

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 7, 2014**

**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, Goupil, Kesler, Lorraine, Shumaker, Attorney
Cooley and Operations Manager Broecker.

Absent: None

PLEDGE OF ALLEGIANCE / OPENING PRAYER:

Supervisor Mathis led the pledge of allegiance to the flag. Trustee Goupil offered the opening prayer.

APPROVAL OF AGENDA:

Motion to approve the 7/7/14 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 6/16/14 regular meeting and the 6/16/14 workshop meeting stand approved as presented.

EXPENDITURES:

Treasurer Tucker questioned the invoice for repairs to Fire Truck #15. It was noted that all tires were replaced and brake rotors, pads and calipers were replaced. Motion to approve invoices and expenditures for all funds totaling \$315,039.91 for payment as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Supervisor Mathis asked if the Marine Patrol had provided any reports or updates, particularly regarding the July 4th weekend. Trustee Goupil will check with his contacts at the Genesee County Sheriff Department to see if reports are available.

COMMUNICATIONS:

None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 7, 2014**

ADOPTION OF ORDINANCES:

**Proposed Zoning Ordinance Amendment – Rental & Sales of Automobiles/2nd
Reading**

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to add **Rental and sales of automobiles, recreational vehicles and mobile homes, outdoor** as a permitted use in the M-2 zoning district, which was introduced at the 6/16/14 meeting. This amendment is the result of an application from a business owner for the proposed text amendment. This business owner wants to operate an automobile recycling operation and sales on property zoning M-2.

Supervisor Mathis reviewed a detailed list of uses currently permitted by right in the M-2 zoning district. Although the property is zoned M-2, the Future Land Use Plan designation for the property is commercial. She supports adding the use as a use permitted by special use permit, rather than by right, although is concerned with the fact that mobile home sales are included in this use.

Treasurer Tucker stated that he is not opposed to the amendment as presented, but sees the advantage of making it a special use. Trustee Kesler stated he supports the amendment as it would bring new business into the Township.

Public comment:

Kyle Ream, attorney representing Mr. Stoddard, expressed concern regarding the potential delay caused by revising the amendatory ordinance to make the use permitted by special use permit. The earliest that a special use permit could be granted is the August Planning Commission meeting. Since the requested use is currently permitted in the C-3 zoning district, it is less intense than other M-2 uses.

Supervisor Mathis stated that, if the amendment is revised, adoption would be delayed by 2 weeks. She is willing to waive the fee for a special meeting of the Planning Commission to consider the special use permit, rather than waiting for the August regular meeting.

After additional discussion, the board agreed to first consider the amendment as originally presented.

Motion to adopt an amendment to Article 3 of Zoning Ordinance No. 594 to add **Rental and sales of automobiles, recreational vehicles and mobile homes, outdoor** as a permitted use in the M-2 zoning district, as presented.

Motion by: Goupil

Seconded: Lorraine

Ayes: Kesler, Lorraine

Nays: Mathis, Krug, Tucker, Goupil, Shumaker

Motion failed.

Motion to amend the proposed Zoning Ordinance amendment to:

- a. Create a new defined use for **Rental and sales of automobiles and recreational vehicles, outdoor.**
- b. Create a new defined use for **Rental and sales of mobile homes and commercial equipment, outdoor.**

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 7, 2014**

- c. Add *Rental and sales of automobiles and recreational vehicles, outdoor* as a permitted use in the M-2 zoning district.
- d. Designate the two newly defined uses as uses permitted by special use permit in the C-2 zoning district and permitted by right in the C-3 zoning district.

Motion by: Tucker

Seconded: Goupil

Ayes: Mathis, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: Krug

Motion carried.

With the revisions, this is considered a first reading of the proposed Zoning Ordinance amendment. The second reading will be conducted at the 7/21/14 meeting.

Proposed Zoning Ordinance Amendment – Private Road Design Standards/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise provisions relating to private road design standards. Treasurer Tucker explained that the proposed amendment would give the Planning Commission the authority to waive the requirement to have a paved private road if the road is connected to an unpaved road and provides access to six or fewer homes. There was no further discussion.

Public comment:

Brian Shaltz, Field-to-Finish Land Surveying

Mr. Shaltz questioned the requirement for inspection of private road construction by the Township Engineer. It was clarified that the amendment before the board does not impact that language and this issue could be addressed separately.

Motion to adopt Ordinance No. 766, an amendment to Article 4 of Zoning Ordinance No. 594 to revise provisions relating to private road design standards, as presented.

Motion by: Shumaker

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Local Road Improvement Project – Lobdell Road

Supervisor Mathis reviewed a Genesee County Road Commission cost proposal for gravel resurfacing of Lobdell Road from Linden Road to Whitaker Road. The estimated total cost is \$22,036.93, which would be divided equally between Fenton Township and the Genesee County Road Commission by using available 50/50 matching funds. Treasurer Tucker asked if the project was included in the 2014 budget. Supervisor Mathis confirmed that both projects on the agenda are covered under this year's budget.

