

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 20, 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, Carmody, Brown, Goupil, Tucker, Zimmer, Operations
Manager Broecker and Attorney Cooley

Absent: None

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:

Motion to approve the 8/20/07 Fenton Township Board Meeting agenda as presented.

Motion by: Brown

Seconded: Tucker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

PRESENTATION:

Vic Lukasavitz (Gould Engineering) – Connecting Michigan Trailways Plan

Supervisor Mathis introduced Vic Lukasavitz of Gould Engineering. Mr. Lukasavitz is involved in the statewide plan for trailway systems known as Connecting Michigan. He briefly reviewed the recently created plan with the board, noting that the ultimate goal is to create an interconnected network of trailways and paths throughout Michigan. Trailways and walking paths promote healthier living and also increase property values.

Mr. Lukasavitz reported that several Genesee County communities have already adopted a resolution of support for the plan, with several others planning to do so. He asked the board to consider adopting a similar resolution of support.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2007-26

WHEREAS, there is general recognition statewide of the many benefits of multi-use trailways, not the least of which is improving health, economic benefits, alternative transportation access to the environment and natural areas, recreational opportunities, tourism and multi-jurisdictional cooperation, and

WHEREAS, the "Connecting Michigan Statewide Trailways Vision and Action Plan" released on May 15, 2007 is a comprehensive set of recommendations for completing an interconnected statewide system of trailways in Michigan, and

WHEREAS, the plan is the result of the year-long work of over 100 task force members, working on the following ten topics:

- *Funding for acquisition, construction, maintenance and operation.*
- *Developing a statewide GIS trailway database and website.*
- *Property issues: easements and titles.*

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- *Trailways usage: programming and promotions.*
- *On-road connections: linking the trailways.*
- *Building trailways support: education and advocacy.*
- *Overcoming boundaries: gaining cooperation.*
- *Coordinating resources: technical assistance for funding, planning & design.*
- *Multi-Use Trails & Design: guidelines and information.*
- *Envisioning a Statewide Trailways Network: opportunities and priorities.*

and

WHEREAS, the task force members included official participation from:

- *The National Park Service*
- *Michigan Department of Natural Resources.*
- *Michigan Department of Transportation.*
- *Michigan Department of Community Health.*
- *The Governor's Council on Physical Fitness, Health & Sports.*
- *Travel Michigan.*
- *Michigan Recreation and Park Association.*
- *Various regional representatives from health, transportation, economic development agencies.*
- *Regional trail groups.*
- *Local representatives from county, municipal and township jurisdictions, individual trail advocates and statewide and local nonprofit groups.*

and

WHEREAS, the "Connecting Michigan Statewide Trailways Vision and Action Plan" contains 39 goals on the previously identified topics and 109 action steps that will be acted upon over the next several years by a number of involved partners who have agreed to continue to collaborate, and

WHEREAS, the "Connecting Michigan Statewide Trailways Vision and Action Plan" works in conjunction with Governor Granholm's recently released state trails initiative, "Michigan Trails at the Crossroads: A Vision for Connecting Michigan";

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby attest to our endorsement of the Connecting Michigan Vision to complete an interconnected statewide trail system, and commit to participating with each other and our many partners in a collaborative effort to carry out the action steps necessary to achieve the Vision.

Motion to adopt Resolution No. 2007-26 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

MEETING MINUTES:

Trustee Zimmer asked to have her request to be removed from the Sewer Committee added to the minutes of the last meeting. The minutes of the 8/6/07 regular meeting stand approved as revised.

EXPENDITURES:

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Motion to approve expenditures for payment as presented.

Motion by: Brown

Seconded: Goupil

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Rezoning #R07-002, Lahring Linden LP, Parcel 06-09-300-036, (4486 Lahring Road); R-3 to PUD/Public Hearing & 1st Reading

Supervisor Mathis opened a public hearing on a proposed PUD rezoning for property located on Lahring Road, east of Linden Road.

Elizabeth Saab and engineer Kevin Cook, representing the applicant, explained that they are presenting two different conceptual plans for consideration. The Planning Commission has recommended approval of the 90 unit plan, but the applicant prefers the alternate plan, which includes 105 units. The only difference between the two is the removal of 5 single family units from the 90 unit plan and the addition of 10 barrier-free duplexes (20 units). Given the large amount of floodplain on the property they feel the 105 unit plan is a better use for the property and will also allow them to better address existing drainage problems on the site.

Trustee Tucker explained that the applicant is seeking to increase the density over what the Land Use Plan would normally allow in exchange for upgraded architectural styles and drainage improvements.

