

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF MAY 6, 2019**

**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, Reid, 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:**

Attorney Belzer requested to add to the agenda the solicitation of proposals for the court-ordered cleanup of a blighted property on Swanee Beach Drive. Motion to approve the 5/6/19 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 4/15/19 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$478,658.26 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

**Rezoning #R19-002, Horizon Lakes Airpark, parcels 06-29-626-037, 06-29-626-038, 06-29-626-039 & 06-29-626-040, (618 Silver Lake Road); Amendment to Existing PUD to allow 15 airplane hangars/Public Hearing & 1st Reading**

Supervisor Mathis stated that this is a public hearing and first reading for a proposed Zoning Ordinance amendment to amend the existing PUD for the Horizon Lakes Airpark development to allow 15 airplane hangars. Treasurer Tucker explained that the original plan included two large hangars. The applicants are requesting 15 smaller hangars. The Planning Commission included conditions that the total square footage of the 15 hangars does not exceed what was allowed in the original plan. Another condition limits the use of the hangars to airplane/airport and related uses only. The Planning Commission unanimously recommended approval of the proposed amendment.

Trustee Lorraine expressed concern regarding the storage of vehicles in the hangars. Treasurer Tucker noted that the condition allowing storage of vehicles and other equipment is in addition to aircraft. Trustee Lorraine also asked if the access to and from the hangars would be paved.

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Cody Welch, representing Horizon Lakes Airpark, noted that vehicles and planes would share paved taxi-ways to and from the hangars. Mr. Welch also reported that the subdivision is seeing new construction and overall airport activity is increasing.

There was no public comment. The public hearing was closed.

The second reading of the proposed rezoning ordinance will be conducted at the 5/20/19 meeting.

**REPORTS:**

**Cleanup of Blighted Property**

Attorney Belzer reported that a court order has been issued that will allow the Township to clean up blighted property on Swanee Beach Drive. The cost of the cleanup will be added to the property taxes. He suggested that the Township should solicit proposals for the cleanup and bring a recommendation to a future township board meeting.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Rezoning #R19-003, Lois Van Lente, Parcel 06-10-300-014 (Lahring Road, east of Jennings Road), R-3 to PUD/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone property on Lahring Road from R-3 to PUD, which was introduced at the 4/15/19 meeting. It was noted that the property falls into the “mixed use” designated area in the updated future land use map in the Master Plan. Therefore, the request is consistent with the Master Plan.

Mustafa Gheriani, developer of the project, explained that the previous plan for the property was over 40 units. The revised plan is 23 single family homes on 32 acres, with a significant amount of open space.

There was no further discussion.

Motion to adopt Ordinance No. 806, an amendment to Zoning Ordinance No. 594 to rezone parcel 06-10-300-014 from R-3 to PUD, as presented.

Motion by: Lorraine

Seconded: Kesler

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

Nays: None

Motion carried. Ordinance declared adopted.

**Proposed Zoning Ordinance Amendment to Allow Uses of Less Intensity by Special Use Permit/1<sup>st</sup> Reading**

Supervisor Mathis opened the first reading of a proposed Zoning Ordinance amendment to allow less intensive uses by special use permit in certain zoning districts. Treasurer Tucker explained the rationale behind the proposed amendment is to allow less intensive uses in commercial and industrial zoning districts by special use permit. The proposed amendment would allow more flexibility within the Zoning Ordinance while maintaining Planning Commission control.

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Trustee Lorraine asked if there are any potential negative consequences to the proposed amendment. Treasurer Tucker stated he does not see any downside, primarily because the Planning Commission will review and decide each application. He also emphasized that agricultural uses would not be included.

There was no public comment.

The second reading of the proposed ordinance will be conducted at the 5/20/19 meeting.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Purchase Offer - Tax-Reverted Property**

The board reviewed a proposed offer to purchase a vacant parcel on Linden Road, which was deeded to the Township through the tax-reversion process. The board briefly discussed the offer, noting that the last asking price for the property was \$5,000. Supervisor Mathis stated that the property does have drainage issues, which may affect the actual value of the parcel.

