

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 6, 2001**

**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, Krug, Mathis, McKenna, Rowe, Office
Manager Broecker and Attorney Cooley

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Gabrielson noted that a revised agenda had been provided for this meeting. Trustee Mathis asked to have the issue regarding the proposed renovation project for the Fenton Township Civic Community Center moved up on the agenda, immediately after approval of expenses. Motion to approve the 8/6/01 Fenton Township Board Meeting agenda as amended.

Motion by: Mathis

Seconded: Garfield

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

Trustee McKenna noted a minor correction for the 7/30/01 workshop minutes. Office Manager Broecker responded that the official copy had already been corrected. The minutes of the 7/16/01 regular meeting and the 7/30/01 special workshop meeting (with correction) stand approved as presented.

EXPENDITURES:

Treasurer Garfield and Trustee Mathis questioned the invoice from Ted Hu Associates for architectural services on the proposed building renovation project. Supervisor Gabrielson noted that the bill is based on 35% completion of the services, as outlined in his contract. The invoice is based on a total project estimate of \$1.2 million, although the board has not yet selected a course of action to establish a total estimate. The board agreed to remove the invoice, subject to further clarification. Supervisor Gabrielson will follow up with Mr. Hu. Motion to approve invoices for payment as revised.

Motion by: McKenna

Seconded: Rowe

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried.

NEW BUSINESS:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
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Proposed Project for Renovation of Fenton Township Civic Community Center

Supervisor Gabrielson asked if the Building Committee was prepared to make a recommendation regarding the proposed project plans for the renovation of the Fenton Township Civic Community Center. Trustee McKenna reported that, at their meeting, the committee had initially agreed to recommend that no action be taken at this time, but that the board continue to explore alternatives in an attempt to come up with a plan agreeable to all parties. Prior to this meeting, the other two members of the committee had submitted a revised recommendation that, due to the cost of "Plan A" and "Plan B", both plans should simply be rejected at this time. The board discussed the issue of formally closing the project and starting over versus keeping the project open and continuing to work on it.

Public Comment:

The following individuals addressed the board regarding this issue:

Ray Kalanquin, 14159 Swanee Beach
Ronald Prime, 2292 Toledo Avenue
Donald Watt, 13394 Fenton Road
Ray Lord, 4520 Eleanor Drive
Maxine Lenk, 6243 Smith Road
Krystle Stasik, 12133 Dalhart Drive
Jan Rust, 13318 Pomona Drive
William Green, 12113 Dalhart Drive
Margaret Johnson, 5207 Lahring Road

The issues/concerns raised included:

- ⇒ Lack of communication to residents regarding the proposed project.
- ⇒ Taxpayers should have a voice in this decision.
- ⇒ The project should only include what is absolutely necessary.
- ⇒ More alternatives should be explored; don't limit to just Plan A or B.
- ⇒ The increase in revenue sharing should be used for other purposes, such as roads, police, etc.
- ⇒ There is no guarantee that the revenue sharing dollars will meet current projections.

Supervisor Gabrielson recommended that no action be taken at this time, pending additional research and meetings. He also agreed to meet separately with a small group of taxpayers (4-6) to go on a "tour" of the building to look at the various problem areas.

RECESS:

The meeting was recessed at 8:45 p.m.

RECONVENE:

The meeting was reconvened at 8:55 p.m.

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PUBLIC HEARINGS:

None

REPORTS:

Advanced Pest Management Update

Supervisor Gabrielson noted that an update report from Advanced Pest Management (mosquito control) was in the meeting packet for the board's review.

Fenton Township Park Property

Supervisor Gabrielson reported that the 40+ acre parcel donated by the heirs of the Foley family was formally dedicated as a park on August 5th. A large group of family members was on hand to unveil the park sign and look over the site. An agreement with the City of Fenton to provide permanent access to the park site is still in progress. Development of the first baseball diamonds should begin in 2002.

Damage to Township Property

Office Manager Broecker reported that, on August 1st, the light standards along the sidewalk at the township hall were vandalized. All three lights were knocked over and will now have to be replaced. The Genesee County Sheriff Department is still investigating. The board briefly discussed the idea of offering a reward for identifying the culprits. That decision will be delayed until the Sheriff Department investigation is complete.

