

# Village of Lake Isabella

## Village Council Minutes

Regular Meeting – April 20, 2010

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

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

**Members Present:** Lacca, Miller, Grey, Griffin, & Torgerson

**Members Excused:** Kiel and Pattison

The agenda was accepted without objection or modification.

A motion was made by Miller, which was seconded by Lacca, to approve the Consent Agenda as presented, which included the following items: invoices and disbursements, the Balance Sheet, the Investment Report, the Income – Expense Reports, minutes of the March 16 Village Council meeting, minutes of the March 29, 2010 ZBA meeting, minutes of the March 30, 2010 Planning Commission meeting, and the minutes of the April 13, 2010 Planning Commission. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

### Reports

- Village Manager Tim Wolff presented.
- Larry Hiither presented the LIPOA report. He discussed the annual meeting on May 1<sup>st</sup>. One of the main topics of that meeting will be the vote on updating the bylaws. He also discussed the Park Improvement Day planned for April 24<sup>th</sup>, and finally he discussed the River Clean up planned for June.

### Public Hearings:

1. Public Hearing for Proposed Ordinance 2010-01: Rental Inspection Program Update

Torgerson opened the Public Hearing at 7:18 PM.

**Public Comments:** None

Torgerson closed the Public Hearing at 7:19 PM.

A motion was made Griffin, seconded by Miller, to adopted proposed ordinance 2010-01. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Public Hearing for Proposed Resolution 2010-05: Industrial Development District Creation

Torgerson opened the Public Hearing at 7:23 PM.

**Public Comments:**

- Elmer Ledbetter of Red Fox Court: Stated that he had tried to purchase the property in question for years, and was unable to do so. He feels the property is better suited for a residential development to support the airport.
- Brock Gutierrez of Pueblo Pass: Stated that as the property owner, one of the things they originally considered was a residential and commercial mix-use

project, but with the airport overlay district created by MDOT, residential use would not be permitted.

- Kathy Methner from Middle Michigan Development: Discussed what an IDD is, and how it allows Michigan to attract businesses by abating future taxes which have not been created or levied.

Torgerson closed the Public Hearing at 7:34 PM.

A motion was made by Grey, seconded by Miller, to adopt proposed resolution 2010-05. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

### **Public Comments**

- Larry Hiither of Queens Way: Comments on concerns voiced to him from members of his LIPOA district regarding an increase of golf carts and 4-wheelers on streets. Wolff informed the Council that there is little the Village can do as those are a violation of the Motor Vehicle Code, which you need to be a police officer to enforce.

### **Existing Business**

1. Proposed Ordinance 2010-02: Conditional Rezoning

Ordinance 2010-02 was introduced without objection and a public hearing set for the May 18<sup>th</sup> meeting.

2. Resolution 2010-03: Tax Foreclosed Properties

A motion was made by Lacca, seconded by Grey, to adopt proposed resolution 2010-03. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

3. 2010-2011 Nottawa-Sherman Fire Department Contract

A motion was made by Miller, seconded by Lacca, to approve the 2010-2011 contract with the Nottawa-Sherman Fire Dept. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

4. First Payment 2010-2011 Fire Contract

A motion was made by Miller, seconded by Griffin, to approve the first payment of the 2010-2011 Fire Coverage Contract. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

### **New Business**

1. Resolution 2010-06: Broomfield Fire Coverage Special Assessment District

A motion was made by Grey, seconded Lacca, to adopt proposed resolution 2010-06. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

2. Michigan Medical Marijuana Act

The Council discussed adopting an ordinance to address the Michigan Medical Marijuana Act. There was discussion over the impacts of the voter approved law, impacts on the community, and other legal issues related to the matter. After discussion

the Council directed the Manager to work with the Planning Commission to generate an ordinance similar to the ordinance Grand Rapids has adopted.

3. Resolution 2010-07: Village Signers

After discussing coordinating schedules better, action on this was tabled until a later meeting without objection.

4. Resolution 2010-08: PA 198 Policy

A motion was made by Griffin, seconded by Miller, to adopt proposed resolution 2010-08. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

5. Resolution 2010-09: Rental License Fees

A motion was made by Miller, seconded by Lacca, to adopt proposed resolution 2010-09. ROLL CALL VOTE; YEAS: Lacca, Miller, Grey, Griffin, & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

6. Lake Access Via Multiple Ownership

The Council discussed the issue of waterfront lots allowing non-waterfront parcels lake access. After discussion, the Council felt the best course of action would be to place a notice in the next Village newsletter.

7. April 26<sup>th</sup> Liaison Committee Meeting

There were no additional items added to the agenda for the Liaison Committee meeting.

8. Coldwater Speed Limit

The Council discussed the report from the Road Commission and State Police on lowering the speed limit on Coldwater Road. Wolff reported that since Coldwater Road is under the jurisdiction of the Road Commission, the only option left for the Village would be to request a transfer of jurisdiction. Cities and villages have the right to determine the speeds of their roads, while the Road Commission is required to work with the State Police. After discussing the situation, the Council declined to make a request to transfer the jurisdiction citing the overall condition of Coldwater Road, lack of funds to improve the road, and concerns over maintenance.

**Public Comments**

- None

With no further business, the Village Council stood in adjournment at 8:30 PM.

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Jeffrey P. Grey, Village Clerk

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David Torgerson, Village President