

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 16, 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:

Clerk Krug asked to add a proposed Assault & Battery ordinance to the Adoption of Ordinances section of the agenda. Motion to approve the 12/16/19 Fenton Township Board Meeting agenda as amended.

Motion by: Lorraine

Seconded: Kesler

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

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 12/2/19 regular meeting and the 12/9/19 special meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$610,968.27 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Proposed Street Improvement Special Assessment District - Margaret Drive & Ruth Drive; Continuation of Public Hearing

Supervisor Mathis opened a continuation of a public hearing, which began at the 11/4/19 board meeting. The subject of the public hearing is a proposed street improvement special assessment district for Margaret Drive and Ruth Drive. Before opening for public comment, there will be a brief discussion on the two primary areas of concern raised by property owners – the assessment of costs and consideration for a lower cost project.

Assessment of Costs

Operations Manager Broecker explained that the proposed Margaret-Ruth project is different from any other paving project the Township has previously done in terms of property configurations, (2 properties - 1 on each side of the street, 1 parcel that stretches across both sides of the street, etc.). Because of these variations, determining a fair method of assessment has not been as simple as other projects. Based on discussions at

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the 12/9/19 special meeting, the Township Board has approved the following assessment method:

- Costs for each street to calculated separately and assessed against properties fronting said street.
- Parcels containing multiple lots extending across the street under a single parcel number = 1.5 shares.
- All other parcels containing a dwelling = 1.0 share.
- All vacant or accessory building parcels under the same ownership as an adjacent dwelling = 0.5 share.
- All vacant parcels not under the same ownership as an adjacent dwelling = 1.0 share.

Lower Cost Option

Operations Manager Broecker reported that, in addition to the original Engineer's Estimates, the Genesee County Road Commission (GCRC) has provided cost estimates for a simple "mill and pave" project for the existing streets. This option includes no engineering, no drainage improvements and no repair to the sub-base of the streets. The differences in estimated costs are as follows:

Margaret Drive

The GCRC mill & pave estimate, plus 15% contingency, results in an estimated construction cost of approximately \$244,000, as compared to \$1.3 million for the full rehabilitation of the street. This option would lower the estimated "per share" assessment from around \$10,000 to about \$2,000. Per GCRC, this option reduces the useful life of the improvement from 20+ years to 5 years. As stated above, this option does not include any drainage improvements.

Ruth Drive

The GCRC mill & pave estimate, plus 15% contingency, results in an estimated construction cost of approximately \$83,000, as compared to \$95,000 from the original GCRC cost estimate. Since that original estimate was also a mill & pave project, the minimal cost difference is due to the removal of drainage improvements (ditching, culvert replacement, etc.). This option would lower the estimated "per share" assessment from around \$7,200 to about \$6,600. Per GCRC, this option reduces the useful life of the improvement from 20+ years to 10 years.

Richard Hill, GCRC Engineer, confirmed the information provided by Operations Manager Broecker. He noted that a lack of drainage improvements would significantly reduce the life of the pavement. If the mill & pave option were chosen for Margaret Drive, GCRC would likely require a full rehabilitation project the next time. In his opinion, the mill & pave option will only be effective one time and, again, would last about five years.

Public comment:

Bob Simpson, 12547 Margaret Drive

Mr. Simpson, who collected most of the signatures on the special assessment petition, stated that he supports the full rehabilitation approach. Spending money on a project with only a 5-year life is inane.

Paula Manzardo, 12159 Margaret Drive

Ms. Manzardo stated that Margaret Drive has poor drainage, resulting in standing water on the street, which freezes in winter. Without proper drainage, the road will fall apart.

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Several other individuals, who did not identify themselves, asked questions of Mr. Hill and/or made other comments.

Questions:

- What is the cross section of the existing pavement? Mr. Hill stated that Margaret Drive is 3 inches of asphalt over 6 inches of soil cement. Ruth Drive is 9 inches of asphalt.
- What year was Margaret Drive paved. Mr. Hill confirmed it was paved in 1977.
- If approved, could the special assessment be placed on the summer tax bill instead of the winter bill? Operations Manager Broecker stated this is a possibility and will be looked at.

Comments:

- The existing pavement has lasted over 40 years. The mill & pave option may last more than 5 years.
- The City of Flint attempted to save money by choosing lower cost options for repaving their streets. The streets did not hold up well at all.
- Drainage problems on Ruth Drive are due to the Township and/or GCRC allowing property owners to fill in their ditches.
- The project should be done the right way – not the cheapest way.
- The mill & pave project would not stand up to construction traffic.
- Choosing the mill & pave option simply delays the bigger expense and increases the total expense.

Mr. Hill recapped the project options, noting that the design and engineering on the full rehabilitation option would take 6-9 months from the time the Township enters into an agreement with GCRC.

Supervisor Mathis closed the public hearing.

Noting that it would be difficult for the Township Board to determine which option is favored by the majority of property owners, Trustee Goupil suggested mailing information regarding the two options to each property owner and requiring that they return a form clearly indicating their preference. The board concurred with this approach, suggesting that a deadline be set for receipt of the responses, and that the hearing be continued at the first meeting in February 2020.

