

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF FEBRUARY 4, 2019**

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

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

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

Absent: Mathis

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

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

APPOINTMENT OF TEMPORARY CHAIRMAN

Clerk Krug stated that, in the absence of the Supervisor, the first order of business is to appoint a temporary chairperson.

Motion to appoint Clerk Krug as temporary chairman.

Motion by: Tucker

Seconded: Goupil

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried.

APPROVAL OF AGENDA:

Chairman Krug asked to add the potential termination of a Fenton Township firefighter to the agenda. Motion to approve the 2/4/19 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Lorraine

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 1/21/19 regular meeting stand approved as submitted.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$327,308.10 for payment as presented.

Motion by: Lorraine

Seconded: Kesler

Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Reid

Nays: None

Absent: Mathis

Motion carried.

PUBLIC HEARINGS:

None

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REPORTS:

Public Safety Update

Trustee Goupil reported that the Public Safety Committee met prior to tonight's meeting. A water pipe at the Bowles Street fire station broke due to the cold temperatures last week. It has since been repaired.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R19-001, Vash Investment Group, parcel 06-12-100-013 (12201 Fenton Road); AG to C-2/2nd Reading

Chairman Krug reviewed a proposed Zoning Ordinance amendment to rezone property on Fenton Road from AG to C-2, which was introduced at the 1/21/19 meeting. The Planning Commission unanimously recommended denial of the rezoning request since it is contrary to the Master Plan. The Planning Commission and nearby residents also expressed other concerns, including traffic volume, traffic safety and crime. There was no further discussion.

Motion to deny the proposed amendment to Zoning Ordinance No. 594 to rezone parcel 06-12-100-013 from AG to C-2, for the following reasons:

- Contrary to the Master Plan
- Inconsistent with surrounding uses
- Impact on traffic volume and safety

Motion by: Tucker

Seconded: Lorraine

Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Reid

Nays: None

Absent: Mathis

Motion carried. The proposed rezoning is denied.

Rezoning #R16-003, Charles Chapple, parcel 06-03-200-014, (11220 Torrey Road); R-3 to M-2, with conditions/2nd Reading

Chairman Krug reviewed a proposed Zoning Ordinance amendment to rezone property on Torrey Road from R-3 to M-2, with conditions, which was introduced at the 1/21/19 meeting. It was noted that this rezoning amendment was recommended for approval by the Planning Commission in 2016, but was postponed by the board until the Master Plan update was completed. The subject property is in the area designated for mixed use in the new Master Plan. Therefore, the request does comply with the Master Plan. The property has been used as a contractor's establishment for many years. The rezoning request would simply eliminate the non-conforming status of the current use.

Motion to adopt Ordinance No. 805, an amendment to Zoning Ordinance No. 594 to rezone parcel 06-03-200-014 from R-3 to M-2, with conditions, as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Reid

Nays: None

Absent: Mathis

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Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

**Request from Lake Fenton Property Owners Association – Resolutions Supporting
Canada Goose and Mute Swan Programs**

The board reviewed a request from the Lake Fenton Property Owners Association (LFPOA) to participate in the following Michigan Department of Natural Resources (MDNR) programs:

- Canada Goose Egg & Nest Destruction Program
- Mute Swan Egg & Nest Destruction Program
- Mute Swan Removal Program

Dick Brown, LFPOA officer, stated that the association has been participating in the Canada Goose Egg & Nest Destruction program, and it has been effective in controlling the Canada Goose population on Lake Fenton. The LFPOA is requesting that the Township Board adopt a resolution supporting their application to continue in this program for the next five years.

The LFPOA also advised that the increasing population of Mute Swans, a non-native species, has caused a number of problems, including negative effects on native wildlife, property damage, and safety concerns due to their aggressive behavior. He asked that the board consider adopting resolution supporting LFPOA's applications to participate in the Mute Swan Egg & Nest Destruction and Removal programs for the next five years.

Trustee Lorraine asked for examples of safety concerns. Mr. Brown related an incident where a mute swan attacked a boater in Crane's Cove, causing \$10,000 damage to the boat.

Treasurer Tucker noted that information provided by Chairman Krug indicates that any mute swans removed from the lake would be euthanized. Chairman Krug read a detailed description of the allowable methods of euthanasia from the MDNR website, including lethal injections, gassing, shooting and breaking the neck. Even though he is an avid hunter, Mr. Krug stated he is opposed to these extreme measures.

Trustee Goupil agreed with Chairman Krug, stating that the swan removal program goes too far. Trustee Lorraine also agreed, adding that lakefront property owners must tolerate some nuisances, including mute swans. Treasurer Tucker stated that he is generally supportive of the egg & nest destruction programs, but does not agree with the swan removal program.

Public Comment:

Amy Krug, 12231 Margaret Drive

Ms. Krug, a Lake Fenton property owner, acknowledged that mute swans can be a nuisance, but is opposed to the removal program. She urged the board to reject the resolution supporting the mute swan removal program.

