

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 29, 2020**

**MEETING HELD BY TELEPHONE CONFERENCE CALL
PER MICHIGAN EXECUTIVE ORDER 2020-129**

Supervisor Mathis called the meeting to order at 7:30 p.m.

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

Absent: None

Also Present: Attorney Belzer, Operations Manager Broecker, Zoning Administrator Deem, Engineer Allen Lawrence

OPENING PRAYER:

Trustee Goupil offered the opening prayer.

APPROVAL OF AGENDA:

Motion to approve the 6/29/20 Fenton Township Board Meeting agenda as presented.

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 6/15/20 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$269,729.48 for payment as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R20-002, Avalanche Holdings, LLC, parcel #06-03-400-008, (3145 Thompson Road); Amendment to PUD Conditions/2nd Reading - Vote on Adoption

The board reviewed a proposed Zoning Ordinance amendment to revise the conditions for a previously approved PUD zoning, which was introduced at the 6/15/20 meeting. The proposed amendment would permit the development of a small industrial park on the subject property. The Planning Commission unanimously recommended adoption of the ordinance after their public hearing in May. The proposed ordinance would allow a

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maximum of 11 parcels and Planning Commission control over buffering and landscaping requirements. There was no further discussion.

Motion to adopt Ordinance No. 820, an amendment to Zoning Ordinance No. 594 to revise the PUD conditions for parcel 06-03-400-008 as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

Next Meeting Reminder – July 13, 2020

Supervisor Mathis reminded the board that the next regular township board meeting would be held Monday 7/13/20.

Election Commission Meeting – July 13, 2020

Clerk Krug announced that the Fenton Township Election Commission would meet on Monday 7/13/20 to appoint Election Inspectors for the August 4th primary election.

NEW BUSINESS:

Proposed Extension of Existing License Agreement for Linden Road Park Property - Genesee County Parks & Recreation Commission

Proposed Extension of Existing Sub-License Agreement for Linden Road Park Property - AYSO Region 417

The board reviewed a proposed 1-year extension to the existing license (lease) agreement with the Genesee County Parks & Recreation Commission (GCPR) for the park property more commonly known as the Deer Run soccer facility. The proposed extension is a result of a letter from the Township to GCPR requesting the extension, in the hope that the additional year will allow a long-term solution to property management to be developed.

Considerable discussion ensued, including comments from members of the Township Board, the Township Attorney, and the following meeting participants:

Shaun Shumaker, Genesee County Commissioner

Rick Miracle, Nationals Genesee Soccer

Charlotte Shepherd, Nationals Genesee Soccer

Tom Wiltrout, AYSO Soccer

At the conclusion of the discussion, the following motion was put forward:

Motion to approve the Amendment to Fenton Township Lease Agreement between Fenton Township and the Genesee County Parks & Recreation Commission as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: Mathis, Krug, Tucker, Goupil, Lorraine

Nays: Kesler, Reid

Motion carried.

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Regarding the proposed extension of the sub-license agreement with AYSO, Treasurer Tucker suggested that extension should not be with just AYSO, but with all three soccer organizations. During the course of the discussion, it was made known that the three organizations are in the process of forming a non-profit organization, which could become a party to the sub-license agreement. The board agreed to postpone action on any sub-license document to allow a new agreement to be developed.

Proposed Amendments to 2020 Fenton Township Budget

Operations Manager Broecker reviewed proposed amendments to the 2020 General Fund budget. Significant changes included:

- Decreased Building Permit revenue due to lower building activity during the pandemic shutdown.
- Decreased Revenue Sharing due to lower sales tax projections from the State.
- Increased Computer Equipment expense due to moving the server/PC upgrades from 2019.
- Increased election expense due to much higher absentee voting volume, the need for protective equipment supplies and to replace election laptops.
- Decreased road project expense due to delaying some projects to future years.

The proposed amendments still result in a projected surplus for 2020. There was no further discussion.

