

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF APRIL 3, 2000**

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

Clerk Mueller called the meeting to order at 7:30 p.m.

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

Absent: Gabrielson, Garfield

PLEDGE OF ALLEGIANCE:

Clerk Mueller led the pledge of allegiance to the flag.

CHAIRMAN PRO-TEM:

Motion to appoint Clerk Mueller as Chairman Pro-Tem.

Motion by: Lambert

Seconded: McKenna

Ayes: All Present

Nays: None

Absent: Gabrielson, Garfield

Motion carried.

APPROVAL OF AGENDA:

Trustee Ketchmark requested that the following item be placed under **New Business** on the Agenda:

Lease of Additional Patrol Car – Genesee County Sheriff Department

Motion to approve the 4/3/00 Fenton Township Board Meeting agenda as amended.

Motion by: McKenna

Seconded: Ketchmark

Ayes: All Present

Nays: None

Absent: Gabrielson, Garfield

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 3/20/00 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices for payment as presented.

Motion by: McKenna

Seconded: Ketchmark

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried.

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PUBLIC HEARINGS:

Golfview Pointe Phase II Street Lighting Special Assessment District/2nd Hearing

Chairman Mueller reviewed the proposed street lighting special assessment for the second phase of the Golfview Pointe development. There was no public comment. The following resolution was presented:

RESOLUTION NO. 2000-13

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the improvement project proposed to be initiated within the Golfview Pointe Phase II Street Lighting Special Assessment District as shown on the plans and specification for such project;

AND WHEREAS, such public hearing was preceded by proper notice in a newspaper of general circulation in the Township, and by First Class Mail notice to each property owner of record within said district and upon said assessment roll;

AND WHEREAS, all present at said public hearing were given the opportunity to be heard in the matter;

AND WHEREAS, no written objections were received to said roll and levy;

AND WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as submitted, to be correct, just and reasonable;

THEREFORE BE IT RESOLVED, that the assessment roll submitted by the supervisor and assessing officer of the Township shall hereafter be designated as the Fenton Township Special Assessment Roll No. 2000-3 and shall hereby be confirmed as the assessment roll for the Golfview Pointe Phase II Street Lighting Special Assessment District.

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2000-3 shall be paid in annual installments with the first installment to be due and payable on December 1, 2000 and the following installments to be due and payable on the first day of December of each year thereafter. The amount of each payment may be adjusted on an annual basis, relative to changes in the actual cost of street light operation and maintenance.

BE IT FURTHER RESOLVED, if any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before

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being reported to the Township Board for reassessment upon the Township tax roll, in accordance with Michigan Public Act 188 of 1954, as amended.

BE IT FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and said P.A. 188 of 1954.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion to adopt Resolution No. 2000-13 as presented.

Motion by: Mueller

Seconded: Ketchmark

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried. Resolution declared adopted.

REPORTS:

Law Enforcement Update

Trustee Ketchmark reported that the Police Committee met on 3/22/00. The following issues were discussed:

Patrol Cars – Trustees Ketchmark and Mathis have been looking into the possibility of adding an additional patrol car and utilizing the oldest car as a backup vehicle. Their investigation of purchasing vs. leasing has led to a recommendation to lease an additional patrol car from Genesee County.

Marine Patrol – A meeting regarding the 2000 Marine Patrol will be scheduled soon. Any questions, issues or concerns should be forwarded to Trustee Ketchmark and/or Trustee Mathis.

Traffic Bureau – For the past several months, Trustees Ketchmark and Mathis have been researching the possibility of creating a Traffic Bureau. This would involve the adoption, by ordinance, of the Uniform Traffic Code and would result in the retention of more fees when tickets are issued. Legal expense would also increase, since the township would be responsible for prosecuting all tickets issued under the ordinance. More information will be gathered and presented at a future workshop meeting.

COMMUNICATIONS:

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None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Amendment to Zoning Ordinance Schedule of Regulations/2nd Reading

Chairman Mueller reviewed the proposed amendment to the Zoning Ordinance schedule of regulations. The amendment would change the required road frontage in the R-1E zoning district from 200 to 150 feet, and establish a required road frontage of 66 feet for the C-1, C-2, C-3, M-1, M-2 and OS zoning districts. There was no further discussion.

