

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 5, 2017**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Clerk Krug called the meeting to order at 7:30 p.m.

Present: Krug, Goupil, Kesler, Lorraine, Shumaker, Attorney Belzer and
Operations Manager Broecker.

Absent: Mathis, Tucker

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

Trustee Goupil offered the opening prayer. Clerk Krug led the pledge of allegiance to the flag.

APPOINTMENT OF TEMPORARY CHAIRPERSON:

Clerk Krug stated that, due to the absence of the Township Supervisor, a temporary chairperson needs to be appointed for this evening's meeting.

Motion to appoint Clerk Krug as chairman pro-tem.

Motion by: Lorraine

Seconded: Goupil

Ayes: All Present

Nays: None

Absent: Mathis, Tucker

Motion carried.

APPROVAL OF AGENDA:

Chairman Krug suggested postponing the Master Plan decision to 6/19/17 meeting since both the Supervisor and the board's representative on the Planning Commission are absent. Motion to approve the 6/5/17 Fenton Township Board Meeting agenda as amended.

Motion by: Lorraine

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Mathis, Tucker

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 5/15/17 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$304,529.48 for payment as presented.

Motion by: Shumaker

Seconded: Goupil

Ayes: Krug, Goupil, Kesler, Lorraine, Shumaker

Nays: Mathis, Tucker

Motion carried.

PUBLIC HEARINGS:

None

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REPORTS:

Public Safety Update

Trustee Goupil reported that the 1993 Ford ambulance recently donated to the Township would require approximately \$27,000 in repairs to make it usable. The committee has recommended selling the ambulance rather than spending that much money on a 25 year old vehicle.

Law Enforcement Update

Detective Tom Zak reported that there were 512 law enforcement calls during the month of May, including 54 traffic stops and 47 medical runs. He will encourage more traffic stops to project a greater police presence in the community. Detective Zak also reported that the recent drowning on Lake Fenton appears to be related to a medical condition and the Sunday boating accident on Lake Ponemah is under investigation.

The board thanked Detective Zak for his report.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Proposed Ordinance to Repeal Medical Marihuana Ordinance/1st Reading

The board reviewed a proposed ordinance to repeal the Township's existing Medical Marihuana Ordinance, which was introduced at the 5/15/17 meeting. Attorney Belzer has advised that the existing ordinance, although it was adopted relative to the Michigan Medical Marihuana Act, may be interpreted by some to permit licensed medical marihuana facilities under the new Medical Marihuana Facilities Licensing Act. Repealing the ordinance will eliminate any potential misinterpretations.

Motion to adopt Ordinance No. 794, an ordinance to repeal Medical Marihuana Ordinance No. 720, as presented.

Motion by: Goupil

Seconded: Kesler

Ayes: Krug, Goupil, Kesler, Lorraine, Shumaker

Nays: Mathis, Tucker

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Hiring to Fill Open Position – Assessing Department

The board reviewed a memo from Assessor Julia Wilson regarding her recommendation to fill a position opening in her department. The Township received five applications in response to the job posting and Ms. Wilson is recommending the hiring of Lynn Prescott to fill the position. Ms. Prescott has a strong office operations background and will be a fine addition to the Assessor's staff.

Motion to approve the hiring of Lynn Prescott for the position of Assessing Assistant, as recommended by the Township Assessor.

Motion by: Shumaker

Seconded: Kesler

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

Motion carried.

Proposed Purchase of Mailing Equipment

Operations Manager Broecker explained that the mailing/postage equipment currently used by the Fenton Township office is very near the end of its useful life. Pitney Bowes has advised that, due to the age of the equipment, they will no longer service it after 12/31/17. Proposals have been obtained from three vendors for comparable replacement equipment. Based on the proposal costs, and very positive feedback from their current customers, Mr. Broecker recommends accepting the proposal of Neopost for the purchase of their IN-700 mailing system.

Trustee Lorraine asked if the purchase could be delayed until the end of the year. Operations Manager Broecker noted that delaying the purchase would require new proposals since those obtained would expire before the end of the year. Purchasing the equipment now would also eliminate maintenance & repair costs.

Motion to approve the purchase of new postage/ mailing equipment from Neopost, as presented.

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

Motion carried.

Resolution No. 2017-10, Schedule Public Hearing Regarding Dartmouth Drive Road Improvement Special Assessment District

Operations Manager Broecker noted that the Township Board established a road improvement special assessment district for the repaving of Dartmouth Drive in 2014. During the engineering design of the project, however, the Genesee County Road Commission engineers discovered that portions of the existing road were outside of the existing right-of-way. Rather than moving the road back into the right-of-way, (which would have required the removal of driveways and parts of houses), the Road Commission recommended moving the right-of-way to match the existing road. This required several property owners to sign right-of-way agreements to formally convey the appropriate legal descriptions to the county.

Ultimately, there were two property owners that would not sign the necessary agreements and, as a result, the project could not be constructed as designed. At the request of other property owners, the Road Commission engineers were asked to redesign the project to exclude those areas where right-of-way agreements could not be obtained. In order to move forward with the revised project, the board will need to conduct a public hearing on the matter. Upon the conclusion of the public hearing, the board will be presented with a resolution that, if adopted, will:

1. Dissolve the existing Dartmouth Drive Road Improvement Special Assessment District.
2. Establish a new special assessment district to include only those properties that will benefit from the revised project.

