

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF APRIL 20, 2009**

**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, Tucker, Brown, Goupil, Hill, Kesler, Operations Manager
Broecker and Attorney Cooley

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

The following item were requested to be added to the agenda:

Law Enforcement Statistics (Reports)

Fenton Township Office Hours (New Business)

Motion to approve the 4/20/09 Fenton Township Board Meeting agenda as amended.

Motion by: Brown

Seconded: Tucker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

PRESENTATION:

Senator John Gleason

State Senator John Gleason thanked the board for the opportunity to update them on current issues. The legislature continues to work on budget issues. Senator Gleason will not support any cuts to Revenue Sharing for local governments. Other issues of great concern are the cost of health care and road funding. He will keep the board updated as new developments occur.

Victor Lukasavitz – Multi-Use Pathways & Complete Streets

Supervisor Mathis introduced Victor Lukasavitz of Gould Engineering. Mr. Lukasavitz presented information on multi-use pathways and complete streets. Examples of ways to develop multi-use pathways for existing roads are:

- Add a 3-foot lane of asphalt to an existing road.
- Reconfigure an existing multi-lane road by narrowing auto lanes to create a bike bath.

Benefits of having a bicycle transportation master plan or similar plan include:

- Improved public health
- Increased property values
- Obtain eligibility status for grant opportunities
- Increase/encourage tourism
- Mitigate congestion by creating alternate modes of transportation.

The board thanked Mr. Lukasavitz for a very informative presentation.

MEETING MINUTES:

The minutes for the 4/6/09 regular meeting stand approved as presented.

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EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$419,270.29 for payment as presented.

Motion by: Tucker

Seconded: Hill

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried.

PUBLIC HEARINGS:

Application for Industrial Facilities Exemption Certificate (Revised) – Thompson I.G., LLC

Supervisor Mathis stated that the purpose of this public hearing is to consider the revised application of Thompson I.G., LLC for an Industrial Facilities Exemption Certificate (tax abatement) for new equipment at their existing facility on Thompson Road. The board recently approved a similar application, however Thompson IG would like to add more equipment to the application. The total cost of the new equipment is approximately \$1.7 million and it is anticipated that the acquisition of the equipment will allow Thompson I.G. to create 6 new jobs at their facility.

There was no public comment.

Operations Manager Broecker reviewed the standardized rating sheet used to calculate the recommended abatement term. Based on the amount of investment and number of new jobs, the recommended term is nine years.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2009-18

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on April 6, 1992, this Township Board by resolution established Industrial Development District No. 8; and

WHEREAS, Thompson I.G., LLC has filed an application for an Industrial Facilities Exemption Certificate with regard to new equipment installed at their facility located in Industrial Development District No. 8; and

WHEREAS, before acting on said application, the Charter Township of Fenton held a public hearing on April 20, 2009 at the Fenton Township Civic Community Center in Fenton, Michigan at 7:30 p.m., at which hearing the applicant, the Assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the approval of the certificate will have the reasonable likelihood to retain, create, or prevent the loss of employment in the Charter Township of Fenton; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Fenton, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

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NOW, THEREFORE, BE IT RESOLVED BY the Township Board of the Charter Township of Fenton that:

- 1. The Township Board finds and determines that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of certificates previously granted and currently in force under Act No 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the Charter Township of Fenton, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Fenton.*
- 2. The application of Thompson I.G., LLC for an Industrial Facilities Exemption Certificate with respect to personal property acquired and installed on the following described parcel of real property situated within Fenton Township Industrial Development District No. 8, to wit:*

Part of the SW 1/4 of the NE 1/4 of Section 3, T5N-R6E, Township of Fenton, Genesee County, Michigan, described as beginning at a point on the EW 1/4 line of said Section which is N 89° 34' 47" W, along said EW 1/4 line, 1,896.03 feet from the East 1/4 corner of said Section 3; thence continuing N 89° 34' 47" W, along said EW 1/4 line, 136.0 feet; thence N 0° 20' 15"E, 679.0 feet; thence S 89° 50' E, 136.0 feet; thence S 0° 20' 15" W, 679.60 feet to the point of beginning. Containing 2.12 acres of gross land and being subject to the reservation of Thompson Road so-called.

be and the same is hereby approved.

- 3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 9 years.*

Motion to adopt Resolution No. 2009-18 as presented:

Motion by: Krug

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Ordinance Enforcement Quarterly Report

The board reviewed the quarterly report from Ordinance Enforcement Officer Robert Atkinson.

Law Enforcement Statistics

Trustee Goupil provided the following law enforcement statistics for March: 235 calls, 4 OUIL violations, 1 felony arrest, 1 misdemeanor arrest, 6 misdemeanor warrant arrests, 503 neighborhood checks and 472 business checks.

