

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 7, 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 8/7/00 Fenton Township Board Meeting agenda as presented.

Motion by: McKenna

Seconded: Mathis

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 7/24/00 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices for payment as presented.

Motion by: Mathis

Seconded: Ketchmark

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Genesee County WWS Capacity Utilization Report

Supervisor Gabrielson reviewed the latest sanitary sewer capacity utilization report issued by Genesee County Water & Waste Services. Both the City and Township of Fenton are shown with negative units available. As discussed at previous meetings, the plant is still operating within the limits of their DEQ permit. When the plant expansion goes on line later this year, Fenton Township will add 4,000 new units to the total.

Public Beach Project Update

Office Manager Broecker reported that the work had already begun on the final phase of the beach improvement project. The main portion of the new sidewalk has been completed. Installation of the picnic tables should be done within the next week or so.

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COMMUNICATIONS:

None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Rezoning #338, John D. Groves, part of parcel 06-30-100-016; R-1B to OS/2nd Reading

Supervisor Gabrielson reviewed the proposed rezoning, which was postponed at an earlier meeting. Trustee McKenna reported that the Planning Commission had recommended denial of the request. They believe that the proposed rezoning would not be appropriate for the area, which is primarily residential. There was no further discussion.

Motion to deny the proposed amendment to the Zoning Ordinance to rezone a portion of parcel 06-30-100-016 from R-1B to OS as presented.

Motion by: McKenna

Seconded: Mathis

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

Nays: None

Motion carried. The proposed rezoning ordinance is denied.

Rezoning #339, Jimmy J. Thompson, parcel 06-17-200-011; AG to R-1A/2nd Reading

Supervisor Gabrielson reviewed the proposed rezoning. Trustee McKenna reported that the Planning Commission had recommended approval of the request. The request is consistent with the Land Use Plan and the surrounding zoning. There was no further discussion.

Motion to adopt Ordinance No. 565, an amendment to the Zoning Ordinance to rezone parcel 06-17-200-011 from AG to R-1A.

Motion by: Garfield

Seconded: Mathis

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

Nays: None

Motion carried. Ordinance declared adopted.

Rezoning #340, Dave/Kristy Cantleberry, parcel 06-19-100-001; AG to R-1E/2nd Reading

Supervisor Gabrielson reviewed the proposed rezoning. Trustee McKenna reported that the Planning Commission had recommended approval of the request, citing consistency with the Land Use Plan and the zoning of neighboring properties as reasons for their recommendation. There was no further discussion.

Motion to adopt Ordinance No. 566, an amendment to the Zoning Ordinance to rezone parcel 06-19-100-001 from AG to R-1E.

Motion by: McKenna

Seconded: Ketchmark

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

Nays: None

Motion carried. Ordinance declared adopted.

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UNFINISHED BUSINESS-OTHER:

Request for Barrier Wall - Silver Ridge Homeowners

Supervisor Gabrielson briefly reviewed the request from the 7/24/00 board meeting where homeowners in the Silver Ridge subdivision had requested financial assistance to construct a concrete barrier between their homes and Owen Road, to protect their homes, wells and to block noise. Supervisor Gabrielson read from an opinion letter from Attorney Cooley, which confirms that state law prevents the township from spending public funds on a private improvement. There was some discussion regarding the possibility of completing the project under a special assessment district. This will be researched further.

NEW BUSINESS:

Request for Temporary Sign – Head 2 Head

Supervisor Gabrielson reviewed a request from the *Head 2 Head* video game establishment for a temporary grand opening sign. The township's sign ordinance requires board approval for temporary signs of this nature.

Motion to approve the request of Head 2 Head for the temporary placement of a sign at their business location for the period of August 8, 2000 through August 20th, 2000.

Motion by: Mueller

Seconded: McKenna

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

Nays: None

Motion carried.