Motion to authorize the mailing of information to each property owner in the proposed Margaret Drive-Ruth Drive Improvement Special Assessment District. Said mailing shall include:

- A detailed description of the street improvement options, including estimated costs and length of special assessment.
- A form for the property owners to indicate their street improvement option preference, along with their signature and date.
- Detailed information regarding how to return the response form to the Township, including a deadline.

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

Motion carried.

Motion to continue to February 3, 2020 the public hearing on the proposed creation of a street improvement special assessment district for the improvement of Margaret Drive and Ruth Drive.

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

Motion carried.

REPORTS:

None

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R19-003, Courtney Stephens, parcel #06-22-400-047 (14337 Eastview Drive); C-2 to R-5; Introduction/1st Reading

Supervisor Mathis stated that this is the introduction/first reading of a proposed Zoning Ordinance amendment to rezone property on Eastview Drive from C-2 to R-5. Treasurer Tucker explained that the Planning Commission voted unanimously to recommend approval of the rezoning. While the request is technically not consistent with Master Plan, which calls for mobile home residential, it is still a less intensive use, and consistent with surrounding zoning.

There was no public comment. The second reading/vote on adoption of the proposed rezoning ordinance will be conducted at the 1/6/20 meeting.

Proposed Amendment to Sewer System Ordinance - Gold Shovel Standard; Introduction/1st Reading

The board reviewed a memo from Zoning Administrator Mike Deem regarding a proposed amendment to the Sewer System Ordinance to require all contractors working on the sanitary sewer system in Fenton Township to be Gold Shovel certified through Miss Dig. This requirement will ensure that all contractors connecting buildings to the sewer will be properly trained regarding utility staking requirements, which will reduce the risk of underground infrastructure damage. If approved, this requirement will be added to the Sewer Contractor License application. Attorney Belzer stated that, after discussing the proposed ordinance with Operations Manager Broecker, he does not see any problems.

Trustee Reid asked where this movement originated. Operations Manager Broecker stated that the Genesee County Drain Commissioner is implementing this requirement and is strongly urging local units in Genesee County to do the same. On a statewide basis, Miss Dig is strongly promoting this program.

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There was no public comment. The second reading/vote on adoption of the proposed ordinance will be conducted at the 1/6/20 meeting.

Proposed Assault & Battery Ordinance; Introduction/1st Reading

The board reviewed a proposed Assault & Battery Ordinance drafted by Attorney Belzer. Mr. Belzer noted that most of the Township's criminal offenses are covered under a single Disorderly Persons Ordinance, which has created difficulties with law enforcement officials and in the prosecution process. This proposed ordinance separates assault & battery from the *Disorderly Persons Ordinance*, and "cleans up process". Additional criminal offense ordinances will be presented for board consideration in the near future.

Treasurer Tucker questioned the intent of some of the proposed language of the proposed ordinance, as it appeared to be internally inconsistent to him.

There was no public comment. The second reading/vote on adoption of the proposed ordinance will be conducted at the 1/6/20 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Amendments to 2019 Fenton Township Budget.

Operations Manager Broecker reviewed proposed amendments to the 2019 budget.

General Fund

The General Fund budget is projecting a surplus of approximately \$49,000. Significant amendments include:

- Building Permit revenue increased due to continued high volume of new construction.
- CDBG Revenue and Expense reduced as projects were moved to 2020.
- A decrease in legal fees.
- Inspection contracted services increased due to increased new construction volume.
- Health insurance expense increased due to more employees on the plan than in 2018, offset by a decrease to OPEB expense.

Fire Fund

The budget for the Fire Fund shows a deficit of \$558,600, due to the purchase of a new pumper truck in 2019. The actual deficit is projected to be in the \$350,000-375,000 range, which would leave a cash reserve balance of \$175,000-200,000 as of 12/31/19. There are only a few minor changes to the budgeted amounts.

Dog Park Fund

The Dog Park Fund budget remains balanced, with budget amounts allocated among the line items.

Solid Waste Management Fund

The Solid Waste Fund is projecting a surplus of approximately \$82,000 this year. 2019 is the first year of a 4-year contract. The assessments were based on a 4-year average so the first two years will result in surpluses, which will be spent during the second two years. The budget for both revenues and expenses are being adjusted to match actual projections.

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Mosquito Control Fund

The only proposed budget amendments for the Mosquito Control Fund are small increases to revenues, however the actual expense will be about \$15,000 under budget. This will leave a significant surplus in this fund and the Township should be able to keep the assessment at a reduced level again in 2020.

Sewer Fund

Cash flows have remained positive in 2019 due to an increase in new connections and a reduction in debt service expense. The pump station upgrade project has also reduced maintenance and emergency call expenses, however that was somewhat offset by emergency call expenses related to heavy rainfalls and power outages. Significant changes for specific line items include an increase to connection fee revenue and an increase to emergency call expense. Projections for a few of the other major expense categories are being adjusted to match actual numbers.

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

Motion by: Goupil

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

ADJOURN: Meeting adjourned at 9:03 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/17/19