Motion to adopt Ordinance No. 560, an amendment to Article XVII of the Zoning Ordinance as presented.

Motion by: McKenna

Seconded: Ketchmark

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS-OTHER:

Workshop Meeting

Since the April workshop meeting was rescheduled to 4/1/00, the meeting scheduled for 4/8/00 has been canceled.

NEW BUSINESS:

Resolution No. 2000-14, Honoring Fenton Township Firefighter Ross Argue

Chairman Mueller reported that Firefighter Ross Argue will be retiring from the Fenton Township Fire Department after 25 years of service. Office Manager Broecker presented the following resolution:

RESOLUTION NO. 2000-14

WHEREAS, Ross M. Argue is retiring from the Fenton Township Fire Department, and

WHEREAS, Mr. Argue has been a valuable member of the Fenton Township Fire Department since 1975 and, at various times during his career, has held the officer positions of Lieutenant, Captain and Fire Prevention Captain, and

WHEREAS, Mr. Argue has been the recipient of several significant honors and awards, including:

Fenton Township Fireman of the Year – 1977

Genesee County Firefighters Association Fireman of the year – 1981

Fenton Township Community Service Award – 1987

Fenton Township Service Club Certificate of Appreciation – 1995

and

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WHEREAS, in addition to his dedicated service to the Fenton Township Fire Department, Mr. Argue is also a member of Genesee County Firefighters Association Fire Prevention Committee and a member of Genesee County Firefighters Association Honor Guard and Color Guard, and

WHEREAS, during the past 25 years Mr. Argue has been greatly involved in fire prevention programs and presentations, educational events, school seminars, charitable fund raising events and public relations appearances too numerous to list;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Ross M. Argue for his commitment and devotion to the citizens of Fenton Township through his efforts as a member of the Fenton Township Fire Department and expresses its gratitude, appreciation and sincere thanks to him for the 25 years of dedicated service he has given to the Fenton Township community, and

BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy presented to Mr. Argue.

Motion to adopt resolution No. 2000-14 as presented.

Motion by: Ketchmark

Seconded: Mathis

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried. Resolution declared adopted.

Genesee County Road Commission Contract – 2000 Chloride Program

Office Manager Broecker reviewed the proposed contract with the Genesee County Road Commission for the application of chloride on unpaved roads in 2000. The township's share of the cost is approximately \$12,400.00. There was no further discussion.

Motion to approve the Chloride Application Authorization Form as presented and to authorize the Township Supervisor and Township Clerk to sign the authorization form.

Motion by: Ketchmark

Seconded: McKenna

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried.

Resolution No. 2000-15, Metropolitan Park District

Office Manager Broecker reported that the Tri-County Recreation Program has been investigating the possibility of establishing Metropolitan Park District for area recreation and senior center activities. The municipalities included in the project are the cities of Fenton and Linden and the townships of Fenton, Argentine and Tyrone. The proposed resolution, if adopted, confirms the township's desire to move forward with the process

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and designates Fenton Township representation on the charter commission. The following resolution was presented:

RESOLUTION NO. 2000-15

WHEREAS, upon due consideration and deliberation, the Township Board of the Charter Township of Fenton (the "Local Unit") has preliminarily concluded that it would be in the best interest of the residents of the Local Unit that the Local Unit be included within a Metropolitan Park District (the "District") to be incorporated for the purpose of providing parks and recreation programs and services within an area tentatively designated to include the City of Fenton, the City of Linden, the Township of Argentine, the Charter Township of Fenton and the Township of Tyrone (collectively, the "Incorporating Units") pursuant to the provisions of the Metropolitan District Act, Act No. 312 of 1929, as amended ("Act 312"), and

WHEREAS, Act 312 provides in relevant part that proceedings for the incorporation of the District shall be originated by resolutions adopted by the legislative body of each Incorporating Unit indicating its desire to become part of the District and designating a person as its representative on a charter commission, and