Clerk Krug questioned why the board should consider the 105 unit plan when the Planning Commission has recommended approval of the 90 unit plan. Trustee Tucker clarified that the Planning Commission encouraged the applicant to submit the alternate plan. The Planning Commission felt that their recommendation could not deviate from the existing Zoning Ordinance and Land Use Plan, but they were not necessarily opposed to the 105 unit plan.

Treasurer Carmody stated that the board should avoid a knee-jerk reaction to the current economic situation by relaxing our density standards. The ultimate decision should be based on what is best for the Township long term. He also questioned the use of the existing floodplain as a justification for higher density. Additionally, Mr. Carmody is concerned about the number of unsold homes already existing in Fenton Township.

Trustee Zimmer asked if there is already an approved site plan for the property. Ms. Saab confirmed that the property has an approved R-3 site plan with 79 units. They want to rezone to PUD to provide more flexibility and to create a more marketable project.

Clerk Krug asked about sidewalks and about the applicant's mention of barrier free construction for the proposed duplexes. Ms. Saab stated that sidewalks are not shown on the conceptual plan but would be included in the final site plan. If the 105 unit plan is approved, all 10 duplexes (20 units) will be built to barrier-free standards.

Trustee Brown asked if the water for the development would be provided by a community well or individual wells and also inquired as to the projected timing of construction. Mr. Cook confirmed that the project includes individual private wells.

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Applicant Khalil Saab indicated that, if approved, construction for the project would begin in the spring of 2008.

Supervisor Mathis noted that one of the areas of concern with regard to drainage for the subject property is the detention pond located on township-owned property at the intersection of Ripley and Lahring Roads. Water from the Linden Crossings development flows to this pond, which outlets under Lahring Road. This drainage, plus drainage from property on Ripley Road, ultimately flows onto the subject property and results in flooding.

Public Comment:

Bruce Walker, 5010 Whispering Oaks Drive
Dave Hawcroft, 3302 Ponemah Drive
Dave Franz, 3345 Breeze Pointe Court
Robert Thornton, 4468 Lahring Road
Frank Walter, 4410 Lahring Road

Their comments/concerns included:

- Separation between existing and proposed development (i.e. berms, etc.)
- Landscaping (would be addressed during site plan process)
- Future use of open space
- The project could be sold to a less reputable developer/builder
- The Township does not need more density
- Drainage/flooding concerns for the subject property and the surrounding properties

The second reading of the proposed rezoning ordinance will be conducted at the 9/4/07 meeting.

REPORTS:

Trash Collection Services

Supervisor Mathis reported that the RFP for trash collection services will be sent out later this week.

Consumers Energy Update

Supervisor Mathis reported that she received an e-mail from Kevin Keane of Consumers Energy explaining the cause of recurring power outages in the Owen Road area. A level adjustment of the lines from the Dean Road substation should eliminate the types of outages experienced in recent weeks.

Additionally, a planned conference call meeting with Representative Dave Robertson and Consumers officials was cancelled. A new meeting has been scheduled for 9/10/07 from 10:00 a.m. to 12:00 p.m. at the Consumers Energy building on Court Street in Flint.

Torrey/Lahring Intersection Project

Supervisor Mathis reported that the project to expand the Torrey/Lahring intersection will begin on 9/4/07. Work is expected to be completed by 10/26/07, weather permitting. The need to relocate an existing light pole is currently under review as part of the project.

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Trustee Zimmer expressed concern regarding visibility problems at that intersection. The cattails in the swamp area make it very difficult to see northbound traffic on Torrey Road. Supervisor Mathis stated that the Road Commission did cut out as much as they could, but it apparently did not completely eliminate the problem.

Clerk Krug questioned why such a project would proceed when the Township just received a letter from the Road Commission outlining their funding problems. The timing of the project is asinine, as it coincides with the first day of school. He suggested that the Road Commission should, at the very least, push the project back a few days so as to lessen the impact on the first day of school. Supervisor Mathis will look into that possibility.

Supervisor Mathis noted that the timing of the project was affected by the MDOT bridge reconstruction project on Lahring Road, as well as the Fenton Township sewer project. She is continuing her efforts to have a traffic signal installed at this intersection. The addition of the turning lanes makes it easier to justify a signal.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Proposed Lot Partition Ordinance Amendment/2nd Reading

Supervisor Mathis reviewed a proposed Lot Partition Ordinance, which was introduced at the 8/6/07 meeting. The proposed ordinance would replace the existing Lot Partition Ordinance, which had become outdated. The proposed ordinance includes standards for approval and places the final decision with the Planning Commission rather than the Township Board, under the premise that the Planning Commission is more familiar with these types of issues.

