

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF MARCH 18, 2002**

**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:**

Motion to approve the 3/18/02 Fenton Township Board Meeting agenda as presented.

Motion by: Krug

Seconded: Rowe

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes of the 3/4/02 regular meeting and the 3/9/02 special meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices for payment as presented.

Motion by: McKenna

Seconded: Mueller

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

None

**COMMUNICATIONS:**

None

**UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:**

**Proposed Amendment to PUD – Fenton Orchards/2<sup>nd</sup> Reading**

Supervisor Gabrielson reviewed a proposed amendment to the conditions of the Fenton Orchards PUD ordinance. Trustee Mathis questioned the “Approved” and “Proposed” plans that were included in the previous meeting’s packet, which make it appear that the developer has already constructed the changes shown in the proposed plan. It was

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clarified that the "Approved" plan was the original conceptual plan. The site plan for the first phase of the development included several changes from the conceptual plan. That first phase site plan has already been approved by the Planning Commission. The original conceptual plan was provided to the board only to show the proposed changes in the second phase. Supervisor Gabrielson clarified that the proposed amendment only affects the PUD conditions, not site plan issues. Trustee Mathis also questioned the wetland calculations for the project. The site plan indicates approximately 9 acres of wetlands. Trustee Mathis had the plan reviewed by other professionals who calculated the wetlands at approximately 17 acres. She favors postponing action on this amendment until this issue can be researched. Mr. Lawrence responded that the wetlands on the property were delineated by a wetlands professional and verified by the DEQ. All necessary DEQ permits have already been issued.

Motion to postpone action on the proposed amendment to Ordinance No. 544, pending further investigation into wetland issues.

Motion by: Mathis

Seconded: Garfield

Ayes: Mathis

Nays: Gabrielson, Mueller, Garfield, Krug, McKenna, Rowe

Motion failed.

Motion to adopt Ordinance No. 593, an amendment to the PUD conditions in Rezoning Ordinance No. 544, as presented.

Motion by: Mueller

Seconded: Rowe

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

Nays: Mathis

Motion carried. Ordinance declared adopted.

**Proposed Fenton Township Zoning Ordinance & Zoning Map/2<sup>nd</sup> Reading**

Supervisor Gabrielson asked if there was any further discussion on the proposed Zoning Ordinance and Zoning Map. Trustee McKenna asked if a detailed index had been developed for the ordinance. Office Manager Broecker stated that an index was being pursued. There was no further discussion.

Motion to adopt Ordinance No. 594, a revised Zoning Ordinance and the accompanying Zoning Map, as presented.

Motion by: McKenna

Seconded: Rowe

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

Nays: None

Motion carried. Ordinance declared adopted.

**UNFINISHED BUSINESS-OTHER:**

None

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**NEW BUSINESS:**

**Proposed Renovation Project – Fenton Township Civic Community Center**

Supervisor Gabrielson announced that the board would receive public comment on this agenda item before taking any action.

Public Comment:

The following individuals spoke in opposition of the proposed building renovation project:

Ray Lord, 4520 Eleanor Drive  
Leonard Klosterman, 4412 Eleanor Drive  
Greg Hoover, 13470 Lakeshore Drive  
Ron Prime, 6438 Brewer Road, Flint  
Ron Winters, 16008 Silvercrest Drive  
Patrick Carmody, 16245 Silvershore Drive  
Thomas Lambert, 12476 Gage Road

Their comments/objections included:

- The current building is adequate and doesn't need to be replaced.
- Needed repairs can be done over time.
- Township assets should be preserved for more important issues.
- The board should consider the wishes of the public when making this decision.
- The project does not represent a good use of public funds.
- The issue should be decided by a vote of the people.
- The scope of the proposed project is excessive.