Motion to accept the offer of Adam Landmesser for the purchase of vacant property on Linden Road, parcel 06-05-400-015, for \$2,000.00, as presented.

Motion by: Goupil

Seconded: Kesler

Ayes: Mathis, Krug, Goupil, Kesler, Reid

Nays: Tucker, Lorraine

Motion carried.

**Resolution No. 2019-09, Meeting Participation by Officials Absent Due to Military Duty**

Attorney Belzer reviewed a proposed resolution to affirmatively state the Township will comply with the section of the Michigan Open Meetings Act that allows elected or appointed officials to participate in public meetings when absent due to military duty. The method of participation can include telephone, skype or other electronic methods.

Clerk Krug presented the following resolution:

**CHARTER TOWNSHIP OF FENTON  
RESOLUTION NO. 2019-09**

*WHEREAS, the Charter Township of Fenton is subject to the requirements of the Michigan Open Meetings Act (OMA), MCL .261 et seq., and*

*WHEREAS, the OMA requires that any meeting of a public body, shall establish procedures to accommodate the absence of any member of the public body due to military duty, and*

*WHEREAS, procedures are required by which the absent member may participate in, and vote on, business before the public body, including, if feasible, procedures that ensure 2-way communication, and*

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*WHEREAS, procedures are required by which the public is provided notice of the absence of the member and information about how to contact that member sufficiently in advance of a meeting of the public body to provide input on any business that will come before the public body; and*

*WHEREAS, the Charter Township of Fenton wishes to fully comply with the Michigan Open Meetings Act;*

*NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton will make arrangements for, if available, the necessary communications for any member of a Fenton Township public body, who is absent due to Military duty, to participate and vote on any business before said public body, and*

*BE IT FURTHER RESOLVED, that procedures will be followed to provide the public with notice of the absence of the member and how to contact that member in advance of the meeting, so as to provide input on any business that will come before the public body.*

Motion to adopt Resolution No. 2019-09 as presented.

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

**Proposed Support Emergency Operations Plan**

Fire Chief Ryan Volz reviewed an updated Support Emergency Operations Plan, which is part of the overall Genesee County Emergency Operations Plan. The proposed plan has been reviewed and preliminarily approved by Genesee County. Approval by the Fenton Township Board is also required. The board reviewed the proposed plan and the resolution supporting the plan.

Motion to adopt Resolution No. 2019-10 and the Support Emergency Operations Plan, as presented.

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Motion carried. The resolution and the Support Emergency Operations Plan are adopted.

**Revised GCRC Cost Proposal - Paved Apron at Odell/Linden Intersection**

Operations Manager Broecker reported that, during the process of compiling the various local road projects for Fenton Township, the Genesee County Road Commission (GCRC) discovered that the sum total of the amounts for 50/50 allocation funds exceeded the Township's total allocation by \$1,401.93. As a result, GCRC has asked the Township to approve a revised cost proposal for the Odell Road paved apron. The revised proposal adjusts the amount of 50/50 allocation funds to equal the funds available.

Motion to approve the revised Genesee County Road Commission cost proposal for the paved apron at the intersection of Odell Road and Linden Road, as presented.

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

Motion carried.

**GCRC Proposal - Hogan Road Bridge Replacement**

Operations Manager Broecker reviewed a letter from the Genesee County Road Commission (GCRC) regarding the replacement of the Hogan Road Bridge over the Shiawassee River. In 2018, the Township Board approved a commitment of funds toward the bridge replacement based on GCRC receiving 2021 grant funds from MDOT to replace the bridge. Unfortunately, that request was not approved and GCRC is now applying for 2022 bridge replacement funds. They are asking the Township to commit \$168,750 toward the \$1.462 million project. It is recommended that the board again commit matching funds for this project.

Motion to approve a letter of support committing \$168,750.00 in the year 2022 toward the replacement of the Hogan Road Bridge over the Shiawassee River.

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

Motion carried.