COMMUNICATIONS:

Loose Senior Citizen Center Budget

Supervisor Gabrielson noted that the 2001-2002 Loose Senior Citizen Center budget was included in the meeting packet for board review.

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Rezoning #351, Kenneth Pool, Parcel 06-19-100-008; AG to R-1E/2nd Reading

Supervisor Gabrielson reviewed the proposed rezoning. The applicants wish to divide their property into two 5-acre parcels to allow another home to be built. There was no further discussion.

Motion to adopt Ordinance No. 578, an amendment to the Zoning Ordinance to rezone parcel 06-19-100-008 from AG to R-1E, as presented.

Motion by: Mueller

Seconded: McKenna

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried. Ordinance declared adopted.

Rezoning #352, Beatrice Morgan, Parcel 06-07-200-005; AG to R-1A/2nd Reading

Supervisor Gabrielson reviewed the proposed rezoning. There was no further discussion.

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Motion to adopt Ordinance No. 579, an amendment to the Zoning Ordinance to rezone parcel 06-07-200-005 from AG to R-1A, as presented.

Motion by: McKenna

Seconded: Mathis

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS-OTHER:

None

NEW BUSINESS:

Flint Twp. Police Dept./Fenton Lakes Sportsman Club-Request for Extended Hours

Supervisor Gabrielson read from a letter from Weapons Coordinator Al Clark of the Flint Township Police Department. Officer Clark is asked the township to grant a one day extension of the operating hours at the Fenton Lakes Sportsman Club to allow their department to conduct specialized night training. The normal range hours are 9:00 a.m. to dusk. The request is to start at 7:00 am and conclude by 2:00 a.m. the following morning. Trustee McKenna and Treasurer Garfield oppose granting the request. The shooting range is very close to residential areas and shooting at night would create an unnecessary disturbance. Trustee Rowe supported the request. Police Departments are required to conduct these types of training sessions and there are very few shooting ranges that can accommodate this type of training.

Motion to grant the request of the Flint Township Police Department for extended hours of operation at the Fenton Lakes Sportsman Club for August 9-10, 2001, as requested.

Motion by: Rowe

Seconded: McKenna

Ayes: Gabrielson, Rowe

Nays: Mueller, Garfield, Krug, Mathis, McKenna

Motion failed. The request is denied.

Revised Fenton Township Fee Schedule

Office Manager Broecker reviewed a revised fee schedule for Fenton Township. The only change is the addition of a Zoning Permit fee for construction no longer requiring a building permit under the new Michigan Building Code (i.e. fences, sheds, etc.). The Zoning Permit requirement will allow the township to make sure zoning regulations, such as setbacks and sight line requirements, are still enforced, even though a building permit cannot be required.

Motion to adopt the revised *Charter Township of Fenton Schedule of Fees* as presented.

Motion by: Mueller

Seconded: McKenna

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried.

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Preliminary Budget Requests – 2002

Supervisor Gabrielson reminded all committees that preliminary budgets for 2002 are due by the end of August. The public hearing on the 2002 budget will be on September 17th.

Fire Protection Agreement – Tyrone Township

Fire Chief John Moulton reported that Tyrone Township has requested that Fenton Township consider entering into an agreement to provide fire and medical emergency services to a portion of their township. The proposed agreement covers all of Tyrone Township west of the US-23 freeway. For the remainder of 2001, Tyrone Township would pay \$500.00 per run. Beginning in 2002, Tyrone Township would pay \$12,500.00 up front (equivalent to 25 runs). That money would be guaranteed, regardless of run volume. Any runs in excess of 25 would be paid at \$500.00 per run. Trustee McKenna raised concerns that \$500.00 per run may not cover our costs. The issue of covering our own township was also discussed. Chief Moulton assured the board that standard procedures for coverage and mutual aid would not put the township at risk. The board agreed that the issue should be investigated further before entering into a contract. Supervisor Gabrielson recommended that the township agree to provide the services at \$500.00 per run for up to 60 days while the review process continues.