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There was no further discussion. Operations Manager Broecker presented the following resolutions:

RESOLUTION NO. 2019-03

WHEREAS, the Lake Fenton Property Owners Association wishes to make application to the Michigan Department of Natural Resources (MDNR) to continue their participation in the Canada Goose Egg & Nest Destruction Program on and around Lake Fenton, and

WHEREAS, such application must be supported by the governing body of the local unit of government, and

WHEREAS, the Fenton Township Board supports the efforts of the Lake Fenton Property Owners Association to control the population of Canada Geese to benefit the health, safety and welfare of the Lake Fenton residents;

NOW, THEREFORE, BE IT RESOLVED, that the township board of the Charter Township of Fenton hereby supports the application of the Lake Fenton Property Owners Association to participate in the MDNR Canada Goose Egg & Nest Destruction Program for the years 2019 through 2023, and

BE IT FURTHER RESOLVED, that the Charter Township of Fenton shall not incur any costs for Lake Fenton's participation in this program.

Motion to adopt Resolution No. 2019-03 as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Tucker, Goupil, Kesler, Lorraine, Reid

Nays: Krug

Absent: Mathis

Motion carried. Resolution declared adopted.

RESOLUTION NO. 2019-04

WHEREAS, the Lake Fenton Property Owners Association wishes to make application to the Michigan Department of Natural Resources (MDNR) to participate in the Mute Swan Egg & Nest Destruction Program on and around Lake Fenton, and

WHEREAS, such application must be supported by the governing body of the local unit of government, and

WHEREAS, the mute swan population have tendencies to become aggressive towards humans and other animals, especially during the breeding season and when there are young swans present, and

WHEREAS, mute swans are a non-native species that compete with native species for food and other resources and their feeding behavior destroys vegetation which provides critical food and cover for a variety of native wildlife species, and

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WHEREAS, the Lake Fenton Property Owners Association wishes to control the mute swan population to benefit the health, safety and welfare of the Lake Fenton residents, and

NOW, THEREFORE, BE IT RESOLVED, that the township board of the Charter Township of Fenton hereby supports the application of the Lake Fenton Property Owners Association to participate in the MDNR Mute Swan Egg & Nest Destruction Program for the years 2019 through 2023, and

BE IT FURTHER RESOLVED, that the Charter Township of Fenton shall not incur any costs for Lake Fenton's participation in this program.

Motion to adopt Resolution No. 2019-04 as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Tucker, Goupil, Kesler, Reid

Nays: Krug, Lorraine

Absent: Mathis

Motion carried. Resolution declared adopted.

RESOLUTION NO. 2019-05

WHEREAS, the Lake Fenton Property Owners Association wishes to make application to the Michigan Department of Natural Resources (MDNR) to participate in the Mute Swan Removal Program on and around Lake Fenton, and

WHEREAS, such application must be supported by the governing body of the local unit of government, and

WHEREAS, the mute swan population have tendencies to become aggressive towards humans and other animals, especially during the breeding season and when there are young swans present, and

WHEREAS, mute swans are a non-native species that compete with native species for food and other resources and their feeding behavior destroys vegetation which provides critical food and cover for a variety of native wildlife species, and

WHEREAS, the Lake Fenton Property Owners Association wishes to control the mute swan population to benefit the health, safety and welfare of the Lake Fenton residents, and

WHEREAS, it is understood that any mute swans relocated during these programs may be killed;

NOW, THEREFORE, BE IT RESOLVED that the township board of the Charter Township of Fenton hereby supports the application of the Lake Fenton Property Owners Association to participate in the MDNR Mute Swan Removal Program on Lake Fenton for the years 2019 through 2023, and

BE IT FURTHER RESOLVED, that the Charter Township of Fenton shall not incur any costs for Lake Fenton's participation in this program.

Motion to adopt Resolution No. 2019-05 as presented.

Motion by: Krug

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

Motion failed. The resolution is not adopted.

Appointment to Southern Lakes Parks & Recreation Board of Directors

Chairman Krug noted that the board needs to appoint one more person to the Southern Lakes Parks & Recreation Board of Directors. Trustee Rob Kesler has already been re-appointed, however the board decided to delay the second appointment until the Trustee vacancy had been filled.

Trustee Reid stated that she is willing to fill the SLPR vacancy.

Motion to appoint Christine Reid to the Southern Lakes Parks & Recreation Board of Directors for the term ending December 31, 2021.

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

Motion carried. Resolution declared adopted.

Fire Department Termination

Attorney Belzer advised that a member of the Fenton Township Fire Department has been recommended for termination due to a very low response to alarms. Firefighter Greg Tacconi was hired in March of 2018. From his date of hire through the end of 2018, Mr. Tacconi responded to only 34 of 561 alarms. This response percentage of 6% is well below the established minimum of 20%. Fire Chief Volz has recommended terminating Firefighter Tacconi and advised Mr. Tacconi of this recommendation via certified letter. The letter provided Mr. Tacconi with the opportunity to appear before the Public Safety Committee to protest the recommendation, however he did not. The Public Safety Committee agrees with the termination recommendation.

Motion to terminate Firefighter Gregory Tacconi for failure to meet minimum alarm response percentages, effective immediately.

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

Motion carried.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:02 p.m.

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Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 2/5/19