

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 25, 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 Doyle
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 7/25/16 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 7/11/16 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$196,025.05 for payment as presented.

Motion by: Lorraine

Seconded: Tucker

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Fenton Township Parks & Recreation Plan Amendment

Supervisor Mathis opened a public hearing on a proposed amendment to the Fenton Township Parks & Recreation Plan, which is based on input obtained at the 6/20/16 board meeting, and has been on file at the township for the past two weeks. Doug Schultz of Rowe Professional Services provided a brief overview of the amendment process and noted that the main thrust of the amendment is to incorporate a non-motorized pathway network into the plan.

Public comment:

Victor Lukasavitz, LAFF

Mr. Lukasavitz thanked the board for moving forward with the plan amendment. A regional non-motorized pathway network will be a great benefit to the community. He also urged the board to consider taking the plan further by developing plans and budgets for specific recreational improvements.

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A letter was also received from Ross and Cathy Merchant of 4214 Silver Lake Road. They expressed concerns over the location of a pathway in front of their property, the impact on their property and the impact on the wetlands.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-08

WHEREAS, the Charter Township of Fenton has undertaken a Parks and Recreation Plan Amendment which describes changes to the Five Year Parks and Recreation Plan originally adopted in 2014 and indicates actions to be taken to improve and maintain recreation facilities during the same five year period, and

WHEREAS, a public comment session was held June 20, 2016 at the Fenton Township Civic Community Center to provide an opportunity for citizens to provide input to be included in the Recreation Plan Amendment, and

WHEREAS, a public hearing was held July 25, 2016 at the Fenton Township Civic Community Center to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan Amendment, and

WHEREAS, after the public hearing, the Fenton Township Board has determined to move forward with the adoption of said Recreation Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED, that Township Board of the Charter Township of Fenton hereby adopts the Fenton Township Parks and Recreation Plan 2014-2018 Amendment as presented.

Motion to adopt Resolution No. 2016-08, as presented.

Motion by: Tucker

Seconded: Mathis

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

Nays: Krug

Motion carried. Resolution declared adopted.

REPORTS:

Ordinance Enforcement 2nd Quarter Report

The board briefly reviewed the second quarter report from Ordinance Enforcement Officer Tom Hosie. Blight, tall grass and zoning issues had the highest volume of complaints for the quarter.

COMMUNICATIONS:

Household Hazardous Waste Collection Day – 8/20/16

Supervisor Mathis announced that there will be a summer Household Hazardous Waste Collection Day this year. The event will be held on Saturday 8/20/16 from 10:00 a.m. to 2:00 p.m. at the Flint East Water Service Center and Lake Fenton High School.

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ADOPTION OF ORDINANCES:

**Rezoning #R16-003, Charles Chapple, parcel 06-03-200-014, (11220 Torrey Road);
R-3 to M-2 (Conditional Rezoning)/1st Reading**

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to rezone property on Torrey Road from R-3 to M-2, with conditions. Treasurer Tucker explained that applicant initially request a “straight” rezoning to M-2. The Planning Commission was not comfortable with all uses under the M-2 zoning district so the applicant offered to include conditions to restrict the use. He also noted that this request brought to light the need to revisit and update the Thompson Road Corridor Plan. The Planning Commission unanimously recommended approval of the conditional rezoning. Trustee Shumaker suggested that the board consider not acting on this application until the Thompson Road Corridor Plan is updated. Treasurer Tucker stated that, for most any other rezoning request within the corridor area, he would agree with that approach. This property, however, is small and boxed in by the existing bowling alley and the new Miller Industries facility. He does not believe this rezoning negatively impacts the potential updating of the Thompson Road Corridor Plan.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 8/8/16 meeting.

Rezoning #R16-004, Steve Steffey, parcel 06-04-200-017, (north of 4150 Thompson Road); R-2 to R-3/ 1st Reading

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to rezone property off Thompson Road from R-2 to R-3. Treasurer Tucker explained that the applicant is purchasing the property from a neighbor to add to his existing parcel. In order to do so, both properties must be in the same zoning district. He also noted that the rezoning would be in compliance with the Future Land Use Plan designation of medium density residential.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 8/8/16 meeting.

Rezoning #R16-005, Michael Krause, parcels 06-19-100-034 & 06-19-100-021 (14083 Hogan Road); R-3 to R-1/1st Reading

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to rezone property on Hogan Road from R-3 to R-1. Treasurer Tucker explained that the request is to “down zone” property from R-3 to R-1, which would give the property owner an opportunity to apply for a Special Use Permit to keep chickens on the property. Ultimately the Planning Commission recommended denial based on language in the Future Land Use Plan that indicates that agricultural uses would be phased out over time.