Motion to adopt amendments to the 2020 Fenton Township Budget, as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

Fenton Township Hall Rentals

The board reviewed information regarding scheduled rental events for the Township's banquet hall during the month of July. After a brief discussion, the board agreed with the approach to allow the rentals to take place, provided that larger indoor gatherings are allowed on or before the rental date.

Motion to approve the currently scheduled July 2020 rentals of the Fenton Township banquet hall to take place only if indoor gatherings of at least 50 people are allowed in the region of the State of Michigan that includes Fenton Township on or before the rental date.

Motion by: Tucker

Seconded: Reid

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

Nays: None

Motion carried.

Proposed Speed Limit Change – Owen Road, Linden Road to Lake Forest Drive

The board reviewed information from the Genesee County Road Commission reporting that the number of access points on Owen Road between Linden Road and Lake Forest Drive are sufficient to warrant a speed limit reduction from 55mph to 45mph. The board agreed that a speed limit reduction would be a safety improvement for Owen Road.

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Motion to communicate to the Genesee County Road Commission the Fenton Township Board's support to reduce the speed limit on Owen Road between Linden Road and Lake Forest Drive from 55mph to 45mph.

Motion by: Reid

Seconded: Kesler

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

Nays: None

Motion carried.

Resolution No. 2020-09, Support for MDOT Grant Application - Non Motorized Pathway Project

Operations Manager Broecker reviewed a proposed resolution in support of an application for a Michigan Department of Transportation "Transportation Alternatives Program" (MDOT TAP) grant for the Silver Lake Road Connector Trail. The resolution acknowledges the Township's previous commitment to provide \$15,000 in funding toward the project and authorizes the City of Fenton to submit the grant application and sign a contract if grant funding is approved. It was noted that, although the millage proposal that would have provided funding for additional trail segments failed, the project is moving forward, with most funding provided by grants.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2020-09

WHEREAS, the Charter Township of Fenton supports the submission of a Michigan Department of Transportation "Transportation Alternatives Program" application titled "MDOT TAP Grant" for development of the Silver Lake Road Connector Trail connecting existing non-motorized facilities at the northwest corner of Arbor Drive and Silver Lake Road within the City of Fenton with existing non-motorized facilities at the northwest corner of East Broad Street and Silver Lake Road within the City of Linden, and

WHEREAS, The pathway will be constructed along the south side of Silver Lake Road through the City of Linden, the City of Fenton and Fenton Township, and effectively connects Triangle Park in the City of Linden with Silver Lake Park in the City of Fenton, and

WHEREAS, The Silver Lake Road Connector Trail has been identified as a Tier 1: Short Term Priority in the Genesee County Regional Non-Motorized long Range Transportation plan where Tier 1 pathways represent those which have strong public support and are the highest priority for development, and

WHEREAS, The Silver Lake Road Connector Trail will directly connect the City of Linden and City of Fenton and is contemplated as a part of an overall goal to develop non-motorized connectivity within the Southern Genesee County communities of the City of Linden, Argentine Township, Fenton Township, and the City of Fenton, and

WHEREAS, once completed, the Silver Lake Road Connector Trail will provide a safe non-motorized alternative for transportation and will eliminate a significant safety concern for pedestrians who must walk or bike within Silver Lake Road, a heavily traveled, 45 MPH roadway or an existing railroad corridor for non-motorized transportation between the City of Linden and The city of Fenton, and

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WHEREAS, the 2.0 mile long project will consist of a ten feet wide bituminous paved pathway with a minimum of two feet of clearance on either side or a 14 feet wide reinforced boardwalk with all improvements meeting AASHTO and ADA requirements, and

WHEREAS, the Silver Lake Road Connector Trail has received Transportation Alternative Program Funding from Genesee County Metropolitan Planning Commission in the amount of \$441,509, and

WHEREAS, the proposed application is supported by the Southern Lakes Parks and Recreation Commission's 5 Year Approved Parks and Recreation Plan, the City of Fenton's 5 Year Approved Parks and Recreation Plan, the City of Linden's 5 year Approved Parks and Recreation Plan, and Fenton Township's 5 Year Approved Parks and Recreation Plan, and

