOLVED, that the Charter Township of Fenton Board of Trustees does hereby provide its consent to allow the administration of the Charter Township of Fenton to pursue the possibility of creating an area-wide community website and authorize said administration to draft proposals for potential bidders, and

BE IT FURTHER RESOLVED, that said proposals shall be reviewed by the Charter Township of Fenton Board of Trustees prior to the sending of the proposals to potential bidders, and

BE IT FINALLY RESOLVED, that this consent shall not bind the Charter Township of Fenton to the acceptance of the administration's findings without further authorization and that no costs shall be borne by the Charter Township of Fenton until its approval of any successful bidder.

Motion to adopt Resolution No. 2000-05 as presented.

Motion by: Mueller

Seconded: Ketchmark

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Motion carried. Resolution declared adopted.

Resolution No. 2000-06, Request to Take Over Water System-Pheasant Run Apartments

Supervisor Gabrielson reviewed a request from Gaines Development Corporation for the township to take over the water system for the Pheasant Run Apartment development. The developer is required by state law to make this request. The township is not in a position to take over water systems at this time and we have declined all such requests in the past. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-06

WHEREAS, the Pheasant Run Manor Apartments development includes a central well and water distribution system to supply potable water to the entire development, and

WHEREAS, the developer of Pheasant Run Manor Apartments, as required by Michigan law, has offered ownership of said water supply system to the Charter Township of Fenton, and

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WHEREAS, the Charter Township of Fenton does not currently own, control or maintain any such water supply systems, nor does it have the resources necessary to assume ownership of any such water supply system;

THEREFORE BE IT RESOLVED, that the Charter Township of Fenton hereby declines the offer of ownership of the water supply system to be installed in the Pheasant Run Manor Apartments development.

Motion to adopt Resolution No. 2000-06 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Motion carried. Resolution declared adopted.

Blighted Conditions – 14455 North Road

Supervisor Gabrielson reviewed a memo from Ordinance Enforcement Officer Waldron requesting legal action against the owner of property located at 14455 North Road for blight. Previous warnings to the property owner have not resulted in any action. Photos of the subject property were circulated amongst the board members.

Motion to authorize circuit court action against the owner of property located at 14455 North Road for blight violations.

Motion by: Lambert

Seconded: Ketchmark

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Motion carried.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

RECESS:

Motion to recess the regular meeting to convene an executive session for the purpose of discussing pending litigation issues:

Motion by: Mueller

Seconded: Gabrielson

Ayes: All

Nays: None

Motion carried. The meeting was recessed at 8:20 p.m.

RECONVENE:

The meeting was reconvened at 9:09 p.m.

ADJOURN: Meeting adjourned at 9:50 p.m.

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Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 2/22/00