

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 23, 2007**

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

Supervisor Mathis called the meeting to order at 7:30 p.m.

Present: Mathis, Krug, Brown, Goupil, Tucker, Zimmer, Operations Manager
Broecker and Attorney Cooley

Absent: Carmody

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

Supervisor Mathis also advised the audience that this meeting was being recorded for telecast on local public access television.

APPROVAL OF AGENDA:

Trustee Zimmer asked to have the following item added to the Unfinished Business section of the agenda:

Michigan Townships Association Information/Discussion

Motion to approve the 7/23/07 Fenton Township Board Meeting agenda as amended.

Motion by: Brown

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Carmody

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 7/9/07 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve expenditures as presented.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer

Nays: None

Absent: Carmody

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Ordinance Enforcement Quarterly Report

The board briefly reviewed the 2nd quarter report from Ordinance Enforcement Officer Bob Atkinson. During the quarter Mr. Atkinson responded to 165 complaints and received 338 telephone calls. Supervisor Mathis also reviewed details of specific incidents in which Ordinance Enforcement Officer Atkinson was involved.

Traffic Issues

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Supervisor Mathis thanked the public for their patience with current traffic problems in the Thompson/Torrey/Lahring Road area. Delays to the bridge reconstruction project have caused it to overlap with ongoing sewer repairs on Torrey Road and pavement repairs on the Thompson and Torrey Roads.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Proposed Grading Ordinance Amendment/2nd Reading

Supervisor Mathis reviewed a proposed amendment to the Grading Ordinance, which was introduced at the 7/9/07 meeting. This amendment, which was recommended by the Township Engineer, would add a requirement for site stabilization, such as sod or hydro-seed, within 30 days of final grade approval. There was no further discussion.

Motion to adopt Ordinance No. 682, an amendment to Grading Ordinance No. 662, as presented.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer

Nays: None

Absent: Carmody

Motion carried. Ordinance declared adopted.

Proposed Zoning Ordinance Amendment – Definitions/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise the definitions of Lot Area and Front Lot Line, and add definitions for Animal Shelter, Cul-de-sac Length, Landscape Contractor, Low Intensity Sales & Storage and Towing Service. This amendment, which was introduced at the 7/9/07 meeting, was recommended for approval by the Planning Commission to “clean up” the Zoning Ordinance language and eliminate confusion regarding these uses. There was no further discussion.

Motion to adopt Ordinance No. 683, an amendment to the Definitions section of the Zoning Ordinance, as presented.

Motion by: Tucker

Seconded: Krug

Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer

Nays: None

Absent: Carmody

Motion carried. Ordinance declared adopted.

Proposed Zoning Ordinance Amendment – District Regulations/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to add Animal Shelter, Landscape Contractor, Low Intensity Sales & Storage and Towing Service as permitted uses and/or special uses in specific zoning districts. This amendment, which was also introduced at the 7/9/07 meeting, simply assigns the newly defined uses from the previous amendment to specific zoning districts as either a permitted use or special use. There was no further discussion.

Motion to adopt Ordinance No. 684, an amendment to the District Regulations section of the Zoning Ordinance, as presented.

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Motion by: Brown
Seconded: Krug
Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer
Nays: None
Absent: Carmody
Motion carried. Ordinance declared adopted.

Proposed Zoning Ordinance Amendment – Footnotes (District Regs)/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise footnote 'h' (regarding usable land area in density calculations), to add footnote 'o' (regarding wetland setbacks) and to revise Table 3-2 (regarding minimum lot area), in Article 3 of the Zoning Ordinance. This amendment, which was also introduced at the 7/9/07 meeting, clarifies existing language and adds a new requirement of a 25-foot setback from any wetland. There was no further discussion.

Motion to adopt Ordinance No. 685, an amendment to the footnotes in Article 3 of the Zoning Ordinance, as presented.

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer
Nays: None
Absent: Carmody
Motion carried. Ordinance declared adopted.

Proposed Zoning Ordinance Amendment – Off Street Parking/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise provisions for off-street parking. This amendment, which was also introduced at the 7/9/07 meeting, establishes three separate categories of drive-in/drive-thru establishments so that parking requirements are more equitable. There was no further discussion.