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A resolution to schedule the public hearing has been prepared for board consideration.

Trustee Goupil asked if either of the two property owners that would not sign right-of-way agreements would benefit from the project. Operations Manager Broecker noted that one of the two would benefit and would be assessed.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2017-10

WHEREAS, the Fenton Township Board established the Dartmouth Drive Road Improvement Special Assessment District in 2014, and

WHEREAS, the project to improve Dartmouth Drive has not commenced due to complications arising from the fact that certain portions of the existing road do not lie within the public right-of-way, and

WHEREAS, efforts to obtain all necessary right-of-way agreements to construct the project as originally designed have been unsuccessful, and

WHEREAS, the Genesee County Road Commission has redesigned the project to include only those areas where necessary right-of-way agreements have been obtained, and

WHEREAS, the redesigned project will reduce the scope of work to be done and necessitate the dissolution of the existing special assessment district and the creation of a new special assessment district;

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to dissolve the existing Dartmouth Drive Road Improvement Special Assessment District, and

BE IT FURTHER RESOLVED, that the Fenton Township board does hereby tentatively declare its intent to resurface Dartmouth Drive, a public street in Fenton Township, from Darts Drive to approximately 30 feet from the northerly end of said street, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed new special assessment district to include the following parcels of land:

06-23-200-006	06-23-526-013	06-23-528-003	06-23-528-007
06-23-200-015	06-23-526-014	06-23-528-004	06-23-528-008
06-23-526-010	06-23-528-001	06-23-528-005	
06-23-526-012	06-23-528-002	06-23-528-006	

and

BE IT FINALLY RESOLVED, that the Fenton Township Board will hold a public hearing on the proposed dissolution of the Dartmouth Drive Road Improvement Special Assessment District and the establishment of a new special assessment district at its

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regular meeting to be held on Monday June 19, 2017 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2017-10 as presented.

Motion by: Goupil

Seconded: Shumaker

Ayes: Krug, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Absent: Mathis, Tucker

Motion carried. Resolution declared adopted.

Resolution No. 2017-11, Schedule Public Hearing on the Creation of a Special Assessment District to Resurface Eleanor Street from Owen Road to Island View Drive

Operations Manager Broecker reported that the Township has received and verified a petition from property owners fronting Eleanor Street between Owen Road and Island View Drive to establish a special assessment district to repave their street. A resolution has been prepared to schedule a public hearing on the proposed special assessment district. It should be noted that, in addition to the properties fronting the proposed improvement, properties on Island View Drive, Eleanor Street, Chateaux du Lac, Barrington Hills, Pavilion Drive, Pavilion Court and Pine Bluff Court Board are also proposed to be included in the special assessment district since they will also benefit from the improvement.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2017-11

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties abutting Eleanor Street between Owen Road and Island View Drive to establish a special assessment district for the purpose of resurfacing Eleanor Street from Owen Road to Island View Drive, and

WHEREAS, it has been determined that the petition has been signed by the record property owners representing more than 50% of the road frontage of the proposed improvement, and

WHEREAS, preliminary plans and estimated costs for the foregoing road improvement have been placed on file in the office of the Township Clerk,

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to resurface Eleanor Street, a public street in Fenton Township, from Owen Road to Island View Drive, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include all properties with frontage on the following streets:

*Barrington Hills
Chateaux du Lac
Eleanor Street
Island View Drive*

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*Pavilion Drive
Pavilion Court
Pine Bluff Court*

and

BE IT FINALLY RESOLVED, that the Fenton Township Board will hold a public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Monday June 19, 2017 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2017-11 as presented.

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

Motion carried. Resolution declared adopted.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Annette Bambach, 14192 Eastview Drive

Ms. Bambach accused the Township of doing nothing to address violations in the Lake Ponemah Mobile Home Park. Her concerns included:

- A vehicle repair operation on the property.
- Junk vehicles
- Campers on the lakefront portion of the property.
- Leasing of boat slips by the owners of the mobile home park.
- Approximately 15 vacant mobile homes.

Chairman Krug stated that the alleged vehicle repair operation will be investigated. The alleged leasing of boats slips has not previously been reported to the Township so that will also be investigated. The mobile home park property includes a licensed campground, which allows up to 15 camp sites along the lake. Other issues will be reviewed to determine if any ordinance violations exist.

Ms. Bambach also criticized the board for not acting on a previous suggestion to implement a rental inspection program. Attorney Belzer noted that such a program would require the Township to inspect all rental properties, not just mobile homes. Trustee Shumaker stated that the board has already indicated they do not support such a program.

Angela (no last name given)

Angela urged the board to pursue the boat slip rental issue. Increased boat traffic will increase safety problems.

Dave Hawcroft, 3302 Ponemah Drive

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Mr. Hawcroft noted that previous efforts by the Township resulted in some trailers being removed and others were repaired. The mobile home park owner is not a resident so he isn't as affected by poor conditions.

Mr. Hawcroft also commended the Marine Patrol for doing a fine job on Lake Ponemah.

Mr. Hawcroft asked about the park property behind the Fenton water plant. Chairman Krug stated that the Township still owns the property but efforts to develop it as a park have been put on hold due to lack of funding and not having a usable access to the property.

ADJOURN: Meeting adjourned at 8:43 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 6/6/17