

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 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, Mathis, McKenna, and Office  
Manager Broecker.

Absent: Lambert, Township Attorney

**PLEDGE OF ALLEGIANCE:**

Supervisor Gabrielson led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Office Manager Broecker requested that the agenda item regarding a proposed change order to the beach project be amended to also include 3 additional proposed landscaping change orders. Motion to approve the 8/21/00 Fenton Township Board Meeting agenda as amended.

Motion by: McKenna

Seconded: Garfield

Ayes: All Present

Nays: None

Absent: Lambert

Motion carried. The agenda is approved.

**MEMORIAL RESOLUTION:**

**Resolution No. 2000-26 / Memorial for Margaret Anderson**

Supervisor Gabrielson reported that long-time Fenton Township Office Manager Marge Anderson had passed away on August 15<sup>th</sup> after a long illness. Marge worked for the township for 28 years and was a well-known, greatly respected and beloved member of the Fenton Township community. She will be missed. Clerk Mueller presented the following resolution:

**RESOLUTION NO. 2000-26**

*WHEREAS, former Fenton Township employee Margaret L. Anderson passed away on August 15, 2000 after a lengthy illness, and*

*WHEREAS, Ms. Anderson was employed by Fenton Township from 1966 until her retirement in 1995, serving the majority of those years in the capacity of Office Manager and Deputy Clerk, during which time she contributed greatly to the progress and welfare of the township, and touched the lives of innumerable people in our community;*

*THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Margaret L. Anderson for her 28 years of valuable service to Fenton Township and expresses profound sadness at her passing, and*

*BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy sent to Ms. Anderson's family.*

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Motion to adopt Resolution No. 2000-26 as presented.

Motion by: Mueller

Seconded: All Present

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

Nays: None

Absent: Lambert

Motion carried. Resolution declared adopted.

**MEETING MINUTES:**

Office Manager Broecker noted that Trustee McKenna had pointed out a minor typographical error on page 4 of the previous meeting's minutes. The minutes of the 8/7/00 regular meeting stand approved as corrected.

**EXPENDITURES:**

Motion to approve invoices for payment as presented.

Motion by: Ketchmark

Seconded: Garfield

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

Nays: None

Absent: Lambert

Motion carried.

**PUBLIC HEARINGS:**

**Eden Garden Street Lighting Special Assessment – Revised Assessment Roll**

Supervisor Gabrielson reviewed the proposed revised assessment roll for the Eden Gardens Street Lighting Special Assessment District. The increase to the annual assessment is to add the cost of one additional light to the district. There was no public comment. Clerk Mueller presented the following resolution:

**RESOLUTION NO. 2000-27**

*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 revised assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the revised costs of the street lighting project currently existing within the Eden Gardens 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;*

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*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 presented, 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. 2000-5 and shall hereby be confirmed as the revised assessment roll for the Eden Gardens Street Lighting Special Assessment District.*

*BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2000-5 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 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. 2000-27 as presented.

Motion by: Mueller

Seconded: Ketchmark

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

Nays: None

Absent: Lambert

Motion carried. Resolution declared adopted.

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**REPORTS:**

**Law Enforcement Update**

Trustee Ketchmark reported that the Law Enforcement committee has been gathering information regarding the implementation of a local traffic code ordinance, a marine traffic ordinance and various nuisance ordinances. This information will be presented at the 9/9/00 workshop meeting.

**Legislative Update**

Supervisor Gabrielson reported that he had attended the recent Michigan Townships Association Legislative Conference. A key topic of discussion was local control. There is proposed legislation that would require a 2/3 majority vote of the legislature to enact laws affecting local control. Opinions regarding this proposal are mixed among townships. The MTA has not yet taken a position on the issue.

**COMMUNICATIONS:**

None

**UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:**

**Rezoning #341, Debra Trombly, parcel 06-01-100-001; AG to OS/1<sup>st</sup> Reading**

Supervisor Gabrielson reviewed the proposed rezoning. It was noted that the Planning Commission has recommended approval of the rezoning, which would provide a buffer between the High Tech/Commercial areas and residential areas. There was no public comment. The second reading of the proposed rezoning ordinance will be conducted at the 9/5/00 meeting.

**UNFINISHED BUSINESS-OTHER:**

**Appointment of Ordinance Enforcement Officer**

Supervisor Gabrielson briefly reviewed his earlier recommendation to appoint Adair Rowe to the position of Ordinance Enforcement Officer. She has been working on the administrative side of the ordinance enforcement process for over a year now and is well qualified for the position.

Motion to appoint Adair J. Rowe to the position of Ordinance Enforcement Officer.

Motion by: Gabrielson

Seconded: Garfield

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

Nays: None

Absent: Lambert

Motion carried.

**NEW BUSINESS:**

**Lot Split #70, Tom Atwell Homes & Realty, redistribution of parcels 06-30-551-030 & 031**

Supervisor Gabrielson reviewed a request to transfer a 15-foot strip from lot 31 to lot 30 in the Pinnacle Shores subdivision. Mr. Atwell explained that lot 30 needs additional area to provide an adequate building envelope because, as a corner lot, it has larger setback requirements.

