

**Lake Isabella Village Council**  
Rescheduled Regular Minutes  
July 24, 2018

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, Eberhart, Grey, Griffin, Kiel, & Torgerson  
**Members Excused:** Shoemaker

**Agenda Approval:**

Torgerson asked if there were any amendments to offer for the Agenda. After seeing none, Torgerson ruled that the Agenda was accepted by consent without objection or modification.

**Consent Agenda:**

Wolff reported that Cueny had identified two typos in the minutes from the previous meeting that needed to be corrected.

A motion was made by Grey, seconded by Cueny, to approve the Consent Agenda with the corrected minutes of the June 19, 2018, Village Council meeting. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

**Reports:**

1. Sue Ann Kopmeyer, Director of Isabella County Parks & Recreation;

Information was presented on the Millage Renewal that is appearing on the August ballot. Kopmeyer reported that the request is to renew the existing Millage for six years at the current 0.35 Mill rate. Kopmeyer discussed the parks operated by Isabella County and the 5 to 20 year Conceptual Plan the County has. She mentioned that Gilmore Park, located in the Village, is mainly undeveloped but has seen an increase in use over the past years.

Eberhart also asked that it be noted that the County Parks Department has supported the fish stocking of the lake in previous years, and thanked Kopmeyer for that support.

2. Village President;

Torgerson thanked the individuals present for their desire to be involved in the community that has taken out petitions to run for both the Village Council and Charter Commission.

Torgerson also stated that the Planning Commission had nominated Dave McGrath to be its representative on the Zoning Board of Appeals. Torgerson stated that he agreed with the nomination and asked for the Council's consent for the re-appointment of McGrath to the ZBA as the Planning Commission member. There were no objections to the appointment.

3. Village Manager;

Wolff reported on the following items:

- Contract negotiations with the Isabella County Sheriff for a single dedicated full-time deputy for Lake Isabella. Wolff stated that the initial numbers submitted by the Sheriff have the costs very close to a 1 Mill tax levy. Wolff said that the one item which may push the cost over 1 Mill would be if the Village needed to purchase a vehicle. He stated that based on the expenses presented and the financing options available for fleet purchasing, this is a expense he feels could be absorbed by the Village as part of the General Fund budget if needed.
- Charter Communications has repaired the line on Fairway Drive by Dana Park.
- MEDC baseline report for the Redevelopment Ready Communities was presented to the Council for its review. Wolff reported that there are a few items which will need to be addressed at the August meeting.
- Audit fieldwork was done during the week of July 17<sup>th</sup>.
- GFOA Budget Submission criteria were submitted to the Council for review. Wolff stated he would like to nominate the Village's budget for consideration, and also to see what areas of improvement could be identified for future budgets.
- Village Council Candidate Filings (4 seats to be elected):
  - Dave Torgerson
  - Paul Cueny
  - Charlie Kiel
  - Arnold Griffin
  - Brandon Wegener
- Charter Commission Candidate Filings (5 seats to be elected):
  - Bruce Torgerson
  - Dave Ochander
  - Bill Preuss
  - Larry Cross
  - Mary Cross
- August 3<sup>rd</sup> RFP Deadlines
  - Refuse Hauler Licensing. Wolff reported that he had contact with King's Disposal, Granger, and Republic about submitting an RFP. He also stated that there has been no contact from Waste Management. In light of that he sent a follow-up letter to them to remind them of the invitation.
  - Queens Way / El Camino Mill & Fill. Wolff stated that he has heard from one contractor that will not be bidding as their schedule is already full. He stated that he is getting the impression from other contractors that they too may be overbooked. If this is the case, the project may need to be moved to the spring of 2019.
  - Crack Sealing. Wolff stated that two bids have been received.
  - Pick-up Truck Purchase. Wolff stated that he has spoken with two dealerships who have indicated that they plan to submit a bid.
  - Code Enforcement Attorney. Wolff stated that the Village's long-time attorney for ordinance enforcement passed away on July 3<sup>rd</sup>. He noted that when last advertised in 2006, only one proposal was received.

4. LIPOA;

The LIPOA did not submit a report for the meeting.

**Public Hearing(s):**

1. Proposed Ordinance 2018-06; Non-exclusive 30 Year Electric Utility Franchise Agreement with Homeworks Tri-County;

Torgerson opened a Public Hearing for Proposed Ordinance 2018-06 at 7:16 PM.

