

Village of Lake Isabella
Village Council Minutes
Regular Meeting – May 15, 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, Kiel, Torgerson, Griffin, Pattison and Dunn
Members Absent: None

A motion was made by Grey, which was seconded, to approve the agenda with the addition of Consent Agenda #9 “Clubhouse Drive Overlay Bid Approval.” ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Pattison, which was seconded, to approve the Consent Agenda which included invoices & disbursements (checks 3445 to 3482), the balance sheet, income and expense report, approval of MDOT-MSSA Bond Payment to Firstbank due June 1st, Planning Commission Report, the May 10, 2007 minutes of the Charter Review Committee, the Village Council minutes from the April 17, 2007 regular meeting, and the acceptance of the bid to Central Asphalt for the Clubhouse Drive overlay paving. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

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

The LIPOA report was given by new LIPOA President Larry Hiither. He commented on the annual meeting and the upcoming lake management study.

The Village President gave a report highlighting the Michigan Municipal League regional meeting and the Village Manager’s graduation from the Rollie Denison Leadership Institute.

Public Hearings

1. Proposed Resolution 2007 – 08; Local Street Paving Project

Dunn opened the public hearing at 7:15 PM.

Dunn opened the floor for public comments.

- Robert Simpson of Brinton Road: Asked if Brinton Road was still part of the paving project?
- Suzi Fussman of Bishop Lane: Asked if the Council had been presented with the petition of the property owners on Seabury Lane and Bishop Lane requesting to be removed from the paving project?

With no further public comments, Dunn closed the public hearing at 7:18 PM

2. Proposed Ordinance 2007-03; Lake Isabella North Lots Rezoning

Dunn opened the public hearing at 7:18 PM.

Dunn opened the floor for public comments.

- None

With no further public comments, Dunn closed the public hearing at 7:19 PM

3. Truth in Taxation Public Hearing, 2007-2008 Village Budget and Proposed Millage to be Levied; Resolution 2007-09

Dunn opened the public hearing at 7:19 PM.

Dunn opened the floor for public comments.

- None

With no further public comments, Dunn closed the public hearing at 7:20 PM

4. Proposed Ordinance 2007-06; Charter Franchise Agreement

Dunn opened the public hearing at 7:20 PM.

Dunn opened the floor for public comments.

- Robert Simpson of Brinton Road: Asked if Brinton Road was still part of the paving project?
- Suzi Fussman of Bishop Lane: Asked if the Council had been presented with the petition of the property owners on Seabury Lane and Bishop Lane requesting to be removed from the paving project?

With no further public comments, Dunn closed the public hearing at 7:18 PM

Public Comments:

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

- Elmer Ledbetter of Red Fox Court: Once again stating his displeasure with the new village office location.

Other public comments:

- Robert Simpson of Brinton Road: Asked a series of questions; he asked how multiple lots would be assessed in the paving project, if the assessment is on a footage basis, the status of septic systems in Isabella South, how to appeal his SEV. He also complimented the Village Manager on the work he is doing for the Village.
- Joan Ledbetter of Red Fox Court: Asked if the Village could address a garage sale the lasts all summer at the corner of Peninsula and Clubhouse Drive.
- Tim Walton of Bishop Lane: Stated that he was concerned about increased traffic speed if the Bishop Lane were to be paved. He also expressed his opinion that Wilcox Excavating has done an excellent job maintaining the Village's streets.
- Suzi Fussman of Bishop Lane: Stated she has several unbuildable lots and that is why she is opposed to having her street paved.
- Jack Walker of Queens Way: Commented on the Morning Sun article about the village office location. He stated that the Planning Commission had reviewed locations as early as 2002 and that all locations had been considered. He also stated that the work done by the Village to select the current site and floor plan was very well done.

Existing Business:

1. Proposed Resolution 2007-08; Local Street Paving

A motion was made by Torgerson, which was seconded, to amend the resolution by removing all lots from Canterbury Estates. VOICE VOTE: MOTION CARRIED.

A motion was made by Pattison, which was seconded, to adopt the resolution as amended.
ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn;
NAYS: None; MOTION CARRIED UNANIMOUSLY.

2. Proposed Ordinance 2007-03

A motion was made by Kiel, which was seconded, to adopt Ordinance 2007-03, which rezones several lots in Lake Isabella North from Open Space Recreational to Lake Residential-1. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

3. Lake Isabella Airpark & Lake Isabella South Septic Permit Review

The Council discussed the recent meeting with the Central Michigan Health Department and the Michigan Department of Environmental Quality. There was discussion among the Council as what specifically is the Village's responsibility towards resolving this situation as the Village of Lake Isabella did not create the restrictions, enforce the restrictions, or feel they should remain in place. The Council also discussed the need for the property owners to organize and present their case to our elected officials in Lansing.

There was also discussion about potential legal with the property owners of the unbuildable lots to take action against the CMDHD and the DEQ for the haphazard manner in which the restrictions have been enforced and in regards to regulatory taking.

New Business:

1. Resolution 2007-09; 2007-2008 Village Budget, Capital Improvement Plan, and Millage Rate to be Levied.

A motion was made by Kiel, which was seconded, to adopt Resolution 2007-09. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

2. Request from the LIPOA; Lake Management Plan

The Village received a request from the LIPOA regarding the lake management plan. No action was taken on this item.