Motion to adopt Ordinance No. 686, an amendment to the Off Street Parking section of the Zoning Ordinance, as presented.

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer
Nays: None
Absent: Carmody
Motion carried. Ordinance declared adopted.

Proposed Zoning Ordinance Amendment – Design Standards

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to add design standards for Animal Shelters, Entrance Features, Landscape Contractors and Low Intensity Sales & Storage, and to revise design standards for Communication Towers and Antennae. This amendment, which was also introduced at the 7/9/07 meeting, establishes design standards for the uses created in the earlier amendments. The section on communication towers was completely revamped to bring it into line with current industry practices. Trustee Zimmer stated that she contacted the MTA attorney regarding this issue and he indicated that the Township does indeed have the authority to prohibit towers in residential areas. Even though a special use permit is required, she would like to see residential districts removed as potential tower sights. Trustee Tucker

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suggested that the design standards should still be adopted and the zoning district issue can be addressed in a separate amendment.

Motion to adopt Ordinance No. 687, an amendment to the Design Standards section of the Zoning Ordinance, as presented.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Brown, Goupil, Tucker, Zimmer

Nays: None

Absent: Carmody

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

Schedule Workshop Meeting

Supervisor Mathis stated that she would like to schedule a workshop meeting to discuss several issues. After a brief discussion the board agreed to schedule the meeting for Monday 7/30/07 at 7:30 p.m.

Michigan Townships Association Information/Discussion

Trustee Zimmer stressed the importance of staying informed on proposed legislation that would strip tax collection, election administration and assessing services from townships. This may be the first step in a larger movement to eliminate townships as a form of government in Michigan. Township residents should know that their local government is under attack. She would like to invite certain state and county officials to a future meeting to discuss these issues. Supervisor Mathis stated that County Commissioner Pat Lockwood will be invited to Monday's workshop meeting. State Representative Dave Robertson and State Senator John Gleason will also be invited to a future meeting.

NEW BUSINESS:

None

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Sue Foland, 11421 Fairbanks Road

Ms. Foland complimented the Township for the interactive nature of the Planning Commission agendas on the Township's website, which allow the user to click on links within the agenda to view related documents (forms, maps, etc.). She would like to see similar enhancements to the Township Board agendas. This will be researched. She would also like to see Township Board workshops, Planning Commission and ZBA meetings televised. Supervisor Mathis responded that our budget does not allow us to televise all meetings.

Armand Archambault, 3501 Four Lakes Avenue

Mr. Archambault expressed concern over the high sewer use rates. The board explained that the rate increase was necessary to cover the debt payments for the bonds issued to finance needed sewer rehabilitation. Trustee Brown stated that, after obtaining input at very well attended public hearings, the board ultimately felt that user rates were the most equitable way to generate the needed revenues. Supervisor Mathis explained that significant repairs are needed throughout the sewer system, even those that are less than 20 years old. Pipe sags and root intrusion are among the more serious problems. Trustee Tucker pointed out that not fixing the sewer problems was not an option so the

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money had to be raised some way. The user rates were the most preferred method. Trustee Zimmer added that the repairs were mandated by an Administrative Consent Order issued by the MDEQ; the Township has no choice but to rehabilitate the sanitary sewer system. Clerk Krug pointed out that the Township's website contains a detailed outline of sewer system financial information that was developed at the time the rate increase was implemented.

Ed Collins, 13056 Harbor Landings Drive

Mr. Collins stated that he is concerned that the Township is not charging a high enough rate to Tyrone Township for fire protection and emergency services. Supervisor Mathis stated that the contract and the rates will be reviewed later this year.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked about the status of the Lahring Road bridge project and local marine patrol. Supervisor Mathis responded that the Lahring Road bridge project should be completed in early August. Trustee Goupil stated that local marine patrols are ongoing and we have received positive feedback from area residents. Mr. Hawcroft also repeated his prior concerns about the City of Fenton harvesting weeds in the millpond, which ultimately re-seed downstream. He asked the board to approach the City of Fenton to change their weed control procedures.

Sue Foland, 11421 Fairbanks Road

Ms. Foland inquired as to what causes pipe sags in the sewer system. Supervisor Mathis responded that unstable ground, wet soils and overall poor ground quality causes pipes to sag underground.

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

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 7/24/07