Public Comment:

Michael Krause, 14083 Hogan Road

Mr. Krause explained that he has owned the property for 20 years and has always raised chickens. The property was zoning AG (Agricultural) at one time. He is willing to install fences and move the chickens to the north end of the property if that would make the rezoning more acceptable.

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Russ Tithof, 14097 Hogan Road

Mr. Tithof, who lives next to the subject property, clarified that the 1-acre parcel that currently has the chickens was not part of the property that was once zoned AG and has been owned by Mr. Krause for much less than 20 years. He also stated that there have been many instances where the chickens have wandered onto his property. Mr. Tithof cited studies that indicate that backyard chickens are a significant cause of disease, and he believes the illegal agricultural uses on the subject property have negatively impacted the value of his property. He also pointed out that about half of the subject property is wetland and therefore not large enough to support agricultural uses.

Jamie Reager, 14109 Hogan Road

Ms. Reager is also a neighbor to the subject property. She has not had a problem with chickens coming into her yard but the noise is a nuisance. She is not in favor of the rezoning request.

There was no further public comment. The second reading of the proposed ordinance will be conducted at the 8/8/16 meeting.

UNFINISHED BUSINESS:

Reminder – Reception for Richard Cooley 8/1/16, 5:00-8:00 p.m.

Supervisor Mathis reminded the board that the Township is hosting an informal reception for retired Township Attorney Dick Cooley next Monday 8/1/16 from 5:00 p.m. to 8:00 p.m.

NEW BUSINESS:

Resolution No. 2016-09, Schedule Public Hearing on Special Assessment Roll for Lake Valley Road Improvement Special Assessment District

Operations Manager Broecker reminded the board that a special assessment district was established in October 2015 to repave Lake Valley Drive, Lake Valley Court and South Lake Valley Drive. The Genesee County Road Commission (GCRC) recently completed final engineering & construction plans and put the project out for bids. Bids were opened and tabulated earlier today and it is anticipated that GCRC will award a contract at their 8/16/16 meeting, with construction beginning within 10 days of contract award. In order to complete the special assessment process in a timely manner, the Township needs to conduct a public hearing at the 8/8/16 meeting to confirm the special assessment roll for this project. Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-09

WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the Resolution of the Fenton Township Board and the laws and statutes pertinent thereto, prepared a special assessment roll in the total amount of \$778,862.00 covering all parcels of land in the Lake Valley Road Improvement Special Assessment District, and has affixed thereto her Certificate as required by said Resolution;

NOW, THEREFORE, BE IT RESOLVED, that said special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular business hours of regular business days from the present date until the public hearing upon the same and shall further be examined at such public hearing, and

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BE IT FURTHER RESOLVED, that the Fenton Township Board shall meet at 7:30 p.m. on August 8, 2016 at the Fenton Township Civic Community Center located at 12060 Mantawauka Drive, within the Township, to review such special assessment roll and hear any objections thereto, and

BE IT FINALLY RESOLVED, that the Township Clerk shall cause notice of such hearing and the filing of such assessment roll to be published twice in a newspaper of local circulation prior to the date of the hearing, with the first publication being not less than ten (10) days prior to the hearing and shall further cause notice of such hearing to be mailed by First Class Mail to all owners of or persons having an ownership interest in property within the Lake Valley Road Improvement Special Assessment District as shown on the current assessment roll of the Township also at least ten (10) days prior to said hearing, all in accordance with the law and statute provided.

Motion to adopt Resolution No. 2016-09, as presented.

Motion by: Krug

Seconded: Shumaker

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

Nays: None

Motion carried. Resolution declared adopted.

BOARD COMMENT:

Clerk Krug reported that a meeting last week with Representative Graves, local residents and representatives from LARA regarding the Lake Ponemah Mobile Home Park went very well. One concept that came out of the meeting was to potentially adopt an ordinance to allow inspection of multi-unit rental properties, including mobile home parks, (complaint-driven only). The board discussed the merits of such an ordinance and also the issues that create concern. This will be researched further.

Treasurer Tucker reported that attempts to convince MDOT to add a non-motorized trail to the Lahring Road bridge while it is being repaired not likely to go anywhere because the repairs are being paid by insurance.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Maggie Yerman

Ms. Yerman thanked board for including water trail in the Parks & Recreation Plan amendment.

ADJOURN: Meeting adjourned at 9:05 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 7/26/16