



1096 Queens Way  
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**Village Council Minutes**  
Regular Meeting  
July 20<sup>th</sup>, 2004

President George Dunn called the meeting to order at 7:00 P.M., and the pledge of allegiance was recited.

**Members Present:** Arnold Griffin, Brian Hughes\*, Charles Kiel, Dave Torgerson, and George Dunn (\* Councilman Brian Hughes arrived at 7:04 P.M.)  
**Members Absent/Excused:** Jackie Adkins and Jeff Grey  
**Others Present:** Village Manager Tim Wolff

A memo was read by Dunn that was submitted by Adkins asking to be excused for the July meeting. Motion made by Torgerson, seconded by Kiel to excuse Adkins for the July meeting due to health reasons. VOICE VOTE: MOTION CARRIED.

Agenda Approval

Motion made by Torgerson, seconded by Griffin to approve the agenda as presented. ROLL CALL VOTE: YEAS: Griffin, Hughes, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED.

Approval of Minutes from the June 15<sup>th</sup>, 2004 Meeting

The minutes from the June 15<sup>th</sup>, 2004 meeting were presented. Dunn raised the matter of recording of votes as "yeas" and "nays." The minutes were corrected to reflect the changes in presentation of voting. Motion made by Kiel, seconded by Hughes to approve the minutes of the June 15<sup>th</sup>, 2004 meeting as corrected. VOICE VOTE: MOTION CARRIED.

Financial Matters and Reports

The Treasurer's Report was presented by Kiel. Kiel reported that the Village currently had \$638,547.83 in cash at IB&T in checking; \$155,371.66 in cash at IB&T in savings; \$98,718.50 in cash at Firstbank in savings; Petty Cash of \$120.00; and total assets and liabilities of \$1,259,703.00. Motion made by Hughes, seconded by Griffin to accept the Treasurer's Report as presented by Kiel. VOICE VOTE: MOTION CARRIED.

The Financial Report was presented by Hughes. Hughes reported that for the month of June, 2004 the Village had a monthly income of \$25,320.21 and for the year a total of \$2,177,994.84 and expenses for the month of June of \$49,344.28 and for the year at

\$1,696,811.74. Motion made by Hughes, seconded by Griffin to accept the Financial Report as presented by Hughes. VOICE VOTE: MOTION CARRIED.

The Finance Committee Report was presented by Dunn. It reflected check numbers 2224 through 2256 with total disbursements of \$23,589.27. Motion made by Kiel, seconded by Griffin to accept the Finance Committee Report as presented by Dunn. VOICE VOTE: MOTION CARRIED.

#### Public Comments and/or Questions

District 2 County Commissioner John Haupt of Gilmore Road reported that the County was faced with cutting the budget from revenue sharing losses, and also were examining the benefit package for County employees.

George Colby of Queens Way commented on the need for a Renters Ordinance, and also to the lack of parks or recreation activities for his neighborhood.

Jay Zickterman of Sequoia Lane commented on problems with Renters and the need for some control type measure.

Ed Nurski of Queens Way commented on problems with Renters, several wash outs in the Village, and problems with trees obstructing vision at several intersections.

Harry Kuhn of Marietta Lane commented on the need of an Ordinance dealing with Renters.

#### Reports and Minutes

Wolff gave the Planning Commission report from the meeting held on July 13<sup>th</sup>, 2004. He highlighted that the Planning Commission is working on updating the Sign Ordinance, Waterfront-Shoreline Ordinance, and working on the Master Plan.

Wolff gave the Zoning Board of Appeals report, and highlighted the meeting from July 12<sup>th</sup> where the ZBA granted one variance.

The Airport Board report was given by Dunn. He highlighted the events of the June and July meetings. The Airport Board at the July meeting had voted unanimously to defer the removal of the trees at the East end of the Runway to the Village Manager.

Wolff gave the Manager's Report. He reported on several road issues, code enforcement matters, and the up coming newsletter.

Dunn gave the President's Report. He commented further on the Airport Board and the issues that are taking shape over maintenance, control, and relationship with the Council.

