

Village of Lake Isabella
Village Council Minutes
Regular Meeting – June 19, 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, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn
Members Absent: None

A motion was made by Torgerson, which was seconded, to approve the agenda as presented.

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

A motion was made by Griffin, which was seconded, to approve the consent agenda as presented which includes the following items of business; invoices & disbursements (checks 3483 through 3532 and check 8 MDOT Bond Service), the balance sheet, the revenue/expenditure report, the investment report, Resolution 2007 – 22 “Approval of Yearend Transfers,” the minutes of the May 15, 2007 Village Council meeting, the minutes of the June 12, 2007 Village Council meeting, and the minutes of the May 15, 2007 Finance Committee meeting.

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

Reports

- The Village Manager gave a report updating the council on the progress with the new Village office building, the proposed revision to the statutory revenue sharing formula, establishing truck routes in the Village, the upcoming fireworks, and the engineering plans for the Local Streets Special Assessment Paving Project district.
- The LIPOA report was given by Larry Hiither, he reported on dam inspection scheduled for June 22, e-coli testing, the recent lake treatment, and the work on the lake management plan.

Public Hearings

1. Public Hearing for Proposed Ordinance 2007 – 04 “Parcel K Rezoning”

Dunn opened the public hearing at 7:17 PM.

A synopsis of the proposed ordinance was read.

Public Comments/Questions: None

Dunn closed the public hearing at 7:18 PM

There was a brief discussion by the Village Council over the proposed ordinance. Specifically the question was asked regarding the Planning Commission’s recommendation on this ordinance, and if the Village could even legally rezone the property due to the filed airport approach plan by MDOT.

Wolff informed the Village Council that the Planning Commission has recommended that the proposed ordinance not be adopted. He further replied that in speaking with

MDOT, if any rezoning were to occur, it would have to conform with the approved airport approach plan.

2. Public Hearing for Proposed Ordinance 2007 – 5 “Right-of-Way Regulation”

Dunn opened the public hearing at 7:25 PM.

A synopsis of the proposed ordinance was read.

Public Comments/Questions: None

Dunn closed the public hearing at 7:26 PM.

Public Comments

- Joan Ledbetter of Red Fox Court; Thanked the Village work addressing her concerns regarding the rental property on Clubhouse Drive, she also inquired as to the status of garage sales in the Village and the unfinished house at 1254 Clubhouse Drive.

Existing Business

1. Proposed Ordinance: 2007 - 04; “Parcel K Rezoning”

A motion was made by Kiel, which was seconded, to adopt proposed ordinance 2007-04, which would rezone “Parcel K” from Lake Residential 1 to Commercial.

ROLL CALL VOTE: YEAS; None; NAYS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn; MOTION TO ADOPT NOT CARRIED

2. Proposed Ordinance: 2007 - 05; “Right-of-Way Regulation”

A motion was made by Grey, which was seconded, to adopt proposed ordinance 2007-05, which would amend text in the Village’s right-of-way regulations.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn; NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

3. Proposed Resolution 2007 - 17; “Charter Amendment 5.11(d)”

A motion was made by Grey, which was seconded, to adopt resolution 2007-17 which would place the following Charter amendment question on the 2007 Village ballot:

Proposed Amendment #1: Shall subsection (d) of Section 5.11(d) of the Charter of the Village of Lake Isabella be amended to provide that following the occurrence of a vacancy on the Village Council, if the Village Council does not make an appointment within forty-two (42) days, instead of thirty (30) days, the Village President shall make the appointment, so that the provisions of Section 5.11(d) read as follows:

Section 5.11 (d) Filling of Vacancies.

A vacancy in the Village Council shall be filled for the remainder of the unexpired term, if any, at the next regular election. If the next regular election occurs more than 60 days from the date of the vacancy, the Council, by majority vote of all its remaining members, shall appoint a qualified person to fill the vacancy until the next regular election. If the Council fails to do so within forty-two (42) days following the occurrence of the vacancy, the Village President shall make the appointment.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

4. Proposed Resolution 2007 - 18; “Charter Amendment 10.02(a)”

A motion was made by Torgerson, which was seconded, to adopt resolution 2007-18 which would place the following Charter amendment question on the 2007 Village ballot:

Proposed Amendment #2: Shall Section 10.02 of the Charter of the Village of Lake Isabella be amended and renumbered as Section 10.02(a) to provide that the ad valorem levy for general Millage shall not exceed 1½ mills, in place of 1 mill, of assessed property value and to indicate that the general Millage is operating Millage so that the provisions as amended read as follows:

Section 10.02(a) General Operating Millage

Upon approval of this Charter, the annual general operating ad valorem tax levy for Village purposes shall not exceed one and one-half mills (1.5/10 of 1%) of the assessed value of real and personal property in the Village. This general operating tax limitation may be increased for a period of not to exceed three years at any one time to not more than 2 mills of the assessed valuation of such real and personal property by a majority vote of those electors voting thereon an any regular village election or special election called for that purpose.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

5. Proposed Resolution 2007 - 19; “Charter Amendment 10.02(b)”

A motion was made by Lacca, which was seconded, to adopt resolution 2007-19 which would place the following Charter amendment question on the 2007 Village ballot:

Proposed Amendment #3: Shall Section 10.02 of the Charter of the Village of Lake Isabella be amended to add a new subsection (b) to provide that beginning in 2008 the Village Council may levy ad valorem tax for public safety (police and fire) services at a rate not to exceed two (2) mills on the assessed value of property provided that Council adopts an ordinance authorizing the levy by a two-thirds (2/3) vote, , so that the new subsection reads as follows:

Section 10.02(b) Public Safety; Police and Fire Services

Beginning in calendar year 2008 the Village Council may levy ad valorem tax at a rate not to exceed two (2) mills on the assessed value of real and personal property within the incorporated boundaries of the Village for the purpose of covering the costs for providing public safety (police and/or fire) services, provided that the Council adopts an ordinance authorizing such a levy by a two-thirds (2/3) majority vote of its members.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

6. Proposed Resolution 2007 - 20; “Charter Amendment 16.03”

A motion was made by Kiel, which was seconded, to adopt resolution 2007-20 which would place the following Charter amendment question on the 2007 Village ballot:

Proposed Amendment #4: Shall Section 16.03 of the Charter of the Village of Lake Isabella be amended to remove the requirement that the question of a charter revision be placed before the electors at least every 10 years after 2007 and provide that after 2007 the question may be presented at other times as provided by statute, so that the provision reads as follows:

Section 16.03 Charter Revision

The question of revision of this Charter shall be placed before the electors of the Village at the general election in the year 2007, and thereafter may be presented at other times in the manner provided by statute.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

New Business

1. Introduction of Proposed Ordinance 2007 - 07; “Noxious Weeds & Rummage Sales”

A motion was made by Dunn, which was seconded, to introduce proposed ordinance 2007-07 as amended, and to set a public hearing for the July 19, 2007 regular Village Council meeting.

VOICE VOTE: MOTION CARRIED UNANIMOUSLY

2. Introduction of Proposed Ordinance 2007 - 08; “Sign Regulation Update”

A motion was made by Grey, which was seconded, to introduce proposed ordinance 2007-08 as recommended by the Planning Commission, and to set a public hearing for the July 19, 2007 regular Village Council meeting.

VOICE VOTE: MOTION CARRIED UNANIMOUSLY

3. Resolution 2007 – 23; Fiscal Year 2006 – 2007 Budget Amendments

A motion was made by Kiel, which was seconded, to adopt resolution 2007-23 as recommended by the Finance Committee.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

4. 2007 Local Streets Special Assessment Paving Project

A motion was made by Kiel, which was seconded, to approve the continuation of the Local Streets Special Assessment Paving Project district.

VOICE VOTE: MOTION CARRIED UNANIMOUSLY

5. 2007 Local Streets Special Assessment Paving Project; Approval of Bidding

A motion was made by Pattison, which was seconded, to approve seeking bids for the Local Streets Special Assessment Paving Project district as prepared by the Village’s professional engineering firm, Rowe Incorporated.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

6. Proposed Resolution 2007 - 21; 2007 LSSAPP; Appointment of Assessor

A motion was made by Grey, which was seconded, to adopt resolution 2007-21, which names Jessica Manley as the Village Assessor for the Local Streets Special Assessment Paving Project district.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

7. Traffic Control Order 2007-01; Monterrey Trail & Pueblo Pass Stop Sign

A motion was made by Torgerson, which was seconded, to adopt traffic control order 2007-01 which would transform the intersection of Monterrey Trail and Pueblo Pass into a three-way stop.

ROLL CALL VOTE: YEAS; Lacca, Pattison, Grey, Kiel, Torgerson, Griffin, and Dunn;
NAYS; None; MOTION TO ADOPT CARRIED UNANIMOUSLY

Public Comments

- Dan Grisdale of Crown Point: Asked about having the brush along Crown Point and at the intersection of Crown Point and Queens Way clear-cut.
- Joan Ledbetter of Red Fox Court: Asked about the current ordinance regulations regarding to weeds and long grass.
- Garl Perleberg of Cantabrian Street: Asked if the regulations for weeds and long grass affected all parcels or only those with dwellings.

With no further business, the Village Council stood in adjournment at 8:26 PM.

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Jeffrey P. Grey
Village Clerk

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George Dunn
Village President