Motion for the Fenton Township Fire Department to provide fire and medical emergency services for that portion of Tyrone Township which lies west of the US-23 freeway, at a cost of \$500.00 per run, for a period of up to sixty (60) days.

Motion by: Gabrielson

Seconded: Mueller

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried.

CDBG Inter-Local Loan Agreement – Davison Township

Supervisor Gabrielson reviewed a proposed CDBG Interlocal Loan Agreement between Fenton Township and Davison Township. The Agreement would lend \$50,247.00 from Fenton Township to Davison Township in 2001 for a Senior Citizen Activity Center project. The CDBG funds would be repaid in 2003. There was no further discussion.

Motion to approve the Interlocal Loan Agreement between Fenton Township and Davison Township as presented.

Motion by: Mueller

Seconded: Rowe

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried.

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Resolution No. 2001-20 / CDBG Allocation for Inter-Local Loan Agreement

Office Manager Broecker reviewed a resolution authorizing the transfer of CDBG funds, pursuant to the agreement just approved. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-20

WHEREAS, the Charter Township of Fenton has approved an Inter-Local Loan Agreement to lend \$50,247.00 in CDBG funds to Davison Township, and

WHEREAS, the funds to be lent to Davison Township are from the 2001 CDBG allocation;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby authorizes the transfer of \$50,247.00 from the 2001 CDBG allocation to fund the Inter-Local Loan to the Township of Davison.

Motion to adopt Resolution No. 2001-20 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried. Resolution declared adopted.

Resolution No. 2001-21 / Dollar Lake Improvement Special Assessment District

Office Manager Broecker reported that the residents of Dollar Lake had submitted petitions to establish a new special assessment district for weed control. Their first assessment expired after the 2000 tax roll. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-21

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties abutting Dollar Lake to establish a special assessment district for the purpose of improving the lake through the eradication and control of aquatic weeds, and

WHEREAS, it has been determined that the petition has been signed by the record property owners representing more than 50% of the land area in the proposed special assessment district, and

WHEREAS, plans and estimated costs for the foregoing lake improvement have been placed on file in the office of the Township Clerk,

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THEREFORE BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to implement an aquatic weed eradication and control program for Dollar Lake, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include all properties abutting Dollar Lake, and

BE IT FURTHER RESOLVED, that the Fenton Township Board will hold a public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Monday August 20, 2001 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2001-21 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Nays: None

Motion carried. Resolution declared adopted.

OTHER ISSUES-TOWNSHIP BOARD:

Lakeside Acres Development

Trustee Mathis reported that she had spoken to a resident of Rolston Road who is concerned about the proximity of an active farm to the proposed Lakeside Acres subdivision. Supervisor Gabrielson noted that the Preliminary Plat is already approved and the township could not require changes to the plat simply because a farm is nearby, although it could be suggested. Clerk Mueller added that the developer is required to disclose the existence of a nearby farm on any property sold.

Ordinance Enforcement

Trustee Mathis asked about the time frame for prosecuting ordinance violations. Attorney Cooley responded that prosecution only occurs when all warnings and letters, usually over the course of several months, are ignored.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Jim Root, 12558 Cussewago

Mr. Root is representing his parents who live on Margaret Drive. An old platted easement adjacent to the Root's property is being used by a property owner across the street. He has constructed a dock that is wider than the actual easement and is using it to dock his boat. He believes this is a violation of the township's anti-keyholing ordinance. Attorney Cooley responded that, since the easement pre-dates the anti-keyholing provisions of the Zoning Ordinance, it is considered legal. The issue of whether this property owner has the right to construct a dock is a civil matter and not within the township's jurisdiction.

DuWayne Stratman, 14240 Darts Drive

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Mr. Stratman asked the board to consider several key questions in their decision to provide fire protection services to Tyrone Township. Does the township have the ability and manpower to provide the services? Will it impact the service levels for the residents of Fenton Township? Is it cost effective? He urged the board to put the interests of Fenton Township residents first.

ADJOURN: Meeting adjourned at 10:15 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 8/9/01