

Village of Lake Isabella
Village Council Minutes
Regular Meeting – April 25, 2017

1010 Clubhouse Drive
Lake Isabella, MI, 48893

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

Members Present: Eberhart, Cueny, Grey, Griffin, Shoemaker¹, & Torgerson
Members Excused: Kiel

Agenda Approval:

President Torgerson asked if there were changes to be requested to the Agenda as prepared. There were no requests to amend the Agenda, and Torgerson ruled that it was accepted without objection.

Election of Officers & Committee Assignments:

A motion was made by Grey, seconded by Cueny, to keep the slate of officers currently in office the same. This included the following:

- Village President: Dave Torgerson
- Village Clerk: Jeff Grey
- Village Treasurer: Charles Kiel
- Village Deputy Clerk: John Eberhart
- Village Deputy Treasurer: Arnold Griffin

ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, & Torgerson NAYS: None; MOTION CARRIED (5-0-0).

A motion was made by Griffin, seconded by Grey, to name John Eberhart as President Pro-Tempore of the Village. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, & Torgerson NAYS: None; MOTION CARRIED (5-0-0).

There was discussion about who to appoint from the Council to the Planning Commission. Grey offered the position to Cueny. Cueny thanked Grey for the offer, but declined due to his winter travel plans. Cueny stated that he would like to serve, but feels it is more important for somebody to be appointed that can be there in the winter.

Torgerson asked if there were objections to keeping the same appointments to Committees which include the following:

- Planning Commission: Jeff Grey
- Zoning Board of Appeals: Arnold Griffin
- Airport Advisory Board: Jeff Grey
- Liaison Committee: Paul Cueny
John Eberhart
Arnold Griffin

¹ Councilman Shoemaker arrived late to the meeting at 7:05 PM.

There were no objections from the Council to re-appointing the same slate of individuals to serve on the various Committees used by the Council; Torgerson ruled that the appointments were made without objection.

Consent Agenda:

A motion to accept the Consent Agenda as presented was made by Griffin, seconded by Eberhart, which included the following items:

1. December – Invoices & Bills Paid
2. December – Investment Report
3. December – Balance Sheet
4. December – Income & Expenditure Report
5. January – Invoices & Bills Paid
6. January – Investment Report
7. January – Balance Sheet
8. January – Income & Expenditure Report
9. February – Invoices & Bills Paid
10. February – Investment Report
11. February – Balance Sheet
12. February – Income & Expenditure Report
13. March – Invoices & Bills Paid
14. March – Investment Report
15. March – Balance Sheet
16. March – Income & Expenditure Report
17. Draft Minutes, December 20, 2016 Village Council Meeting
18. Minutes, February 14, 2017 Planning Commission Meeting
19. Minutes, March 10, 2017 Election Commission Meeting
20. Minutes, March 14, 2017 Planning Commission Meeting
21. Minutes, April 4, 2017 Finance Committee Meeting
22. Draft Minutes, April 11, 2017 Planning Commission Meeting
23. Minutes, April 12, 2017 Finance Committee Meeting

ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

Reports & Presentations:

1. Village President Torgerson thanked staff for their ability to keep the Village operational during the winter months. He also congratulated staff on receiving an award from the Michigan Municipal League for work place safety.
2. Village Manager Wolff discussed Code Enforcement, calls for service as reported by Isabella County Central Dispatch, gravel street work, and street paving estimate requests from Rowe.

Steve Clark from Rowe provided an update to the Village Council on the Baseline Septic Field Criteria Project for Lake Isabella South and Lake Isabella Golf Estates II. He detailed that the Village and Rowe have submitted five different drafts of the proposal and have yet to get a final approval from the MDEQ. Mostly recently in December the

Village submitted what was believed to be the final changes requested only to have 5 pages of new comments and questions returned to the Village.

Both Clark and Wolff stated that it is their opinion that if the MDEQ does not have a favorable reply to the most recent submission made on April 17th that a meeting should be scheduled with all the stakeholders before any further work is done.

- LIPOA Russell presented the LIPOA Report. He discussed the campground, Board of Directors Election for this year's Annual Meeting, and Garage Sale Saturday on May 20th.

Public Hearings:

- Proposed Ordinance 2017-01: Update of Fence Regulations

Torgerson opened the public hearing at 7:25 PM.

