# 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 and Attorney

Cooley.

Absent: None

## **OPENING PRAYER / PLEDGE OF ALLEGIANCE:**

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

## **APPROVAL OF AGENDA:**

Motion to approve the 9/21/15 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker Seconded: Lorraine Ayes: All Nays: None

Motion carried. The agenda is approved.

#### **MEETING MINUTES**

The minutes for the 8/31/15 workshop meeting and the 8/31/15 regular meeting stand approved as presented.

## **EXPENDITURES:**

Treasurer Tucker pointed out that the total for Cook Excavating is a combination of several invoices, including the demolition of a house that was declared a dangerous building, and not just pump station ground maintenance as indicated on the summary report. Supervisor Mathis questioned the invoice for USA Blue Book. Clerk Krug verified that the cost was related to replacing floats in several pump stations. Trustee Lorraine questioned the invoice from Lawrence Engineering. The board discussed this issue at length and agreed to continue discussion at a future workshop meeting. Motion to approve invoices and expenditures for all funds totaling \$794,525.64 for payment as presented.

Motion by: Tucker Seconded: Kesler

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

Navs: None

Motion carried.

#### **PUBLIC HEARINGS:**

# Fenton Township Fire Protection Special Assessment District - Hearing on 2015 Special Assessment Roll

Supervisor Mathis stated that this is the annual public hearing on the Fire Protection Special Assessment Roll. The assessment per household remains at \$65.00. There was no public comment. Clerk Krug presented the following resolution:

#### **RESOLUTION NO. 2015-17**

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a

proposed assessment roll prepared by the Supervisor and assessing officer of the Township for the purpose of raising money by special assessment for furnishing fire protection and purchasing and housing equipment, and for the operation of same, and

WHEREAS, such public hearing was preceded by a notice published in a newspaper of general circulation in the Township, and

WHEREAS, no written objections were received to said roll and levy;

WHEREAS, all present at said public hearing were given the opportunity to be heard in the matter, and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as presented, to be correct, just and reasonable;

NOW, THEREFORE, BE IT RESOLVED, that the assessment roll submitted by the Supervisor and assessing officer of the Township shall hereafter be designated as the Fenton Township Special Assessment Roll No. 2015-1 and shall hereby be confirmed as the 2015 assessment roll for the Fenton Township Fire Protection Special Assessment District, and

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2015-1 shall be due and payable on December 1, 2015, and

BE IT FURTHER RESOLVED, if any special assessment is not paid when due, then the special assessment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, in accordance with Michigan Public Act 81 of 1989 and Public Act 188 of 1954, as amended, and

BE IT FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and said P.A. 81 of 1989 and P.A. 188 of 1954, and

BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion to adopt Resolution No. 2015-17 as presented.

Motion by: Krug Seconded: Shumaker

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

Navs: None

Motion carried. Resolution declared adopted.

#### **REPORTS:**

None

#### **COMMUNICATIONS:**

None

### **ADOPTION OF ORDINANCES:**

## Proposed Zoning Ordinance Amendment – Private Roads/2<sup>nd</sup> Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise language regarding private roads, which was introduced at the 8/31/15 meeting. The amendment requires that the construction of a private road be completed before any building permits can be issued on that road.

#### **Public Comment:**

Brian Shaltz, Field to Finish Land Surveying

Mr. Shaltz questioned the numbering of the provisions since the ordinance already includes a #14 and #15. After a brief discussion the board agreed to postpone action on this amendment to clarify the numbering issue.

Mr. Shaltz further questioned the provision that requires completion of a private road by October 1<sup>st</sup> of a given year, rather than November 15<sup>th</sup> when most asphalt plants close. Treasurer Tucker explained that the October 1 deadline provides the Township with an opportunity to address the issue with the developer before asphalt plants close. Mr. Shaltz also stated that the proposed amendment may unintentionally direct development out of the Township if building permits can't be issued. The board continued to discuss the ordinance at length. The ordinance may be referred to the next workshop meeting.