Motion to adopt Ordinance No. 688, a revised Lot Partition Ordinance, as presented.

Motion by: Tucker

Seconded: Krug

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

Nays: Zimmer

Motion carried. Ordinance declared adopted.

Rezoning #R07-005, Kevin Hill, Part of Parcel 06-03-100-010, (Thompson Road west of Phoenix Drive); C-3 to M-2/1st Reading

Supervisor introduced a proposed Zoning Ordinance amendment to rezone property on Thompson Road from C-3 to M-2. Trustee Tucker explained that the applicant wishes to rezone a portion of property adjacent to his business (cell towers) to allow him to combine it with his property. Since the Thompson Road Corridor Plan designates this property as light industrial, the Planning Commission has recommended approval of the rezoning.

Trustee Zimmer questioned if the applicant should have a special use permit for his existing use. Trustee Tucker confirmed that is a separate issue, which is currently being reviewed. Trustee Zimmer also suggested that fencing or landscaping should be used to screen the property.

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Applicant Kevin Hill explained that he wants to add the subject property to his existing business to provide additional space to expand his operation. He is willing to add landscaping to provide additional screening if necessary.

Trustee Brown asked how many people are currently employed at this location and if the expansion will result in new jobs. Mr. Hill stated that he currently employs 13 people and hopes to increase that number with the expansion of his business.

Public Comment:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked for an explanation of the current and proposed zoning districts. What are "C-3" and "M-2"? Supervisor Mathis explained that C-3 is Highway Service and M-2 is Light Industrial.

There was no further discussion. The second reading of the proposed rezoning ordinance will be conducted at the 9/4/07 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Revisions to Township Board Committee Appointments

Supervisor Mathis noted that, at the 8/6/07 meeting, Trustee Zimmer indicated that she wishes to step down from the Sewer Committee. In order for that to occur, the board needs to adopt revisions to the Committee Appointments. There may be other committee appointments that need to be revised so she suggested that the board members review the current approved appointments and be prepared to adopt revisions at the 9/4/07 meeting.

Resolution No. 2007-27, Memorial for Former Planning Commissioner John Olmstead

Supervisor Mathis stated that, as reported at the last meeting, former Planning Commissioner John Olmstead passed away on August 4th. A memorial resolution has been prepared to honor Mr. Olmstead's public service. Clerk Krug presented the following resolution:

RESOLUTION NO. 2007-27

WHEREAS, former Fenton Township Planning Commissioner John F. Olmstead passed away on August 4, 2007, and

WHEREAS, Mr. Olmstead was a resident of Fenton Township for many years, during which time he contributed greatly to the progress and welfare of the community, most notably as a member of the Fenton Township Planning Commission and as a guidance counselor at Lake Fenton High School, and

WHEREAS, Mr. Olmstead served loyally and faithfully as a member of the Fenton Township Planning Commission from 1989 to 1994, exhibiting the qualities of vision and leadership throughout his tenure as an appointed official, and

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WHEREAS, as a Lake Fenton High School guidance counselor for 25 years, Mr. Olmstead contributed greatly to the education and development of thousands of students and touched the lives of many people throughout the community;

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors John F. Olmstead for his valuable contributions to our community, conveys sincere appreciation and gratitude for his dedicated service to the government and citizens of Fenton Township and expresses profound sadness at his 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 Mr. Olmstead's family.

Motion to adopt Resolution No. 2007-27 as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Motion carried. Resolution declared adopted.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft expressed concern that the detention ponds in the Silver Parkway development in the City of Fenton are not functioning properly. It appears that storm water is draining directly into the Egyptian Drain and out to Lake Ponemah. Treasurer Carmody noted that the Egyptian Drain has had problems over the years. Trustee Brown suggested that Drain Commissioner Jeff Wright should be invited to a future meeting to discuss this and other issues. Supervisor Mathis will contact Mr. Wright.

Sue Foland, 11421 Fairbanks Road

Ms. Foland expressed concern over the timing of the Lahring/Torrey intersection project. Is the school district aware of this? Operations Manager Broecker reported that he had received a letter from the transportation company that acknowledged the fact that this intersection will be closed as of the start of the school year. Bus routes have already been developed to work around the closure.

ADJOURN: Meeting adjourned at 9:50 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 8/22/07