

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 6, 2016**

**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
Belzer and Operations Manager Broecker.

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 6/6/16 Fenton Township Board Meeting agenda as presented.

Motion by: Lorraine

Seconded: Tucker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES

The minutes for the 5/16/16 regular and workshop meetings stand approved as presented.

EXPENDITURES:

Treasurer Tucker noted that a small check run was processed early to avoid late fees. Supervisor Mathis stated that the total of that check run is included in the total to be approved. Motion to approve invoices and expenditures for all funds totaling \$246,831.20 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:

Marine Patrol

Supervisor Mathis reported that Genesee County Sheriff Department has informed the Township that the grant awarded for marine patrol is lower than previous years. They are asking if township can allocate funds to maintain lake patrols through the boating season. Supervisor Mathis suggested that the Public Safety Committee review this issue and make a recommendation. Trustee Goupil, chairman of the Public Safety Committee will research.

COMMUNICATIONS:

None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 6, 2016**

ADOPTION OF ORDINANCES:

Rezoning #R16-002, Donald L. Doyle, part of parcel 06-24-200-027, (located adjacent to 1221 Petts Road); R-6 to R-3/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone part of parcel 06-24-200-027 from R-6 to R-3, which was introduced at the 5/16/16 meeting. The applicant wishes to split off approximately 5½ acres from his parcel and sell it to an adjacent property owner. In order for that property owner to combine the land with his existing parcel, they must have the same zoning classification. It was also noted that the subject property is all regulated wetlands and cannot be developed without the appropriate DEQ permit. There was no further discussion.

Motion to adopt Ordinance No. 788, an amendment to Zoning Ordinance No. 594 to rezone part of parcel 06-24-200-027 from R-6 to R-3, as presented.

Motion by: Shumaker

Seconded: Tucker

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

Nays: None

Motion carried. Ordinance declared adopted.

Proposed Ordinance to Repeal Obsolete Ordinances/1st Reading

Operations Manager Broecker reviewed a proposed ordinance to repeal five obsolete ordinances:

Ordinance No. 260, Mobile Home Parks; Adopted January 17, 1977

This ordinance was adopted presumably in compliance with PA 419 of 1976, which established the State the Mobile Home Commission. The Mobile Home Commission Act, (PA 96 of 1987), repealed 1976 PA 419 and effectively preempted the Township's ordinance, rendering it unenforceable. It is unclear why action was not taken at that time to repeal the ordinance. The Township had been under the mistaken assumption for many years that parts of the ordinance were still valid but that is not the case.

Ordinance No. 403, Wetland Protection; Adopted April 1, 1991

This ordinance was preempted by Part 303 (Wetland Protection) of PA 451 of 1994 (Natural Resources and Environmental Protection Act), rendering it unenforceable. The board was hesitant to repeal the ordinance because it might appear they were not concerned with environmental issues. I believe leaving the ordinance in the manual has the potential to create more problems than it avoids.

Ordinance No. 640, Plumbing Code; Adopted May 9, 2005

Ordinance No. 641, Mechanical Code; Adopted May 9, 2005

Ordinance No. 642, Electrical Code; Adopted May 9, 2005

In 2005 the process was started to designate Fenton Township as the enforcing agency for the plumbing, mechanical and electrical codes, (permit issuance, inspections, etc.), including the adoption of the required ordinances. That effort was put on hold soon thereafter as building activity began to decline and the issue has not been revisited since. Unless the Township wishes to pursue designation as the enforcing agency for these codes, the ordinances should be repealed.

Trustee Lorraine asked Attorney Belzer for his opinion. Mr. Belzer stated that he agreed with the proposed repeal of these ordinances. He suggested that the board may want to

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 6, 2016**

consider a new ordinance to deal with certain mobile home park issues, however the old ordinance is unenforceable.

There was no public comment:

The second reading of the proposed ordinance will be conducted at the 6/20/16 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2016-05, Consumers Energy Street Light Changes

Operations Manager Broecker reported that Consumers Energy requires a resolution to authorize the Township Supervisor and Clerk to approve changes to the Township's street lighting contract for each calendar year. There was no further discussion. Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-05

BE IT RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the street lighting service as provided in the Standard Street Lighting Contract between Consumers Energy Company and the Charter Township of Fenton, dated September 29, 1976 in accordance with Authorizations for Change in Standard Street Lighting Contract executed by the Charter Township of Fenton during the calendar year of 2016, and

BE IT FURTHER RESOLVED, that the Township Supervisor and the Township Clerk be and are authorized to execute such authorizations for change on behalf of the Charter Township of Fenton.

Motion to adopt Resolution No. 2016-05 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Annette Bambach, 14192 Eastview Drive

Ms. Bambach stated that she met with Supervisor Mathis and Ordinance Enforcement Officer Tom Hosie and asked if there were any updates to report. Supervisor Mathis stated that the inspection of the mobile home park is tentatively schedule for later this month. The Township is still investigating the possibility of enacting an ordinance for inspection of rental properties.

Ms. Bambach also asked if the special meeting previously discussed is still going to be scheduled. Clerk Krug stated he is still working on such a meeting. He is hoping to have

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 6, 2016**

a representative from the Michigan Mobile Home Commission attend the meeting. He will continue to work on the meeting and let the residents know.

Ted Goupil, 14166 Eastview Drive

Mr. Goupil questioned status of the blight case on Landings Way. Supervisor Mathis stated that a ticket was issued and the owner has appeared in court. The judge has granted a period of time to clean up the property.

Sharon Garfield, 14008 Eastview Drive

Ms. Garfield stated that a mobile home park resident has reported that the water supply is foul smelling. Supervisor Mathis noted that residents can have their water tested. Treasurer Tucker noted that the MDEQ regulates testing of community water supplies.

Al Wilson, 14032 Eastview Drive

Mr. Wilson expressed concern that the mobile home park has a designated storage area for boats and recreational vehicles but they don't use it.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft complimented residents for doing their homework on the mobile home park issue. Mr. Hawcroft also complimented the Marine Patrol for doing a good job on lake patrols.

Trustee Lorraine stated that he wants to move forward with finding solutions for mobile home park issues. He asked Attorney Belzer to assist in this effort. Trustee Shumaker suggested that the residents appoint a spokesperson to confirm which issues will be on the list to investigate.

ADJOURN: Meeting adjourned at 8:55 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 6/6/16