WHEREAS, the City of Fenton has resolved to accept ownership and maintenance responsibility for the proposed trail in perpetuity and that the City of Fenton has adopted a maintenance plan/program for maintaining the proposed trail, and

WHEREAS, the City of Fenton has resolved to be the responsible agency for engineering, permits, administration, potential cost overruns and any non-participating items, and

WHEREAS, if the grant is awarded, the Charter Township of Fenton has previously committed its local match contribution and donated amounts from among the following sources:

<i>City of Linden</i>	<i>\$15,000</i>
<i>City of Fenton</i>	<i>\$15,000</i>
<i>Fenton Township</i>	<i>\$15,000</i>
<i>Southern Lakes Parks and Recreation</i>	<i>\$15,000</i>
<i>LAFF Pathways</i>	<i>\$48,000</i>
<i>Private Funding / Additional Grants</i>	<i>\$1,002,000</i>

NOW, THEREFORE, BE IT RESOLVED that the Charter Township of Fenton hereby supports the City of Fenton, acting as the ACT 51 Agency in support of this project, and authorizes submission of a MDOT TAP Grant Application for \$997,000.00, and

BE IT FURTHER RESOLVED, that the Charter Township of Fenton authorizes the City of Fenton to act as the ACT 51 Agency for this project and that the City of Fenton is authorized to sign a project agreement (contract) upon receipt of a grant funding award.

Motion to adopt Resolution No. 2020-09 as presented.

Motion by: Tucker

Seconded: Reid

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

Nays: Krug

Motion carried. Resolution declared adopted.

Resolution No. 2020-10, Proposed Street Improvement Special Assessment District - Ponemah Drive

Operations Manager Broecker reported that property owners on Ponemah Drive have filed petitions to create a street improvement special assessment district to resurface their

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street. The signatures on the petitions submitted represent 50.44% of the total frontage in the proposed district, with 73 of 140 property owners signing the petition.

The next step in the process is to conduct a public hearing on the creation of the special assessment district. A resolution has been prepared to schedule that public hearing for the 7/13/20 board meeting.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2020-10

WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties benefiting from the proposed improvement Ponemah Drive to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of asphalt repaving Ponemah Drive, a public street in Fenton Township, and

WHEREAS, it has been determined that the petition has been signed by property owners constituting more than 50% of the road frontage of the proposed special assessment district, and

WHEREAS, preliminary plans and estimated costs for the foregoing street improvements 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 repave Ponemah Drive, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does tentatively designate the special assessment district against which the costs of the improvements are to be assessed as the Ponemah Drive Improvement Special Assessment District, which shall include all parcels of land with frontage on, or whose legal access for ingress and egress is on, the following streets:

**Ponemah Drive
Cottage Cove Court
Lake Drive / Lakeview Drive
Roberts Drive**

and

BE IT FURTHER RESOLVED, that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on Monday July 13, 2020 at a regular meeting of the township board at the Fenton Township Civic Community Center, 12060 Mantawauka Drive, Fenton, Michigan, or via telephone conference call, commencing at 7:30 p.m., and

BE IT FURTHER RESOLVED, that the Township Clerk is instructed to give proper notice of such hearing by mailing and publication in accordance with law and statute provided, and

BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

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Motion to adopt Resolution No. 2020-10 as presented.

Motion by: Reid

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

BOARD COMMENT:

Operations Manager Broecker suggested that, since the Executive Order allowing electronic meetings has been extended through the end of July, and because the Ponemah Drive hearing involves 140 properties, the 7/13/20 board meeting should be held electronically, even if indoor meetings of up to 50 people are permitted by that date. The board agreed with this approach.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Rick Miracle, Nationals Genesee Soccer Organization

Mr. Miracle thanked the board for listening to the soccer organizations and working with them toward a solution.

ADJOURN: Meeting adjourned at 9:16 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 06/30/20