Motion to approve a local road improvement project to gravel resurface Lobdell Road from Linden Road to Whitaker Road, as presented.

Motion by: Tucker

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 7, 2014**

Seconded: Kesler
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

Proposed Local Road Improvement Project – Whitaker Road

Supervisor Mathis reviewed a Genesee County Road Commission cost proposal for gravel resurfacing of Whitaker Road from Linden Road to Owen Road. The estimated total cost is 37,995.56, which would be divided equally between Fenton Township and the Genesee County Road Commission by using available 50/50 matching funds.

Motion to approve a local road improvement project to gravel resurface Whitaker Road from Linden Road to Owen Road, as presented.

Motion by: Tucker
Seconded: Kesler
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

Resolution No. 2014-11, Accelerated Foreclosure on Abandoned Property

Supervisor Mathis stated that, based on a recommendation from the Genesee County Treasurer, the Township has adopted a resolution each year to allow accelerated foreclosure on abandoned tax delinquent properties. If a property is truly abandoned, faster foreclosure proceedings will help get the property back on the active tax roll sooner. This resolution must be adopted once each year. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-11

WHEREAS, Township Board of the Charter Township of Fenton determines that parcels of abandoned tax delinquent property exist, and

WHEREAS, abandoned tax delinquent property has the potential to contribute to crime, blight and decay within the Charter Township of Fenton, and

WHEREAS, the certification of tax delinquent abandoned property as certified abandoned property will result in the accelerated forfeiture and foreclosure of certified abandoned property under the General Property Tax Act and return abandoned property to productive use more rapidly, thereby potentially reducing crime, blight and decay within the Township.

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton hereby notifies residents and owners of property within the Township that abandoned tax delinquent property will be identified and inspected, and may be certified as certified abandoned property under the Certification of Abandoned Property for Accelerated Forfeiture Act and subject to accelerated forfeiture and foreclosure under the General Property Tax Act.

Motion to adopt Resolution No. 2014-11 as presented.

Motion by: Krug

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 7, 2014**

Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried. Resolution declared adopted.

Addendum to Community Development Block Grant Cooperative Agreement

Supervisor Mathis reported that the Genesee County Planning Commission has asked each participating community to approve an addendum to the existing Community Development Block Grant cooperative agreement. This addendum would amend the cooperative agreement to clarify fair housing and civil rights obligations, as well as a provision preventing the selling, trading, or transferring of CDBG funds.

Motion to approve an addendum to the Community Development Block Grant Cooperative Agreement, as presented.

Motion by: Tucker
Seconded: Kesler
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

Proposed Ballot Language – Renewal of Trash Collection Special Levy

Operations Manager Broecker explained that the 2013 property tax roll was the final year of the trash collection special assessment approved by the voters in 2010. The funds collected from the 2013 assessment are being used to pay for the 2014 service year. In order to continue township-wide residential trash collection services, it will be necessary to place the issue on the ballot for the November 4, 2014 General Election. The Township has received and opened proposals for the 2015-2018 period and, although a contract has not yet been awarded, it has been determined that the “not to exceed” amount for the ballot proposal should be \$155 per unit per year. It was also noted that the actual amount assessed may be lower, depending on the terms of the final contract. The proposed ballot proposal language is as follows:

Trash Collection Assessment Renewal

Shall each parcel of real estate in the Township upon which there is located a detached single-family dwelling or two-family dwelling or attached single-family dwelling be assessed the sum of up to one hundred fifty-five dollars (\$155.00) per year per dwelling unit commencing with the December 2014 property tax statements for a four year period to continue funding for Residential Trash Collection Services for the calendar years 2015, 2016, 2017 and 2018?

Motion to approve the ballot proposal language for the renewal of the trash collection assessment as presented, and to authorize the placement of said proposal on the ballot for the November 4, 2014 General Election.

Motion by: Shumaker
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 7, 2014**

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Urlaub, 3471 Rolston Road

Mr. Urlaub expressed concern with the volume of traffic in the Rolston Road, and the speed at which vehicles travel. Vehicles do not stop at the Jennings/Rolston intersection. Vehicles travel too fast through the S curves and veer across the centerline. He would like more police patrols and/or a reduction to the speed limit. Supervisor Mathis stated that the Township will request a traffic study to determine if a reduction of the speed limit is warranted.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if any Marine Patrol reports have been filed with the Township. Supervisor Mathis stated that the Township has not yet received any reports. He believes the Marine Patrol has been very visible and they appear to be doing a good job. Trustee Goupil stated that he would try to obtain reports before the next meeting.

Regarding the discussion about the fire truck expenditures, he suggested that Fire Chief Volz would be able to adequately explain repair issues with the fire department vehicles.

ADJOURN: Meeting adjourned at 9:00 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 7/8/14