# Rezoning #R15-004, Charter Township of Fenton, parcels 06-01-300-035, 06-01-400-011, 06-01-400-025, 06-01-400-015. 06-01-400-018 & part of 06-01-400-021; PUD to R-3/1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone several parcels that were previously part of the BVM Development PUD project. The Township now owns one of the original parcels, which is planned for a community park, and another has already been rezoned to R-3. The Township Board initiated rezoning of the remaining parcels back to R-3. Treasurer Tucker reported that the Planning Commission has recommended approval of the rezoning since the original PUD project is no longer viable. There were a number of neighboring property owners in attendance at the Planning Commission hearing and everyone supported the proposed rezoning. There were questions regarding the potential for the Township to obtain some of the rezoned property and incorporate it into the park property. It was confirmed that this would require a new site plan approval.

On a side note, Treasurer Tucker reported that the Planning Commission had reached a consensus that the proposed dog park on the park property would be allowed under the existing special use permit, but that a new site plan would need to be approved and area residents notified of the meeting.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 10/5/15 meeting.

## **UNFINISHED BUSINESS:**

None

#### **NEW BUSINESS:**

# <u>Proposed Joint Resolution in Support of a Regional Non-Motorized Multi-Use Trail</u> Project

The board reviewed a proposed joint resolution with Argentine Township and the cities of Fenton and Linden to support a regional non-motorized multi-use trail system in our area. Victor Lukasavitz, chairman of LAFF Trails Coalition, gave a brief background of the organization's effort to initiate the development of a multi-use trail system in our communities. A fund has been established to help maintain trails after they are constructed. A second fund has been established for development to be used for grant matching, engineering and construction.

LAFF is asking the Township Board to adopt a joint resolution of support for the concept of a regional trail system. The proposed resolution does not commit funding, prioritize projects or anything other than simply support the concept. Argentine Township and the cities of Fenton and Linden have already approved the resolution.

Treasurer Tucker stated support for the concept. He has used trail systems in other communities and they are something that will attract visitors and help the local economy.

Clerk Krug expressed concern that Fenton Township residents would be paying for first priority trails with little or no benefit. Mr. Lukasavitz clarified that the LAFF is not asking for funds or commitment of funds. The resolution is simply to show a cooperative effort that will increase the chances of obtaining grants for the entire area.

Treasurer Tucker presented the following resolution:

#### **RESOLUTION NO. 2015-13**

WHEREAS, the City of Linden, the City of Fenton, Fenton Charter Township and Argentine Township seek to connect our regional area with non-motorized trails and pathways that create recreational opportunities and alternative forms of transportation, improve public safety, increase community and home values, and realize economic gains for area businesses, and

WHEREAS, our communities strive to provide connectivity via non-motorized trails and pathways, through joint community and infrastructure planning because it connects adjoining community attributes with shared school facilities, regional features, programs, and parks, and

WHEREAS, our communities endeavor to enhance the quality of life of area residents, and

WHEREAS, four routes in our region have been identified for prioritization (in no particular order) with the understanding there will be supplemental routes in each community:

- Silver Lake Road between the City of Linden and the City of Fenton,
- Silver Lake Road between Argentine Township and the City of Linden,
- Owen Road between Linden Road and Leroy Street,

Fenton Road between Thompson Road and Fenton City Limits, and

WHEREAS, working together to support the efforts of adjoining communities to promote smart commuting and alternate forms of transportation that will create strategic growth, environmental integrity, economic prosperity, and social equality, making all the communities in southern Genesee County great places to work, live and play.

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby goes on record in support of the aforesaid non-motorized multi-use trail Project.

Motion to adopt Resolution No. 2015-18 as presented.

Motion by: Tucker Seconded: Lorraine

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

Nays: Krug

Motion carried. Resolution declared adopted.

#### **BOARD COMMENT:**

Clerk Krug expressed disappointment that the Planning Commission has required a revised site plan for the park property to incorporate the dog park. Treasurer Tucker stated that both the Planning Commission and residents in attendance at their meeting were very supportive of the dog park concept. They simply felt that approving a revised site plan is the right thing to do.

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

Brian Shaltz, Field to Finish Land Surveying

Mr. Shaltz distributed a revised conceptual site plan for the township's park property, which includes a dog park. The board briefly discussed site issues for the park.

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft expressed concern that the new driveway for Torrey Hill Intermediate School may be a safety hazard due to its location relative to the hills on Torrey Road. The board clarified that the Township has no authority over school construction projects. The Genesee County Road Commission granted all necessary approvals for the driveway.

ADJOURN:	Meeting adjourned at 9:40 p.m.		
Bonnie Mathi	s, Supervisor	Robert Krug, Clerk	
Minutes P	Posted 9/22/15		