COMMUNICATIONS:

Household Hazardous Waste & E-Waste Collection Day

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Supervisor Mathis reported that the Spring Household Hazardous Waste Collection Day will be held at Lake Fenton High School on 5/9/09. In addition to the items collected in past years, residents can now recycle their “e-waste” at this event (old computers, monitors, TV’s, etc.).

Community Shred Event Reminder – 4/25/09

Supervisor Mathis reminded the board and the audience of the upcoming community shred event on 4/25/09. Fenton Township residents will have the opportunity to have personal documents shredded free of charge.

ADOPTION OF ORDINANCES:

Proposed Ordinance - Solicitors; Peddlers; Transient Merchants or Vendors/2nd

Reading

Supervisor Mathis reviewed a proposed ordinance regarding peddlers, transient merchants and vendors, which were introduced at the 4/6/09 meeting. The Township’s current ordinance is 40 years old and in need of updating. The proposed ordinance will continue to prohibit door-to-door sales but does establish a permitting process for vendors to sell food products within the public ways of the Township (e.g. an ice cream truck). Fundraisers for schools, churches, scouting organizations, etc. will be exempt from the provisions of the ordinance. There was no further discussion.

Motion to adopt Ordinance No. 707, a new ordinance regulating solicitors, peddlers and transient merchants & vendors, as presented.

Motion by: Hill

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried. Ordinance declared adopted.

Proposed Zoning Ordinance Amendment, Vehicle Modification Establishments/1st

Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to establish the use “Vehicle Modification Establishment”, to designate the permitted zoning districts for the use and to establish design standards. Treasurer Tucker stated that the Planning Commission concluded that a new use was necessary for those establishment performing low intensity automobile related services (detailing, car alarms, etc.). The use Vehicle Modification Establishment is the proposed new use. In addition to defining the use, the proposed ordinance designates the use as permitted in the C-2 and C-3 zoning districts and establishes design standards, including access to primary roads and operating within a closed structure.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 5/4/09 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Donation of Property – Parcel 06-15-200-045

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Supervisor Mathis a letter from the Landings at Cranes Cove Condominium Association regarding a small piece of lakefront property owned by the association. The property is separated from the condo development by Torrey Road. It is all swamp and not usable. They wish to donate the property to the Township. The board discussed the issue and concerns were raised that the property could somehow be used for lake access (i.e. keyholing). It was suggested that the deed could include language establishing the property as a conservation easement, thereby eliminating the potential for lake access.

Motion to accept the donation of parcel 06-15-200-045 from the Landings at Crane's Cove Association as presented, subject to the inclusion of conservation easement language in the property deed.

Motion by: Krug
Seconded: Hill
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

Proposed Amendments to Fenton Township Schedule of Fees

Operations Manager Broecker reviewed proposed amendments to the Township's fee schedule. The fee for transient merchants has been added per the ordinance adopted at tonight's meeting. Several other miscellaneous fees have been adjusted to match surrounding communities and to create more consistency.

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

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

Fenton Township Office Hours

Clerk Krug stated that, with all of the uncertainty surrounding State Revenue Sharing and the economy in general, the Township has been looking at ways to reduce expenses. One of the areas that has been closely reviewed is staffing and the Township believes that staff can be reduced without negatively impacting service to our residents.

After careful consideration of different options, the Personnel Committee is recommending to the board that the Township office close at 3:00pm on Fridays, thereby reducing the work week to a maximum of 38 hours for hourly employees. This would result in an annualized savings of over \$17,000.00 in personnel costs.

Motion to revise normal office hours on Fridays for the Fenton Township office to 8:00am to 3:00pm, effective May 1, 2009.

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

Zoning Board of Appeals

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Supervisor Mathis reported that Trustee Goupil has requested to be removed as the Township Board representative on the Zoning Board of Appeals. His work schedule does not allow him to attend the meetings on a regular basis and he feels it is unfair to leave the ZBA shorthanded. The board will look to fill the vacancy at the 5/4/09 meeting.

BOARD COMMENT:

None

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Tom Richard, 12425 Jennings Road

Mr. Richard stated that property on Thompson Road is filling up with old vehicles and questioned if the property is properly zoned for this. The property will be investigated.

Susan Foland, 11421 Fairbanks Road

Ms. Foland asked if the change to office hours was approved by the union employees. Treasurer Tucker stated that the collective bargaining agreement gives the Township the authority to adjust hours of operation. Ms. Foland also asked about the Settle property on Lake Valley Drive. Supervisor Mathis stated that the Settles have moved back into their home and the work to repair the sewer is ongoing.

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft is concerned about the condition of roads. The patching efforts do not seem to be effective. If worker safety is an issue with respect to road repair crews, there may need to be more law enforcement presence.

ADJOURN: Meeting adjourned at 9:35 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 4/21/09