

Lake Isabella Village Council
Regular Meeting Minutes
December 12, 2017

1010 Clubhouse Drive
Lake Isabella, MI 48893
989.644.8654

At 7:00 PM the meeting was Called to Order by Village President David Torgerson and the Pledge of Allegiance was recited.

Members Present: Cueny, Grey, Kiel, & Torgerson
Members Excused: Eberhart, Griffin, & Shoemaker
Members Absent: None

The Meeting Agenda was accepted as presented without objection.

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

- November Invoices & Bills
- November Investment Report
- November Balance Sheet
- November Income & Expenditure Report
- Draft Minutes of the November 21st Village Council Special Meeting
- Draft Minutes of the November 21st Regular Village Council Meeting

ROLL CALL VOTE: YEAS: Cueny, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 4-0-0.

Reports & Presentations:

- Richard Smith, Associate Dean of Academic Outreach at Mid-Michigan Community College was present and discussed MMCC's community impact and other activities of the college. Torgerson thanked Mr. Smith and also commented on the high quality of MMCC's nursing program.
- Village President Torgerson discussed efforts to have the Village included in statutory revenue sharing programs.
- Village Manager Wolff reported on a meeting he recently had with the Sheriff to discuss a millage and contract proposal for the 2018 General Election. He also reported on permit and code enforcement activity. He reported that he would be in Ann Arbor for a conference from January 30 through February 2, 2018. He shared correspondence with State Representative Hauck on funding via the City, Village, Township Revenue Sharing Program.
- The LIPOA did not furnish a report for the meeting.

Public Hearing: Proposed Ordinance 2017-02:

A Public Hearing for Proposed Ordinance 2017-02 was opened at 7:11 PM by Torgerson.

A synopsis of the Proposed Ordinance was read by Wolff. Torgerson asked that an illustration of Hazard Zone 5 be shown which is part of MDOT's Airport Approach Plan for the airport.

Public Comment:

- Before the meeting, comments were submitted by Brandon Wegener of 1047 Bonanza Lane in opposition to the Proposed Ordinance. His comments were included in the packet.
- Bob Rau of Bonanza Lane asked about the status of Proposed Ordinance 2017-02 and whether or not it would be voted on tonight, or if it was already in existence. He also asked if requirements for screening could be applied to any of the buildings already existing near the airport. He also stated that he feels setbacks have not been followed, and that it isn't fair that he cannot build a garage. He also asked who was responsible for enforcing things around the airport.
 - Cueny replied that none of the items in the draft being considered during the Public Hearing could be retroactively applied to any of the existing uses and structures. He also stated that there are two sets of governing documents for his area of the Village. Those being the Village's Zoning Ordinance and the other being the Building & Use Restrictions for his plat. Cueny stated that the Village does not enforce the Building & Use Restrictions and that is what the Airport Property Owners Association is responsible for.
- Brandon Wegener asked who allowed the hangars to be built between Avion Drive and Bonanza Lane. Wolff stated that the Village approved zoning permits as the Village's Zoning Ordinance has always allowed hangars on any lot in the Airport Residential District, but whether approvals were granted by the Airport Property Owners Association is not something he could speak to.
- Amy Dolezal of Cantabrian Drive asked why the hazard zone map was not in the packet posted online.
 - Grey pointed out that the map is on page 42 of the packet posted online.

Village Council Discussion:

- Wolff reported that Councilman Shoemaker asked him to convey his wishes that the Village Council does not act on the Proposed Ordinance until he can be part of the meeting due his concern over changes in the Zoning Ordinance which could negatively impact his lots north of Bonanza Lane. Wolff stated that Shoemaker has told him he plans to be back in town from December 13 through December 26.
- Torgerson stated that this is a tough situation, but the Village's hands are tied due to MDOT's land use requirements. The MDOT and FAA plans were reviewed showing the various hazard zones and height restrictions.
- Grey stated that if we follow the MDOT requirements, then there should be no homes on lots 32-39 of Lake Isabella Airpark, and furthermore, due to the inability to get a plane to the runway hangars are not appropriate for that location.
- Cueny stated that he feels storage uses are not appropriate on the north side of Bonanza Lane as there are no storage locations existing on that side of the street.