- Public Comments: None
- Council Comments: None

Torgerson closed the public hearing at 7:26 PM.

A motion was made by Cueny, seconded by Eberhart, to adopt proposed ordinance 2017-01 which updates the regulation of fencing in the village. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

- Proposed Resolution 2017-01: Sale of Village Lots

Torgerson opened the public hearing at 7:28 PM.

- Public Comments: None
- Council Comments: Shoemaker asked how many lots were being offered for sale. Wolff reported that this resolution lists 19 lots.

Torgerson closed the public hearing at 7:31 PM.

A motion was made by Grey, seconded by Griffin, to adopt proposed resolution 2017-01 which offers for sale 19 lots owned by the Village. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

Public Comments:

- Brian Roberts of York Drive discussed a recent incident that his wife and dog had with a dog leaving its yard at the intersection of Kent and Lincoln. He stated that they no longer feel safe walking in the neighborhood, and would like the Village to have the dog in question removed as they feel it is a vicious animal.

Eberhart stated that if the other dog attacked the Robert's dog that it should be removed.

Cueny apologized to the Robert's for the events, and shared a story of a time when his own dog showed an aggressive temperament and the action he took.

Wolff discussed that the threshold in the ordinance to establish a burden of proof is either a report from Animal Control which describes an attack or other act of aggression. Or, the statements of two individuals can be used to satisfy the ordinance requirements. In this case the report from animal control does not describe anything that happened once

the dog left the yard and approached the Robert's dog. There were no puncture marks on the Robert's dog, and the version of events is different for the two parties involved.

Griffin discussed whether removing the dog in question from the community was the right move as if it were truly dangerous it would be wrong to rehome the dog and have a incident happen at the new location.

There was discussion regarding possible changes to explore in the ordinance. This included a process where a hearing could be held at the Village Council for the Council to take action in removing an animal from the community.

Existing Business: None

New Business

1. 2016 Annual Planning & Zoning Report

The Village Council thanked the Planning Commission for their work in 2016. The 2016 Annual Planning & Zoning Report was accepted without objection.

2. Site Plan Agreement – PWGG, LLC (Isabella Pellet)

The Council received the Site Plan Agreement as recommended by the Planning Commission. Mr. Gary Glawe the President of PWGG, LLC was in attendance and he said he had reviewed the proposed agreement and had no problems with it.

He updated the Council on progress made at the site with reducing the finish product that is on-site and also their work on the berms.

He asked if he needed permission to add more trees to the site than what is shown on the drawings. Wolff stated that the drawings represented the minimum, and if he wanted to add to the trees that would be welcomed and would not need approval from the Village.

A motion was made by Cueny, seconded by Eberhart, to approve the Site Plan Agreement with PWGG, LLC. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

3. Proposed Resolution 2017-02; Broomfield Twp. Fire Protection Special Assessment Annual Renewal; Resolution 1 of 2

A motion was made by Cueny seconded by Griffin, to adopt proposed Resolution 2017-02 as presented. This resolution is the first of two required resolutions to annually renew the Special Assessment District which provides funding for fire protection services in the Broomfield Township area of the village. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

4. Review and Approval of Bids; Property & Liability Insurance Coverage

Torgerson and Grey both discussed their review of the proposal from the MMRMA based on the work of the Finance Committee. Both spoke favorably of the proposal and stated that there were a lot of value added benefits that make sense for the Village to become engaged with.

A motion was made by Grey, seconded by Cueny, to approve the proposals submitted by Michigan Municipal Risk Management Authority (MMRMA) for \$5,000,000 of coverage at a cost of \$6,990 for the 2017-18 FY. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

5. Review and Approval of Bids; Three-year Audit Agreement

A motion was made by Cueny, seconded by Grey, to approve the proposal of Roslund Prestage & Company in the amount of \$26,700 to do the Village's annual audit for three years beginning with the 2016-17 FY. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

6. Proposed Resolution 2017-03; Rescinding Resolution 2016-22

The Council discussed what steps should be taken with respect to the election of a Charter Commission to begin the Charter Review Process now that the filing deadline has passed for candidates without any one filing to run.

Griffin stated that the state may need to step-in and give the Village direction on what to do if nobody runs.