#### Old Business

1. Resolution 2004-20 was presented amending Resolution 2004-15. Wolff reported that he had worked with the Pines Golf Course to finalize the agreement and also resolve the matter of the leaking sprinkler on Clubhouse. Motion made by Kiel, seconded by Torgerson to

adopt Resolution 2004-20. ROLL CALL VOTE: YEAS: Griffin, Hughes, Kiel, Torgerson, and Dunn; NAYS: None; MOTION TO ADOPT CARRIED.

2. Resolution 2004-21 was presented amending Resolution 2004-16. Wolff reported that the Village had set a pre-payment date of June 14<sup>th</sup> for the Queens Way project, and that with the delay the Village encountered from the State on the Bonds, a later date would need to be set to allow the residents on Queens Way a chance to pre-pay without interest. Wolff stated the Bonds would be finalized on August 5<sup>th</sup>, and the date should be changed for the pre-payment window to August 6<sup>th</sup>. Motion made by Kiel, seconded by Hughes to adopt Resolution 2004-21. ROLL CALL VOTE: YEAS: Griffin, Hughes, Kiel, Torgerson, and Dunn; NAYS: None; MOTION TO ADOPT CARRIED.

### New Business

1. Wolff reported that there were 2 terms on the ZBA (Doug Sutton and George Colby), and one term on the Planning Commission (Jack Walker) that were expiring, and the seats would need to be filled, and that all 3 men had indicated that they would like to continue serving. Without objection Dunn reappointed all three men to 3 year terms on their respective boards.
2. Ordinance 2004-06 which amends Ordinance 1998-02 was introduced for the record.
3. There was discussion over recent events with the Village and the Central Michigan District Health Department. Wolff reported that the CMDHD had initially denied issuing a septic permit for lots in the newly re-zoned OSD. Wolff said he worked with Planning Commission Chairman Bill Dunham to resolve the matter and a compromise had been reached late last week to temporarily resolve the situation. There was discussion over this by the Council and the Council directed Wolff to draft a legal brief to the Village's legal counsel to obtain an opinion as to the legality of the CMDHD using private building and use restrictions as the determining factor in issuing septic permits, as this could be seen as illegal regulatory taking by the CMDHD and a denial of property owner's rights to the fair and legal use of their land as provided for under the laws of the state of Michigan.
4. Kiel brought up the need for high speed internet in Lake Isabella. The Council discussed the matter and directed him to work with the Village Manager and arrange meetings with companies that provide the service in the hopes of attracting one of them to Lake Isabella.

### Public Comments and/or Questions

Jim Higgins of Clubhouse Drive commented on the status of the pavement on Birdie and the older part of Clubhouse. He indicated that it was cracking and would need to be fixed.

Richard Lacca of El Camino Grande commented on the high speed internet proposal and asked if the Village was working with Charter as well on this situation.

Dave Ochander of Fairway Drive commented on the high speed internet proposal as well, and also questioned what the height of a tower for the provided might be.

### Annual Village Manager Evaluation

Wolff has requested a closed session for his evaluation. Motion made by Kiel, seconded by Torgerson to go into closed session at 8:24 P.M. for the Village Manager's annual evaluation. ROLL CALL VOTE: YEAS: Griffin, Hughes, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED.

Motion made by Kiel, seconded by Griffin to return from the closed session at 8:45 P.M. ROLL CALL VOTE: YEAS: Griffin, Hughes, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED.

The Council asked the Village Manager to provide to them before the next meeting a list of 10 goals that he hopes to accomplish by the end of the year. The Council has also agreed to raise the Manager's salary by 5% effective July 1<sup>st</sup>, 2004.

Wolff thanked the Council and stated that he has enjoyed the chance to work for the Village and is optimistic about the direction the Village is taking.

Adjournment

With there being no further business before the Council a motion to adjourn was made by Kiel, seconded by Hughes to adjourn at 8:47 P.M. VOICE VOTE: MOTION CARRIED

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Jeffrey P. Grey  
Village Clerk

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George Dunn  
Village President

Minutes prepared by Village Manager Timothy Wolff.