

Village of Lake Isabella

Village Council Minutes

Regular Meeting – February 19, 2008

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Council member Pattison was sworn in for his term of office.

Members Present: Grey, Griffin, Kiel, Miller, Pattison, and Torgerson

Members Excused: Lacca

A motion was made by Kiel, which was seconded, to approve the agenda as presented. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

A motion was made by Miller, which was seconded, to approve the consent agenda as presented which includes the following items of business; invoices & disbursements (checks 3826 through 3858), minutes of the January 8, 2008 Village Council Meeting, minutes of the January 14, 2007 Zoning Board of Appeals Meeting, minutes of the February 12, 2008 Planning Commission Meeting, the Financial Report, the Income Report, and the Investment Report. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

Reports

- Melissa Stewart from Page Olson & Company presented the Fiscal Year 2006-2007 Audit report to the Village Council. She reported that the Village obtained a clean opinion on the audit and financially the Village is very healthy.
- The Village Manager submitted a report highlighting the TSI Meeting of February 19, a possible blood drive in the Village, and the status of the Local Streets Special Assessment Paving Project.

Public Comments

- None

Public Hearings

1. Proposed Resolution 2008-02; Amendment to Village Lot Sale

A public hearing for proposed resolution 2008-02, which if adopted would amend the Village owned lot sale, was opened at 7:24 PM.

Public Comments: None

Village Council Comments/Questions: None

The public hearing was closed at 7:26 PM.

2. Land Contract; Lake Isabella Golf Estates I, Lot 149

A public hearing was opened at 7:27 PM.

Public Comments: None

Village Council Comments/Questions: None
The public hearing was closed at 7:28 PM.

Existing Business

1. Proposed Ordinance 2007-10; Truck Routes

A motion was made by Kiel, which was seconded, to adopt ordinance 2007-10 which restricts commercial traffic and overweight vehicles on El Camino Grande, Fairway Drive, and the local street portion of Queens Way. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

2. Unbuildable Lots; Staff Report

Wolff presented updated numbers to the Council on the responses from the unbuildable lots mailing. After discussion, the Council directed Wolff to report back in March with options for scheduling a public hearing on the matter.

3. Proposed Resolution 2008-02; Amendment to Village Lot Sale

There was discussion over the need to continue the sale of Village lots at this time. Concern was voiced by Kiel that the Village may need some of these lots for collection sites if a cluster sewer system is mandated by the Michigan Department of Environmental Quality.

A motion was made by Grey, which was seconded, to go into recess at 7:53 for 5 minutes to allow the proposed resolution to be modified reflecting the discussion of the Village Council. VOICE VOTE; MOTION CARRIED UNANIMOUSLY

The Council returned from recess at 7:58 PM.

A motion was made by Kiel, which was seconded, to adopt Resolution 2008-02 as amended, which places a moratorium on the public Village lot sale. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

4. Proposed Resolution 2008-07; Duquesa Road, “Highway by User”

A motion was made by Grey, which was seconded, to adopt Resolution 2008-07, which calls upon the Isabella County Road Commission to acquire via Highway by User (MCL 220.20) the section of Duquesa Road outside of the Village limits between Drew Road and the Village limits. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

New Business

1. Resolution 2008-03; Fiscal Year 2007-08 Budget Amendments

A motion was made by Grey, which was seconded, to adopt Resolution 2008-03, which amends the 2007-2008 budget as recommended by the Village Manager and Finance Committee. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

2. Village Tax & Parcel Information; On-line Access

The Council reviewed the proposal to have the Village's tax information accessed via the Village's website. Kiel reported that the Finance Committee reviewed the proposal at their last meeting and also recommends the program.

A motion was made by Kiel, which was seconded, to approve the agreement with Pontem Software to publish the Village's tax information on-line. VOICE VOTE; MOTION CARRIED UNANIMOUSLY

3. Land Contract; Lake Isabella Golf Estates 1, lot 149

A motion was made by Pattison, which was seconded, to agree to terms with Lake Isabella Land Company on fulfillment of the terms and conditions of the land contract for Lake Isabella Golf Estates I, lot 149. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

4. Resolution 2008-04; Permit Fee Schedule

A motion was made by Kiel, which was seconded, to adopt Resolution 2008-04, which updates the permit fee schedule used by the Village for various permits. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

5. Introduction of Proposed Ordinance 2008-01; Civil Infraction Fines

Proposed Ordinance 2008-01 was introduced and a public hearing scheduled for the next meeting.

6. 2007 Planning Commission Annual Report

The Council accepted the annual report from the Planning Commission. The Council also extended its thanks to the Planning Commission for the time and effort put forward in their work.

7. March 2% Grant Applications

The Council was presented with options for 2% applications. The Council was asked to rank the various options and submit them to the Village Hall.

8. Municipal Trash Collection (Jeff Grey)

At the request of Council member Grey, the Council discussed options for municipal trash collection. No action was taken.

9. Introduction of Proposed Ordinance 2007-11; Parcel K2 Rezoning

Proposed Ordinance 2007-11 was introduced and a public hearing scheduled for the next meeting.

10. Resolution 2008-05; DTE Energy Natural Gas Network

A motion was made by Grey, which was seconded, to adopt Resolution 2008-05, which requests DTE Energy begin work on researching further development and expansion of the natural gas network in the Village. ROLL CALL VOTE: YEAS; Grey, Griffin, Kiel, Miller, Pattison, and Torgerson; NAYS; None; MOTION CARRIED UNANIMOUSLY

11. Resolution 2007-06; Charter Communications; Network Upgrade

A motion was made by Grey, which was seconded, to adopt Resolution 2008-06, which requests Charter Communications begin work on researching further development and

expansion of cable television service in the Village. ROLL CALL VOTE: YEAS; Grey, Griffin, Miller, and Torgerson; NAYS; Kiel and Pattison; MOTION CARRIED 4:2

12. Village Council Work Session Date

The Council discussed holding a work session in April, no date was set.

13. TSI Committee and Airport Board Vacancies

Without objection Bernie Baldwin was appointed to the TSI Committee.

Public Comments

- Mike Scherba of Lincoln Drive: Commented that from the sounds of the audit the staff of the Village is to be commended on their good work, he also commented on the need for the Village to take into consideration the Lake Management Plan if the Village works on the unbuildable lots issue. He also asked if the Village could prevent Charter Communications from installing overhead wires if they elect to upgrade their network in the Village.

At the request of the Council, Wolff responded to the question regarding Charter Communications. He explained that under the recently enacted Uniform Video Services Local Franchise Act (Public Act 480 of 2006), all local governments are held to the same standards in terms of cable franchises. Under the Act, he reported that all units of local government are required to have the same franchise agreement as provided for by the State in place with all cable providers. As such, the Village is barred from placing any build-out requirements or restrictions on line into our franchise agreement with Charter.

With no further business, the Village Council stood in adjournment at 8:49 PM.

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Jeffrey P. Grey
Village Clerk

x\ _____
Dave Torgerson
Village President