Lot Split #1724, Tom Marks, request to divide parcel 06-13-555-015

Supervisor Gabrielson reviewed the proposed lot split, which was recommended for denial by the Zoning Board of Appeals. Mr. Marks explained that the parcel could have been split under the old schedule of regulations and asked the board to consider allowing the division as requested. He also stated that if he had known the minimum lot size was increasing, he would have split the property in 1997. Clerk Mueller pointed out that the minimum lot size for R-1A zoning was increased to 20,000 square feet (with sewer) in 1995, not 1997. Some board members felt that the requested division was not out of character with the surrounding properties, but from a legal perspective, should not be approved.

Motion to deny Lot Split #1724, a division of parcel 06-13-555-015.

Motion by: McKenna

Seconded: Mueller

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

Nays: None

Motion carried. The proposed lot split is denied.

Appointment of Ordinance Enforcement Officer

Supervisor Gabrielson recommended the appointment of Adair Rowe to the position of Fenton Township Ordinance Enforcement Officer. She was the lone applicant for the job posting for this position. He believes she is well qualified and capable of fulfilling the

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duties of this position. Supervisor Gabrielson made a motion for the appointment, which was seconded by Clerk Mueller. Several board members expressed reluctance to act on this appointment until they have had an opportunity to review more information regarding the job posting and Ms. Rowe's qualifications. All indicated that Ms. Rowe is probably a fine candidate, but want to have more information before making the decision. The motion and second were withdrawn and the issue postponed until the 8/21/00 meeting.

Resolution No. 2000-25/Public Hearing for Revised Eden Garden Street Light Assessment

Office Manager Broecker reported that the Eden Gardens subdivision association has requested that their entrance light, which is metered separately and billed to the association, be added to their existing special assessment. A public hearing to confirm a revised assessment roll will be necessary. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-25

WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the laws and statutes pertinent thereto, prepared a revised special assessment roll in the total amount of \$1,116.00 per year, (\$1,209.00 in the year 2000), covering all parcels of land within the Eden Gardens Street Lighting Special Assessment District, and has affixed thereto his Certificate as required by law;

THEREFORE BE IT RESOLVED, that said revised special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular business hours of regular business days from the present date until the public hearing upon the same and shall further be examined at such public hearing, and

BE IT FURTHER RESOLVED, that the Fenton Township Board shall meet at 7:30 p.m. on August 21, 2000 at the Fenton Township Civic Community Center located at 12060 Mantawauka Drive, within the Township, to review such revised special assessment roll and hear any objections thereto, and

BE IT FURTHER RESOLVED, that the Township Clerk shall cause notice of such hearing and the filing of such revised assessment roll to be published twice in a newspaper of local circulation prior to the date of the hearing, with the first publication being not less than ten (10) days prior to the hearing and shall further cause notice of such hearing to be mailed by First Class Mail to all owners of or persons having an ownership interest in property within the Eden Gardens Street Lighting Special Assessment District as shown on the current assessment roll of the Township also at least ten (10) days prior to said hearing, all in accordance with the law and statute provided.

Motion to adopt Resolution No. 2000-25 as presented.

Motion by: Mueller

Seconded: McKenna

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

Nays: None

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Motion carried. Resolution declared adopted.

Revised Fenton Township Fee Schedule

Office Manager Broecker reviewed a proposed revised Schedule of Fees. The only change is an increase to new and renewal applications for Home Occupations from \$25.00 to \$30.00. This is consistent with Business License fees. There was no further discussion.

Motion to adopt the Charter Township of Fenton Schedule of Fees, with an effective date of August 8, 2000, as presented.

Motion by: Mueller

Seconded: Lambert

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

Nays: None

Motion carried.

Letter of Resignation – Nancy Padgett

Supervisor read a letter from Township employee Nancy Padgett, stating that she is resigning from her position, effective 8/18/00. Nancy has been with the township for almost six years and has been an excellent employee.

Motion to accept the resignation of Nancy Padgett, effective August 18, 2000, with regrets.

Motion by: Gabrielson

Seconded: Mueller

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

Nays: None

Motion carried.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:40 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 8/8/00