- Kiel stated that regular detached garages could be a solution, and done without being accessory to a single-family dwelling.
- Wolff stated again that the Village's Zoning Ordinance has always allowed hangars on any lot zoned Airport Residential, and that the Zoning Ordinance has been silent on what is the threshold for allowing hangars to be used for storage of goods belonging to individuals other than the owner. He stated that this issue had been discussed several times by the Planning Commission in the past, and he did not feel it was within his authority as the Zoning Administrator to issue a definitive ruling as to what the threshold would be regarding *de minimis* use of hangars.

Torgerson closed the Public Hearing at 7:35 PM.

A motion was made by Kiel, seconded by Grey, to return Proposed Ordinance 2017-02 to the Planning Commission to request that the land uses surrounding the Airport be brought into compliance with the approved Airport Approach Plan filed by MDOT in June of 2007. VOICE VOTE: MOTION CARRIED 4-0-0.

Public Comments/Questions:

- Larry Hiither of Queens Way asked if the fireworks date for 2018 has been set. Torgerson replied that the date was June 30, 2018.

Existing Business:

1. Baseline Septic Criteria Document – Update

Wolff updated the Council on the approval status of the document by the other entities. He reported that both the Central Michigan District Health Department and the Michigan Department of Environmental Quality has signed and returned the document. He reported the Isabella County Board of Public Works would be meeting on January 25, 2018, to review and hopefully approve the document then.

Cueny stated that he was not opposed to the Council having a Special Meeting in his absence to act on this issue, but asked for the record to reflect that if he were present at such a meeting that he would not vote on this matter or Proposed Ordinance 2017-03.

Torgerson set a Special Meeting for 9 AM on Tuesday, December 19, 2017, to consider approval of the Baseline Septic Criteria Document and Proposed Ordinance 2017-03.

2. Proposed Resolution 2017-18; P.A. 198 Abatement Policy

A motion was made by Kiel, seconded by Cueny, to adopt Proposed Resolution 2017-18 which rescinds Resolution 2010-08 and states that the Village does not offer property tax abatements for industrial development projects. ROLL CALL VOTE: YEAS: Cueny, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 4-0-0.

3. Proposed Resolution 2017-19; 2018 Charter Commission Election

A motion was made by Cueny, seconded by Kiel, to adopt Proposed Resolution 2017-19 which sets the Charter Commission Election for November of 2018.

ROLL CALL VOTE: YEAS: Cueny, Grey, Kiel, & Torgerson; NAYS: None.
MOTION CARRIED 4-0-0.

4. Proposed Resolution 2017-20; Employee Handbook

A motion was made by Grey, seconded by Kiel, to adopt Proposed Resolution 2017-20 which updates the Employee Handbook used by the Village. ROLL CALL VOTE: YEAS: Cueny, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 4-0-0.

New Business:

1. Proposed Resolution 2017-21; Charge Back Lots

A motion was made by Kiel, seconded by Grey, to adopt Proposed Resolution 2017-21 which authorizes the Village to claim certain lots previously foreclosed by Isabella County for a public purpose. ROLL CALL VOTE: YEAS: Cueny, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 4-0-0.

2. Wage/Salary Position Document

Wolff presented a working draft of a document requested last month as part of the discussion on the Employee Handbook. This document would list the various positions which are, or may be, used by the Village as well as their pay ranges. He also would like to expand the document to include job descriptions and EEO status of each position and have it finalized for the Council to approve in the spring.

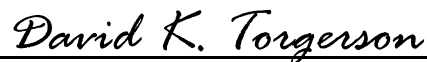
Cueny asked if the Council was comfortable with the cap on the Manager's salary listed in the document as the Manager is getting close to that level of compensation. Wolff stated that he listed that amount as that is what is negotiated into his contract, and he feels that anything greater would be inappropriate for the Village to consider. Kiel stated that the number is the maximum of his base salary, but would not exclude the Village from awarding a bonus on an annual basis if performance warranted such.

Public Comments/Questions: None

With no further business, the meeting was adjourned at 8:14 PM.



Jeffrey P. Grey, Village Clerk



David K. Torgerson, Village President