

**Village of Lake Isabella**  
**Village Council Minutes**  
Special Meeting – April 3, 2007

**1096 Queens Way**  
**Lake Isabella, MI, 48893**

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The Meeting was called to order at 7:00 PM by President Dunn and the pledge of allegiance was recited.

**Members Present:** Lacca, Grey, Pattison, Torgerson, and Dunn

**Members Absent:** Griffin and Kiel

A motion was made by Torgerson, which was seconded, to approve the Consent Agenda which included the balance sheet, income and expense report, bills to be paid (Checks 3377 through 3444), Planning Commission Report, and the Village Council minutes from the February 20, 2007 regular meeting. ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

The Manager's report was given by Wolff, see attached.

Dave Ochander updated the Council on the progress of the Lake Management study that the LIPOA is working on.

Dunn took a moment to briefly thank Torgerson for his services as President Pro-Tempore and Wolff for his work on the agenda items being considered at the meeting.

**Public Hearings**

1. Proposed Resolution 2007 – 06; Local Street Paving Project

Dunn opened the public hearing at 7:09 PM.

The Council received correspondence from the following people in objection to the project:

- Harold Warr of Northview Drive.
- George & Beverly Morgan of Kent Street.
- Jeff & Shannon Browne of Iberian Drive.
- Joseph Beam of Tee Drive.
- Teresa Allen of Channel Drive.

Dunn opened the floor for public comments.

- Kim Barnes of Pueblo Pass: Spoke in opposition to the manner in which the project was going to be funded through assessing only the lots on the local streets, and not every lot owner as was done on the Major Street Special Assessment project.
- Rudy Castillo of Carmen Drive: Spoke in opposition to the project and formally objected. He stated that since the Master Plan was done in 2005 the results were no longer valid.
- Bill Latham of Sandtrap Drive: Spoke in opposition to the project and asked questions regarding the plans for drainage, contracting, and engineering.

- Mike Gordon of Brinton Road: Spoke in opposition to the project, and stated that the Village should sell the 115 lots that it owns and use the money from that towards the project.
- Ron Barnes of Pueblo Pass: Spoke in opposition to the project, and stated that the Village should sell more lots to help cover the cost of the project. He also asked how much the Village would be assessed for the new office building.
- Mike McElmurray of Par Drive: Spoke in opposition to the project and stated that the paving cost is worth more than his lot.
- Kathy Gordon of Brinton Road: Spoke in opposition to the project, and stated that she feels everyone should be assessed.
- Nancy Tilmann of Sequoia Drive: Spoke in opposition to the project, and stated that she felt the timing was bad due to the economy.
- Cindy Lamb of Siesta Lane: Spoke in opposition to the project, and objected. She also stated that she felt the Village should have asked for endorsements rather than objections on the post cards that were sent out.
- Ed Nurski of Sequoia Court: Voiced his concern over the ability to maintain so many miles of paved streets.
- + Mike Scherba of Lincoln Drive: Spoke in favor of the project, especially pursuing the project in bulk to keep the costs down.
- + Arvil King of Vallado Drive: Spoke in favor of the project.
- + Ron Peterson of Tee Drive: Spoke in favor of the project, and stated that he would like to see everyone contribute as was done on the Major Street Special Assessment project.
- + Bill Keelean of Duquesa Drive: Spoke in favor of the project, and also commented that perhaps a Millage would be a better means to fund the project.
- + Dave Ochander of Fairway Drive: Spoke in favor of the project.

The Village received a total of 230 objections via postcard, writing, e-mail or in person at the public hearing to the project. There are a total of 1321 private lots in the proposed special assessment district, thereby making the total percentage of objections 17.41%

Dunn then opened the floor up for the Village Council to reply to any of the comments or questions that were asked by the public.

- Dunn noted that there is a legal difference between the Major and Local Streets of the Village. He also stated that it is his belief that the overall cost will be lower for everyone by doing the project in bulk.
- Pattison explained that the Village does not collect any profit from the sale of the lots we own. The lots were purchased from the State of Michigan who acquired them via tax foreclosure, and have a clause on the deed that requires the Village to turn all profits over to the Isabella County Treasurer.
- Grey commented on the difference between the Major Streets and the Local Streets.
- Lacca commented that he would still like to see the residents bring forth a petition requesting the project.
- Pattison asked Wolff how much this proposed assessment price is compared with other Local Street ones done by the Village.

Wolff stated that the estimated price per lot for this project is \$1,275 to \$1,375 per lot compared to; Fairway Drive (paved in 2003) \$1,800 per lot, Queens Way (paved in 2004) \$1,859 per lot, Castle Drive (paved in 2005) \$1,474 per lot, and Putter Drive (paved in 2005) \$2,189 per lot.

With no further comments, Dunn closed the public hearing at 7:48 PM.

2. Proposed Ordinance 2007 – 01; “Zoning Administration Update”

Dunn opened the public hearing at 7:49 PM.

Dunn opened the floor for public comments.

- Rudy Castillo of Carmen Drive: Asked if the proposed Village inspection would conflict with the inspection that Isabella County performs.
- + Ron Barnes of Pueblo Pass: Stated that he felt the follow-up inspection was needed and hoped it would prevent situations like the one near his home and Clubhouse Drive.

Dunn then opened the floor up for the Village Council to reply to any of the comments or questions that were asked by the public.

- Dunn asked Wolff to reply to Mr. Castillo. Wolff stated that the Village’s follow-up inspection would only cover zoning matters, and that Isabella County handles the building inspection, as such there would be no conflict.