**Proposed Amendments to 2019 Fenton Township Budget**

Operations Manager Broecker reviewed proposed amendments to the 2019 General Fund budget. Significant changes include:

- Increase to Revenue Sharing based on State Treasury projections.
- Increase to election reimbursement revenue due to three previously unscheduled special elections.
- Increase to computer equipment expense as a planned server upgrade was forwarded to 2019.
- Increase to election expenses due to three previously unscheduled special elections.

The net impact of the proposed amendments is a slight increase to the fund balance. There are no proposed amendments to the other funds at this time.

Treasurer Tucker asked why the postage budget for elections was increased so dramatically. Operations Manager Broecker explained that the township is anticipating three special elections this year, when only one was expected when the budget was first adopted. The postage expense is directly related to the mailing of absentee ballots and applications. It was also noted that the costs for the special elections will be reimbursed to the township.

Motion to adopt amendments to the 2019 Fenton Township Budget as presented.

Motion by: Tucker  
Seconded: Kesler  
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Reid  
Nays: Goupil

Motion carried.

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**National Public Transportation Day Proclamation**

Supervisor Mathis reviewed a letter from the Genesee County Mass Transportation Authority requesting the township to adopt a proclamation designating May 16, 2019 as National Public Transportation Day.

Clerk Krug presented the following proclamation:

**National Public Transportation Day Proclamation**

*WHEREAS, May 16, 2019 marks National Public Transportation Day, a day to showcase the benefits and build support for public transportation, as public transit offers economic opportunity and powers community growth by driving economic development and revitalizing neighborhoods, and*

*WHEREAS, every \$1 invested in public transportation generates approximately \$4 in economic returns, and*

*WHEREAS, public transportation is a \$71 billion industry that directly employs 420,000 people and supports millions of private sector jobs, and*

*WHEREAS, 87 percent of public transit trips directly impact the economy by connecting people to jobs and retail and entertainment venues;*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby proclaim May 16, 2019 as NATIONAL PUBLIC TRANSPORTATION DAY in Fenton Township, Genesee County, Michigan, and*

*BE IT FURTHER RESOLVED, that the Charter Township of Fenton declares that public transportation helps people save money, helps the environment and improves America's quality of life, and*

*BE IT FINALLY RESOLVED, that the Charter Township of Fenton declares that, "where public transportation goes, communities grow and prosper."*

Motion to adopt the 2019 National Public Transportation Day Proclamation as presented.

Motion by: Goupil

Seconded: Tucker

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

Nays: None

Motion carried. The proclamation is adopted.

**Resignation - Fenton Township Fire Department**

Fire Chief Ryan Volz reviewed a letter of resignation from Fenton Township firefighter Tyler Smith. Mr. Smith recently moved to Argentine Township and believes he will no longer be able to effectively respond to emergency alarms in Fenton Township.

Clerk Krug asked if there is an established maximum distance for firefighters to travel to a fire station. Chief Volz stated that the ideal distance is six miles or less to maintain response times.

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Motion to accept the resignation of Tyler Smith from the Fenton Township Fire Department, effective immediately.

Motion by: Goupil

Seconded: Kesler

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

Nays: None

Motion carried.

**Proposed Hirings - Fenton Township Fire Department**

Fire Chief Ryan Volz requested approval from the board to hire one new member for the Fire Department. David Strominger is a retired police officer, having worked for the Taylor Police Department. The Public Safety Committee has reviewed the request and has recommended approval.

Motion to hire David Strominger as a member of the Fenton Township Fire Department.

Motion by: Reid

Seconded: Kesler

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

Nays: None

Motion carried.

**BOARD COMMENT:**

None

**PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:**

None

**CLOSED SESSION:**

**Pending Litigation – Bjorklund vs. Fenton Township**

Motion to recess the open meeting for the purpose of convening a closed session to discuss pending litigation in the matter of Bjorklund vs. Fenton Township.

Motion by: Lorraine

Seconded: Kesler

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

Nays: None

Motion carried. The open meeting was recessed at 8:37 p.m.

The open meeting was reconvened at 8:49 p.m. No decisions were made or actions taken during the closed session.

**ADJOURN:** Meeting adjourned at 9:00 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 5/8/19**