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Motion to approve the redistribution of parcels 06-30-551-030 and 06-30-551-031 (Pinnacle Shores lots 30 and 31), as requested.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Absent: Lambert

Motion carried.

**Resolution No. 2000-28 Honoring Planning Commissioner Cheryl O'Neill**

Supervisor Gabrielson noted that the 8/15/00 Planning Commission meeting was the last for Cheryl O'Neill, who announced her resignation in June. She has been a valuable asset to the Planning Commission and will be missed. Clerk Mueller presented the following resolution:

**RESOLUTION NO. 2000-28**

*WHEREAS, Cheryl A. O'Neill recently stepped down from her position on the Fenton Township Planning Commission, and*

*WHEREAS, Ms. O'Neill has been a resident of Fenton Township for many years, during which time she has contributed greatly to the progress and welfare of the community, and*

*WHEREAS, Ms. O'Neill served loyally and faithfully as a member of the Fenton Township Planning Commission from April, 1998 to August, 2000;*

*THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby recognizes Cheryl A. O'Neill for her valuable contributions to our community and expresses appreciation and gratitude for her dedicated service to the government and citizens of Fenton Township, and*

*BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy sent to Ms. O'Neill.*

Motion to adopt Resolution No. 2000-28 as presented.

Motion by: Mueller

Seconded: Mathis

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

Nays: None

Absent: Lambert

Motion carried. Resolution declared adopted.

**Appointment to Fenton Township Planning Commission**

Supervisor Gabrielson reported that, with the resignation of Cheryl O'Neill, there is now a vacancy on the Planning Commission. Four candidates were recently interviewed for the seat and all were very impressive. After careful consideration, Supervisor Gabrielson

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recommended the appointment of John Tucker to the Fenton Township Planning Commission and made a motion to that effect. Treasurer Garfield seconded the motion. Trustee Ketchmark stated that she could not support Mr. Tucker's appointment. He was the applicant in a rezoning request in 1997, which included some unusual circumstances. She is concerned that his desire to be appointed to the Planning Commission may have a "hidden agenda". Trustees Ketchmark, Mathis and McKenna also stated that they would prefer discussing the appointment at a workshop meeting before taking action. The motion and second were withdrawn. The issue will be placed on the agenda for the 9/9/00 workshop meeting.

**Proposed Change Orders to Beach Improvement Contract**

Office Manager Broecker presented four separate change order proposals for additional items related to the Beach Improvement Project.

- Replacement of the rusted out doors on the old restrooms.
- Removal and replacement of landscaping on the east side of the building.
- Replacement of landscaping around the barrier-free boardwalk.
- Removal of grass near the water's edge to expand the beach area.

The total cost of these additions is approximately \$6,300. If the board wishes to approve these expenditures now, the current contractor can complete them very quickly. If the board would like to obtain additional quotes, the cost would likely be a bit higher. After some discussion, the board agreed that having the current contractor complete the additional items would be the best approach.

Motion to approve the additional expenditure for the restroom door replacement and landscaping improvements, per the proposals submitted by JD Walt's Inc.

Motion by: Ketchmark

Seconded: McKenna

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

Nays: None

Absent: Lambert

Motion carried.

**Ballot Proposal Language – Southern Lakes Regional Metropolitan Parks & Rec District**

Office Manager Broecker reviewed the ballot language for the metropolitan parks & recreation district issue to be placed on the November ballot. The language is virtually identical to the language being used by the other four municipalities that make up the proposed metropolitan district.

Motion to approve the following ballot language to be placed on the November 7, 2000 General Election Ballot:

***Shall the Charter for the Southern Lakes Regional Metropolitan Parks & Recreation District, which authorizes an ongoing levy of .4 mill (four tenths), be adopted? If approved and levied in its entirety in the first year of levy, this millage would raise an estimated \$178,818.00.***

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( ) **YES**

( ) **NO**

Motion by: Mueller  
Seconded: Ketchmark  
Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Mathis, McKenna  
Nays: None  
Absent: Lambert

Motion carried.

**Proposed 1-Year Mosquito Control Contract – Advanced Pest Management**

Supervisor reviewed a proposed 1-year extension to the Mosquito Control Contract with Advanced Pest Management (APM). The 1-year contract includes a 6% increase from our previous three years and puts our contract and our tax levy on the same schedule. Trustee Ketchmark stated that she could not support a 6% increase. Clerk Mueller noted that APM has added more equipment to their service, including a vehicle that can travel through swampy areas. These types of service enhancements, plus the fact that new development has created more areas to be treated, make a 6% increase reasonable. Other board members agreed that APM provides excellent service.

Motion to approve a one-year mosquito control contract with Advanced Pest Management in the amount of \$103,829.96, as presented.

Motion by: McKenna  
Seconded: Mathis  
Ayes: Gabrielson, Mueller, Garfield, Mathis, McKenna  
Nays: Ketchmark  
Absent: Lambert

Motion carried.

**PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:**

None

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

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Carl Gabrielson, Supervisor

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Charles Mueller, Clerk

**Minutes Posted 8/24/00**