3. Introduction of Proposed Ordinance 2007-04; Parcel K Rezoning

Proposed Ordinance 2007-04 was introduced and a public hearing set for the regular council meeting in June.

4. Introduction of Proposed Ordinance 2007-05; Right-of-Way Regulation

Proposed Ordinance 2007-05 was introduced and a public hearing set for the regular council meeting in June.

5. Proposed Ordinance 2007-06; Charter Franchise Agreement

A motion was made by Torgerson, which was seconded, to adopt the proposed franchise agreement with Charter Communications and add language supplied by the Village's attorney regarding right-of-way police powers. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

6. Resolution 2007-10; Proposed Charter Amendment #1

A motion was made by Griffin, which was seconded, to adopt Resolution 2007-10 which introduces proposed Charter amendment #1. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, and Griffin; NAYS: Kiel, Torgerson, and Dunn; MOTION NOT CARRIED (*Proposed Charter amendments require a 2/3 vote of the legislative body to be introduced*).

7. Resolution 2007-11; Proposed Charter Amendment #2

A motion was made by Grey, which was seconded, to adopt Resolution 2007-11 which introduces proposed Charter amendment #2. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Torgerson, and Griffin; NAYS: Kiel and Dunn; MOTION CARRIED

8. Resolution 2007-12; Proposed Charter Amendment #3

A motion was made by Kiel, which was seconded, to adopt Resolution 2007-12 which introduces proposed Charter amendment #3. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

9. Resolution 2007-13; Proposed Charter Amendment #4

A motion was made by Torgerson, which was seconded, to adopt Resolution 2007-13 which introduces proposed Charter amendment #4. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

10. Resolution 2007-14; Proposed Charter Amendment #5

A motion was made by Torgerson, which was seconded, to adopt Resolution 2007-14 which introduces proposed Charter amendment #5. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

11. Resolution 2007-15; Proposed Charter Revision Ballot Question

A motion was made by Torgerson, which was seconded, to adopt Resolution 2007-15 which introduces ballot language for the required question of Charter Revision on the 2007 ballot. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

12. Village Office Project; Geothermal Change Order

A motion was made by Torgerson, which was seconded, to approve Change Order #2, in the amount of \$9,377 which changes the proposed heating and cooling system of the new village office to a geothermal open looped system. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Torgerson, which was seconded, to amend the agenda by moving Public Comments prior to New Business #13. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

Public Comments:

- Dave Ochander of Fairway Drive: Asked what the purchase agreement for New Business #13 pertained to.

- Suzi Fussman of Bishop Lane: Stated that she was told by the CMDHD that the Village is to fault for the septic restrictions, and that the Village wants them to remain in place.
- George Colby of Carmen Drive: Asked when the Village would be brining the gravel roads.
- Jack Walker of Queens Way: Stated that there is a very long history regarding the septic permit issue.
- Harry Kuhn of Marietta Lane: Questioned what areas of Golf Estates II were still buildable.

Dunn responded to Mrs. Fussman’s comment by stating that the Village of Lake Isabella is not party to the restrictions, did not create them, does not enforce them, and desires to see them lifted.

New Business #13

Purchase Agreement, Lake Isabella Golf Estates I, Lot 149

A motion was made by Kiel, which was seconded, to go into closed session at 9:05 PM to discuss a real estate purchase agreement. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Grey, which was seconded, to come out of closed session at 9:12 PM. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

A motion was made by Griffin, which was seconded, to approve the purchase agreement for Lake Isabella Golf Estates I, Lot 149. ROLL CALL VOTE: YEAS: Grey, Lacca, Pattison, Griffin, Kiel, Torgerson, and Dunn; NAYS: None; MOTION CARRIED UNANIMOUSLY.

With no further business before the Council the meeting was adjourned at 9:15 PM

X

Jeffrey P. Grey
Village Clerk

X

George Dunn
Village President

Village Manager's Report

◆ May 2007 ◆

RISK MANAGEMENT MEETING

In late April I had a meeting with our representative from the MML regarding our liability and property insurance. For the most part the meeting went very well. We have zero loss record and it is my goal to keep that! One thing we have been asked to do is a review of our administrative procedures. Taking this survey was an eye-opener for me personally. While our current office setting precludes a need for most of the items on the survey, it is clear to me that as we move out we will need look at few of the items from the survey.

MSU CONFERENCE

I have been asked by the MML to attend, at the expense of Michigan State University, a two-day conference at the Kellogg Center on May 17th and 18th to work on drafting a policy document on promoting local government cooperation. I have attached some information regarding this for your review. To the best of my knowledge, this is a sub-committee from the Governor's Task Force on Local Government Fiscal Stability that was formed in 2005.

MML REGIONAL MEETING

Thank you to everyone who attended! I hope you enjoyed the day and found it worthwhile.

STOP SIGNS

You may remember Ron Barnes asking last month for a stop sign at the intersection next to his home. Attached is the information I was able to find on this. I will have a full report and recommendation for the June meeting.