WHEREAS, it is appropriate that the Local Unit adopt this resolution incorporating the preceding elements and taking certain other actions;

NOW, THEREFORE, BE IT RESOLVED:

- 1. The Local Unit desires to be included within the above-described District to consist of the territory encompassed within the Incorporating Units.*
- 2. Pursuant to Section 6 of Act 312, the Local Unit hereby designates Carl Gabrielson as the Local Unit's formal representative on a charter commission to be established for the purpose of framing a charter for the proposed District. Said representative shall be the member representing the Local Unit entitled to exercise all of the rights and privileges of a charter commissioner under Act 312. Said formal representative shall take the constitutional oath of office before the County Clerk as required by Act 312.*
- 3. In addition to the formal representative on the charter commission, the Incorporating Units have determined that additional members of the charter commission shall be appointed to serve without vote, and that the charter commission shall be comprised as follows:*

City of Fenton – 3

Charter Township of Fenton – 3

Township of Tyrone – 3

City of Linden – 2

Township of Argentine – 2

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Pursuant to the foregoing, the Local Unit hereby designates Charles Mueller and Bonnie Mathis as the Local Unit's non-voting representatives to the charter commission.

4. *The charter commission shall convene as soon as practicable upon the appointment of all of the formal representative thereto and shall proceed with due dispatch to accomplish its purposes and duties as set forth in Act 312. The charter commission shall choose its own officers, shall determine the rules of its proceedings (provided that in no event may the additional members of the charter commission appointed herein be afforded voting rights on the commission) and shall keep a journal thereof. A roll call of its voting members on any question shall be entered on the journal at the request of any member. All of its sessions shall be open to the public.*
5. *All resolutions and parts of resolutions insofar as they conflict with this provisions are repealed to the extent of such conflict.*

Motion to adopt Resolution No. 2000-15 as presented.

Motion by: Ketchmark

Seconded: Mathis

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried. Resolution declared adopted.

Lease of Additional Patrol Car – Genesee County Sheriff Department

As discussed in the Reports segment of the meeting, the Police Committee is recommending the lease of one additional patrol car from the Genesee County Sheriff Department.

Motion to initiate an amendment to the current Law Enforcement Contract with the Genesee County Sheriff Department to lease one (1) additional patrol car from Genesee County for the duration of the contract.

Motion by: Mathis

Seconded: Ketchmark

Ayes: Mueller, Ketchmark, Lambert, Mathis, McKenna

Nays: None

Absent: Gabrielson, Garfield

Motion carried.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

RECESS:

Chairman Mueller recessed the meeting at 8:05 p.m.

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RECONVENE:

The meeting was reconvened at 8:30 p.m. Supervisor Gabrielson is now present, as is Labor Attorney Hiram Grossman.

NEW BUSINESS (continued):

Contract Issues – Assistant Fire Chief

Attorney Grossman explained to the board that the issue at hand, as discussed at the 4/1/00 workshop meeting, is the employment contract of Assistant Fire Chief DuWayne Stratman. There is concern regarding Mr. Stratman's ability to fulfill the responsibilities of his contract.

Supervisor Gabrielson made a motion to place Assistant Chief Stratman on probation for a period not to exceed thirty days for the purpose of reviewing his ability to perform the duties and responsibilities of the position of Assistant Fire Chief, under the direction of the Fenton Township Fire Chief.

Trustee Lambert asked that a requirement to return the fire department vehicle currently assigned to Assistant Chief Stratman to the fire station be added to the motion.

Amended motion:

Motion to place Fenton Township Assistant Chief Stratman on probation for a period not to exceed thirty days for the purpose of reviewing his ability to perform the duties and responsibilities of the position of Assistant Fire Chief, under the direction of the Fenton Township Fire Chief, and to require that the fire department vehicle currently assigned to Assistant Chief Stratman be located at the Fenton Township Fire Station when Assistant Chief Stratman is not in the area.

Motion by: Gabrielson

Seconded: Mueller

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

Nays: None

Absent: Garfield

Motion carried.

ADJOURN: Meeting adjourned at 8:35 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 4/4/00