Wolff stated that the Village is required to hold the election for the Charter Commission at, or before, the November 2018 General Election. As such, the Village could rescind Resolution 2016-22 and seek answers from the State on what to do.

A motion was made by Eberhart, seconded by Griffin, to adopt proposed resolution 2017-03 which rescinds Resolution 2016-22 and would thereby cancel the Special Election planned for August of 2017. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

7. Proposed Resolution 2017-04; Redevelopment Ready Communities

A motion was made by Cueny, seconded by Griffin, to adopt proposed resolution 2017-04 which declares the Village's intent to become engaged in the Redevelopment Ready Communities Program from the MEDC. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

8. Proposed Agreement with BS&A Software

A motion was made by Cueny, seconded by Eberhart, to approve the proposal from BS&A with the "Pay-Per-Hit" option to convert the Village's tax receipting software as proposed by Isabella County. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

9. Planning Commission Appointment

Wolff reported that George Dunn submitted his resignation from the Planning Commission, which was accepted at March meeting. The Village advertised for the opening and received one applicant.

Torgerson stated that he would like to appoint Mike Simon to the remainder of George Dunn's term. There were no objections from the Council to the appointment.

10. Approval of 2017 Fireworks Contract

A motion was made by Cueny, seconded by Eberhart, to approve the proposed contract with Freedom Fireworks for the 2017 Fireworks, and also approve the required permit for the show. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

11. Article VI Review Project & Employee Handbook Update

Wolff discussed the desire to tackle a couple of larger administrative projects that will require involvement from the Village Council. These projects are an update of the Village's Employee Handbook and also the Comprehensive Update to Article VI of the Codified Ordinances. Wolff suggested that the Council either create an Ad-hoc Committee or two to deal with these topics, or work on them over the course of a few Work Sessions.

The Council liked the idea of Work Sessions where members could participate as they were able to. Wolff suggested that the Council deal with the scheduling aspect of that during the May meeting.

12. Proposed Resolution 2017-05; Closure of Bank Account

A motion was made by Grey, seconded by Griffin, to adopt proposed resolution 2017-05 which would close the bank account for the Local Streets Special Assessment Paving Project. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

13. Proposed Resolution 2017-06; Budget Amendments

A motion was made by Eberhart, seconded by Grey, to adopt proposed resolution 2017-06 which amends the General Fund and Local Streets Fund budgets. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

14. Proposed Fire/Rescue Coverage Agreement

The Council discussed the request from the MMRMA to revisit the proposed agreement with the Fire Board to have language included which details insurance coverage. Since that language has not been forwarded to the Village yet, Wolff suggested that the Council adopt the agreement and then work with the Fire Board to approve language once it is supplied by the MMRMA.

A motion was made by Cueny, seconded by Eberhart, to adopt the fire coverage contract for 2017-18. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

15. 2017 Lake Patrols

A motion was made by Cueny, seconded by Eberhart, to approve the proposed Lake Patrol Agreement and submit it to Isabella County for their approval. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

16. Proposed Resolution 2017-07; Updated Signatures

A motion was made by Cueny, seconded by Griffin, to adopt proposed resolution 2017-07 which updates the Village’s authorized signers with Isabella Bank to reflect the following officers of the Village Council:

- Village President: Dave Torgerson
- Village President Pro-Tempore: John Eberhart
- Village Clerk: Jeff Grey
- Village Treasurer: Charles Kiel
- Village Deputy Treasurer: Arnold Griffin

ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

17. Proposed Resolution 2017-08; Updated Permit Fee Schedule

A motion was made by Grey, seconded by Griffin, to adopt proposed resolution 2017-08 which updates the fee schedule for the Village. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

18. Approval of Website Agreement

Grey discussed the proposal from Revize to redesign and host the Village’s website. He stated he had reservations about the idea, but was impressed with the presentation and looked around and feels that the offer quoted to the Village is a very competitive price.

A motion was made by Cueny, seconded by Eberhart, to approve the website agreement with Revize for \$2,200 plus annual costs of \$1,200. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Shoemaker & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

Public Comments: None

With no further business, the Village Council stood in adjournment at 9:27 PM.

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Jeffrey P. Grey, Village Clerk

x\ _____
Dave Torgerson, Village President