The following individuals spoke in favor of the proposed building renovation project:

John Brancheau, 16226 Silvercrest Drive  
Jim Root, 12558 Cussewago  
John Mansour, 13401 Wenwood Drive  
Jack Schoepach, 6174 Lakeview Park Drive

Their comments included:

- The Township Board recognized a need to renovate the building in the late 1980's, however budget constraints made it impossible at that time.
- The cost of the proposed project represents a good value.
- The renovation project is needed to adequately serve the needs of our growing community.
- The project can be completed without any tax increase and represents a good use of public funds.

Board Discussion:

Treasurer Garfield stated that she contacted Don Allen, the architect on the existing building. According to Mr. Allen, this building was designed to accommodate expansion

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by adding another story. She also spoke to a structural engineer who stated that an additional story is feasible. She stated that the board's decision should be based on the wishes of the constituents.

Trustee Mathis stated that there are additional costs over and above the costs included in the bid. Rental of temporary office space, additional furniture for the new building, elevator renovation, cost of moving, etc., and all have to be factored in to the total cost. The project should not proceed until the temporary site has been identified and these costs considered. She is in favor of putting the issue to a vote of the people.

Attorney Cooley stated that there is no provision in Michigan law for a referendum election on this issue. Any such vote would be advisory in nature and would not be legally binding. Therefore, the cost of running such an election would constitute an illegal expenditure of public funds.

In response to some of the issues raised, Clerk Mueller made the following points:

- ❑ Since this project was first discussed as part of the township's 4-year plan at the January 2001 workshop meeting, the proposed building project has been on the agenda and/or discussed at 16 public meetings over the past 14 months. There has been ample opportunity for public input.
- ❑ If the township were to pursue a renovation project without removing the first floor, the total cost would still exceed \$600,000. This would not address the need for expansion space or the problems with the roof.
- ❑ Fenton Township's legal debt limit is in excess of \$50 million. Our current debt is approximately \$1 million, or 2% of our legal limit. Approving this project would increase our debt to approximately 4% of our legal limit.
- ❑ Interest rates and construction costs are very low right now. A referendum or any other delay will undoubtedly result in higher costs.
- ❑ A temporary office facility has been identified, however no action can be taken on that issue until a decision is made on the building project.

Trustee McKenna stated that, while the existing building may look good on the surface, there are many problems with the structure. It was built in 1974 to standards that were affordable at that time. The proposed project is designed to not only meet current needs, but to accommodate the needs of our growing community into the foreseeable future. Trustee McKenna thanked Ted Hu and his staff for their efforts in providing the architectural services for the project. He also thanked the citizens of Fenton Township who offered constructive input. Interest rates are low and costs are favorable. He is in favor of renovating the building and doing it right.

Trustee Mathis stated that she is opposed to the project. The existing building needs work but not to the extent of the proposed project. The Township Board has more important issues than this building. She again stated her concerns about the additional costs related to the project and that the board doesn't have all the information necessary to make the final decision.

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Trustee Krug stated that there have been some misleading statements made at this meeting. Although the board is not in a position to officially select an temporary office facility, he knows that the former Carpenter Enterprises office building is the desired location because he asked. Estimates have been provided for all additional costs and the board does indeed have the information necessary to make a decision. He doesn't want the public to get the impression that the board is making a decision without having all the facts.

Motion to award a construction contract for the Fenton Township Civic Community Center Renovation Project to B&T General Contractors, Inc., based on their Base Bid w/Alternate #2 total of \$1,069,200.00, and to authorize the Township Supervisor and Township Clerk to execute the appropriate construction agreement.

Motion by: Rowe

Seconded: McKenna

Ayes: Gabrielson, Mueller, McKenna, Rowe

Nays: Garfield, Krug, Mathis

Motion carried.

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

Ray Lord, 4520 Eleanor Drive

Mr. Lord asked if smoking would be allowed in the renovated building. Supervisor Gabrielson responded that the renovated building would be a smoke-free facility.

**ADJOURN:** Meeting adjourned at 9:10 p.m.

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Carl Gabrielson, Supervisor

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Charles Mueller, Clerk

**Minutes Posted 3/19/02**