With no further comments, Dunn closed the public hearing at 7:54 PM.

3. Proposed Ordinance 2007 – 02; “Village Planning”

Dunn opened the public hearing at 7:55 PM.

Dunn opened the floor for public comments: *None*

Dunn then opened the floor up for the Village Council to reply to any of the comments or questions that were asked by the public: *None*

With no further comments, Dunn closed the public hearing at 7:55 PM.

**Public Comments:**

The Council received communication in writing or e-mail from the following:

- Jim Dufty of Circle Drive: Expressing his concerns over the bidding process for the Village office project.
- Joan Spring of Carmen Drive: Expressing her desire to see the Chippewa River dredged and also expressing her concerns over the health of the lake.
- Elmer Ledbetter of Red Fox Court: Expressing his desire to see the Village office built at the airport.

Other public comments:

- Reber Pummill of Sequoia Court: Inquired about the Village office location.
- George Colby of Carmen Drive: Inquired about maintaining and cutting brush along the streets.
- Brian Roberts of York Drive: Informed the Council that the LIPOA’s new website is up.

**Existing Business:**

1. Proposed Resolution 2007 – 06; “Local Streets Paving Project”

A motion was made by Torgerson, which was seconded, to adopt resolution 2007 – 06; “Local Streets Paving Project.”

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

The Council also set a public hearing for Resolution 2007-08 for their meeting of May 15, 2007. Resolution 2007-08 include parcels originally omitted from Resolution 2007-06 due to a mailing error.

2. Proposed Ordinance 2007 – 01; “Zoning Administration Update”

A motion was made by Torgerson, which was seconded, to adopt ordinance 2007 – 01; “Zoning Administration Update.”

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

3. Proposed Ordinance 2007 – 02; “Village Planning”

A motion was made by Torgerson, which was seconded, to adopt ordinance 2007 – 02; “Village Planning.”

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

**New Business:**

1. 2007 Independence Day Fireworks Contract

A motion was made by Lacca, which was seconded, to approve the proposed contract with RKM fireworks in the amount of \$5,750 for the 2007 Independence Day Fireworks Celebration to be held on June 30<sup>th</sup>.

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

2. Schedule of Bond Payments

A motion was made by Pattison, which was seconded, to approve the following bond payments:

Major Street SA	\$5,362.50	Queens Way SA	\$1,800.00
Fairway Drive SA	\$1,496.25	Castle/Putter SA	\$3,460.00

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

3. Nottawa-Sherman Fire Department; Contract Payment

A motion was made by Grey, which was seconded, to approve the second of two contract payments to the Nottawa-Sherman Townships Fire Department for coverage of the portion of Broomfield Township located within the Village limits in the amount of \$13,076.30.

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

4. Zoning Board of Appeals Appointment

The Village has received notice of a Brent Case’s resignation from the Zoning Board of Appeals. Dunn appointed, without objection of the Village Council, Larry Hiither to fill the remaining portion of Case’s term, which runs until July of 2007, on the ZBA.

5. Purchase Agreement; Village Office Location

A motion was made by Torgerson, which was seconded, to go into closed session, as permitted under MCL 15.268(d) to discuss the purchase of real property for the proposed Village office at 8:36 PM.

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Torgerson, which was seconded, to leave closed session at 8:59 PM.

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Torgerson, which was seconded, to approve the submitted purchase agreement with Lake Isabella Land Company LLC for lots 147-148 of Golf Estates I.

ROLL CALL VOTE: YEAS: Pattison, Lacca, Torgerson, and Dunn; NAYS: Grey; MOTION CARRIED.

6. Village Office Bids

A motion was made by Pattison, which was seconded, to award the bid for construction of the Village office to JBS Contracting Inc. of Mount Pleasant, including performance, labor and material bonds, in the amount of \$232,409 for construction at 1010 Clubhouse Drive.

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

7. Proposed Resolution 2007 – 07; Award of Bond Sale, Proposed Village Office Project

A motion was made by Grey, which was seconded, to adopt resolution 2007 – 07; “Award of Bond Sale, Proposed Village Office Project.” The resolution awards the bond sale to Isabella Bank & Trust in the amount of \$275,000 at an average interest rate of 4.8514%.

ROLL CALL VOTE: YEAS: Grey, Pattison, Lacca, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

**Public Comments:**

None

With no further business before the Council the meeting was adjourned at 9:12 PM

X \_\_\_\_\_  
Jeffrey P. Grey  
Village Clerk

X \_\_\_\_\_  
George Dunn  
Village President

Village Manager's Report  
◆ April 2007 ◆

**SOLID WASTE LICENSING ORDINANCE**

I have been working on drafting an ordinance regarding solid waste hauler regulations for the Village. I likely will have it finished for the Council's regular meeting in May, perhaps earlier depending on my schedule.

**LAWN HEIGHT ORDINANCE**

At the regular meeting in April there will be introduced an ordinance that amends the blight code to allow the Village to take action on properties with lawns that are in violation due to tall weeds and/or grass. Our current regulations prevents the Village from taking action other than issuing a civil infraction ticket.

**CHARTER REVIEW COMMITTEE**

The Charter Review Committee held their first meeting this past month. There are four areas of the Charter that they are interested in review further for possible amendment. Those four areas are as follows. The length of time a person must be a resident prior to being a qualified elector, changing the frequency of our independent audit from annually to bi-annually, adding language to our non-discrimination clause, and increasing the Millage rate from 1 Mill.