- Public Comments: None
- Council Comments: None

Torgerson closed the Public Hearing at 7:17 PM.

A motion was made by Grey, seconded by Griffin, to adopt Proposed Ordinance 2018-06. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

**Public Comments/Questions:**

- Stacey Dudewicz from the Region 7 Area on Aging office in Bay City spoke to the Council about the programs offered by the agency. She reported that in 2017 the agency services 1,733 people in Isabella County providing \$2,177,159 in services to the county. She stated that they are funded through Medicaid, and offer a variety of services to senior citizens.

**Existing Business:**

1. Proposed Ordinance 2017-02; Land Use Site Conditions & Approval Criteria;

Wolff reported to the Council that due to a scheduling issue, the Village was unable to get the Public Hearing notice published in time to meet the 15-day statutory deadline to hold a Public Hearing at this meeting.

Cueny stated that he attended the July Planning Commission meeting and felt that with one exception, the members of the Planning Commission were firm in their support for requiring Private Aircraft Hangars to have a hard-surfaced floor. He stated that he sincerely has grown to respect the work that the Planning Commission does as they spend a lot of time discussing issues. He stated he feels that the Council should entertain the hard-surface floor issue again out of respect for the work and recommendation of the Planning Commission.

A motion was made by Cueny, seconded by Eberhart, to amend the draft of Proposed Ordinance 2017-02 by adding the Planning Commission's recommendation to require a hard-surface floor in new Private Aircraft Hangars.

Torgerson asked if there was additional discussion on the motion.

Griffin stated that he feels if a building is storing an airplane, it should have a hard-surfaced floor.

Cueny stated that he feels it is important to be consistent in how buildings are regulated, and the Village requires a hard-surfaced floor in detached garages.

Kiel stated that he feels this has gotten away from the original intent of what the Council wanted to do, which was to make it easier for people to store their boats

and other “toys”. He stated that this was part of a more comprehensive project that included being more permissive for storing items in rear and side yards, allowing garages across the street, and so on. He stated that storage structures around the airport are a good location as most of the buildings there is already this type of structure and use.

Cueny asked if the structure was a self-storage use would the Village require a hard-surfaced floor. Wolff replied that a hard-surfaced floor would be required for a self-storage business.

Wolff stated that he feels the hangar door requirement already makes building a hangar to mainly store non-aircraft cost prohibitive. He stated that most of the people who have looked at building a storage building in this area are looking to building something smaller in size and that a structure over 40’ long with 10’ side walls is not an attractive option for people looking for low-cost storage.

Grey stated that he agrees with Kiel and that it should be easier for people to store items inside. He stated that if somebody wishes to build a hangar and store their boat and motorhome inside, a hard-surfaced floor should not be required as it raises the cost and the would make it less attractive for future development.

Kiel stated that he feels this is a minor issue as there are only four properties left where somebody could build a hangar.

Grey stated that he disagrees with that number, and asked Wolff his view. Wolff stated that by his opinion as the Zoning Administrator that there are roughly a dozen locations near the airport where new Private Aircraft Hangars could be built.

Torgerson asked if there was any additional discussion on the motion. Seeing none, he asked for a Roll Call vote on the motion.

ROLL CALL VOTE: YEAS; Cueny, Eberhart, & Torgerson: NAYS; Grey, Griffin, & Kiel.

Grey reported that the vote was 3-3-0. Torgerson asked for clarification on whether his vote as the Village President breaks the tie. Wolff reported that the Village Charter stipulates that action of the Council must be made by the affirmative vote of 4 members. As such, Torgerson ruled that the motion failed as there were only 3 votes in the affirmative.

Without objection, a Public Hearing was set for the August 21 meeting.

2. Proposed Ordinance 2018-03; Bonanza Lane Rezoning;

Wolff presented drawings to the Council showing the lots subject to the rezoning all can develop a single-family dwelling to the LR-1 standards.

Kiel asked Mr. Haggard to address the concerns he spoke to at the previous meeting. Haggard stated that he reviewed the property with the CMDHD and they told him that he could put a septic system in the front yard setback and that he has room on his lot to build a home to the LR-1 standards.

