

Village of Lake Isabella
Village Council Minutes
Regular Meeting – May 16, 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, Kiel, Shoemaker, & Torgerson
Members Absent: None

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.

Consent Agenda:

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

1. April – Invoices & Bills Paid
2. April – Balance Sheet
3. April – Income & Expenditure Report
4. Draft Minutes, April 24, 2017 Liaison Committee
5. Draft Minutes, April 25, 2017 Village Council Meeting
6. Draft Minutes, May 9, 2017 Planning Commission Meeting

ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Shoemaker, & Torgerson
NAYS: None; MOTION CARRIED (7-0-0).

Reports & Presentations:

1. Village President Torgerson discussed that his family has lived at Lake Isabella for 47 years and that he was struck on a recent boat ride about how much the community has grown during those years.
2. Village Manager Wolff discussed street paving estimates. He stated that the estimated cost to pave Bishop Lane, Seabury Circle, and Avion Court would result in an assessment of over \$4,000 per lot. He stated that this was likely too high to be legal. He discussed concerns voiced by property owners on Rolland Road regarding the work being done at the gravel pit. He also discussed the Planning Commission meeting and Agenda for June. He discussed the sign lighting project at the DPW building, and also conversations with Unified Brands. He also stated that him and Clerk Grey had spoken with the Bureau of Elections regarding the Village's Special Election and would be sending them information on the issues encountered by the Village.

Public Hearings:

1. Proposed Resolution 2017-09: Resolution 2 of 2 for the Annual Renewal of the Broomfield Twp. Fire Protection Special Assessment District
Torgerson opened the public hearing at 7:19 PM.

- Public Comments:
 - Sharry D’Ambrosio of Fairway Drive asked if the proposed assessment was different than anything currently in place. Torgerson responded that this was simply the annual renewal of the existing Special Assessment and that the Village is required to hold a Public Hearing each year before it renews the assessment for the upcoming year.
- Council Comments: None

Torgerson closed the public hearing at 7:22 PM.

A motion was made by Cueny, seconded by Eberhart, to adopt proposed resolution 2017-09 which renews the special assessment to provide funding for fire services for the Broomfield Township portion of the village. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Shoemaker, & Torgerson NAYS: None; MOTION CARRIED (7-0-0).

Public Comments: None

Existing Business:

1. Work Session Dates & Projects

The Council determined that the first work session to work on the update to Article VI of the Codified Ordinances would be May 30th at 1 PM.

2. Lake Isabella Baseline Septic Criteria Meeting

Wolff reported on a planned meeting in June with the DEQ regarding the status of the Baseline Septic Criteria. Wolff stated that in response to the Village answering and modifying the document based on the five pages of comments received by the DEQ, rather than reply in a positive manner the DEQ is insisting that there are still broad areas of difference. Wolff stated that it was his opinion that if the June meeting is not successful in getting all parties to agree on an outcome, his recommendation back to the Council may be to either drop the project or sue the DEQ. He stated that he could not recommend that the Village continue to spend funds on having engineers make requested changes to the document to only have those be rejected by the DEQ.

There was discussion regarding the current state of affairs with the DEQ and the fallout from staff turnover and the Flint water crisis. It was discussed to see if the former DEQ staff member who had worked well with the Village in the past would be willing to come out of retirement and serve as a consultant for the meeting in June. Wolff stated he would make contact with that individual and if interested figure out an arrangement that was satisfactory.

New Business

1. Point & Pay Agreement

A motion was made by Grey, seconded by Kiel, to approve the merchant agreement with Point & Pay to accept credit/debit card payments. VOICE VOTE: MOTION CARRIED 7-0-0.

2. Blighted Structure at 1027 Siesta Lane

The Council discussed options regarding a blighted structure at 1027 Siesta Lane. Wolff reported that he would estimate a price to demo the property of being between \$5,000 and \$6,000. He stated that there have been multiple Civil Infraction Tickets issued to the owner of the property since it was condemned by Isabella County.

There was discussion of options including whether to pursue legal action seeking a court order which would require the property owner to demolish the structure. Issuing additional tickets was also discussed.

A motion was made by Cueny, seconded by Eberhart, to postpone further action until the June meeting to allow the Village to contact the property owner to request that he provide the Village with a timeframe that will allow him to remove the structure. VOICE VOTE: MOTION CARRIED 7-0-0.

3. Bill Positions

The Village Council reviewed proposed legislation in the Michigan Legislature. SB329/HB4503 would prohibit a local unit of government from banning short-term rentals. Wolff reported that the Village has always banned short-term rentals. He also reported that in 2013 when the community was last asked about this issue, 67% were opposed to allowing weekend rentals in the community. Wolff asked that the Village indicate its opposition to these bills.

Another bill introduced that Wolff recommended a position on was SB 351. This bill would change the preemption of local control over fireworks from all federal holidays to just the Independence Day holiday. Wolff recommended that the Village take a position of support for this bill as the Village frequently gets calls about fireworks being used on dates other than the Independence Day holiday.

After discussing the bills, the Council did not object to the Village Manager conveying those positions to the Michigan Municipal League and to State Representative Hauck and State Senator Emmons.

4. Proposed 2017-18 Budget

The proposed budget for 2017-18 was introduced and referred to the Finance Committee.

Public Comments:

- Dave McGrath of Queens Way thanked the Village for having a flag disposal bin at the Village Hall.
- Mike Scherba of Isabella Vista asked if there were concerns regarding fallout if a lawsuit against the DEQ is pursued. He voiced concerns about a having a sewer system mandated as retaliation on the part of the State of Michigan.

With no further business, the Village Council stood in adjournment at 8:22 PM.

x\ _____
 Jeffrey P. Grey, Village Clerk

x\ _____
 Dave Torgerson, Village President