Haggard stated that he still objects to the rezoning and wants to be grandfathered in as he purchased his lot specifically to build a smaller home. He stated that a builder quoted him a price of \$150 per square foot. Based on that price he feels that he will need to invest an additional \$75,000 to meet the LR-1 requirements.

He stated that since both Kiel and Grey had just spoken to the benefit of keeping development costs down in the airport area for hangars, the same should be right for homes.

A motion was made by Grey, seconded by Eberhart, to adopt Proposed Ordinance 2018-03. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

3. Proposed Resolution 2018-08; Section 10.02 Charter Amendment;

Wolff reported to the Village Council that this agenda item would require a 2/3 vote to approve.

Proposed Resolution 2018-08 was returned to the Agenda. It was originally introduced at the June 19, 2018 meeting, was published, and allowed to lay on the table for 30 days. A copy has also been sent to the Governor's office for review as required by the Home Rule Village Act.

Cueny stated he supported this proposed Resolution since it is for a vote of the people of the Village. He stated however that he would not support any type of Special Assessment for law enforcement services.

A motion was made by Grey, seconded by Kiel, to adopt Proposed Resolution 2018-08. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

4. Proposed Resolution 2018-09; Village Council Rules Update;

Wolff reported to the Village Council that this agenda item would require a 2/3 vote to approve.

A motion was made by Eberhart, seconded by Grey, to adopt Proposed Resolution 2018-09. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

5. Proposed Resolution 2018-10; Employee Handbook Update;

A motion was made Eberhart, seconded by Grey, to adopt Proposed Resolution 2018-10. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

**New Business:**

1. Consumers Energy Electric Utility Franchise Status;

Wolff was directed to engage Consumers Energy to obtain a franchise agreement for electric utility service in the community. It was stated that Consumers currently has a small number of customers in the Village along Coldwater Road, but does not have a franchise agreement. Wolff stated that he would offer Consumers the same agreement as Homeworks has entered into. He did note that Consumers has indicated an interest in a joint electric and natural gas agreement since the existing natural gas franchise agreement is in year 20 of 30.

2. 2018 Pavement Marking:

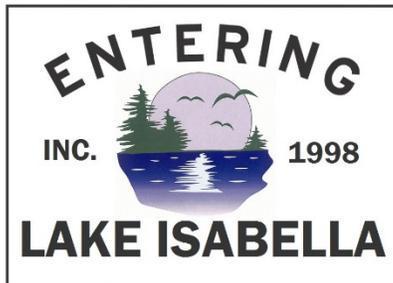
A motion was made by Kiel, seconded by Eberhart, to approve a contract renewal with Michigan Pavement Marking as allowed under Section 244.05(4) of the Village's Purchasing Ordinance to provide pavement marking services for 2018. ROLL CALL VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, Kiel, & Torgerson: NAYS; None. MOTION CARRIED 6-0-0.

3. MML Worker's Compensation Fund Ballot:

A motion was made by Kiel, seconded by Griffin, to cast the Village's vote in the election of Board of Directors members for the MML Worker's Compensation Fund Ballot for Christine Burns, Todd Campbell, and Lee Kilbourn. VOICE VOTE: MOTION CARRIED 6-0-0.

4. Entrance Sign Designs:

Wolff presented two concepts for new signs to be placed streetside at the Village limits. The discussion of the Council resulted in asking Wolff to prepare a proof using the design for Design #1, but the wording of Design #2 (illustrations provided below). Wolff stated that he would work on this and send it out via email.



Design #1



Design #2

**Public Comments/Questions:**

- Walt Kravens of Carmen Drive spoke about the blighted conditions and problems he is experiencing with rental properties across the street from his address. He identified the locations as 1024 Carmen and 1026 Carmen Drive and the property owner as a Mr. Fred Wood. Kravens stated that he believes there is illegal drug activity occurring at these properties. He discussed issues with illegal burning, a pitbull at one of the rentals. He stated his concern over the living condition based on seeing children at the one property and would like to see them inspected.

Mr. Kravens was directed to address his concerns over children to Child Protective Services. Wolff reviewed the various violations the Village have issued to these locations in 2018, a total of 7 for the combined properties.

Eberhart encouraged those in attendance to support the Millage request for the Sheriff Agreement on the November ballot as that will help address these type of issues.

With no further business, the meeting was adjourned at 8:30 PM.

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Jeffrey P. Grey, Village Clerk

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David K. Torgerson, Village President