

The meeting was called to order at 7:00 PM by Village President Dave Torgerson. The Pledge of Allegiance was recited by those in attendance.

Members Present: Cueny, Eberhart, Grey, Kiel, & Torgerson

Members Excused: Griffin

Members Absent: Shoemaker

The Agenda for the meeting was accepted as presented without objection.

A motion was made by Kiel, seconded by Eberhart, to approve the Consent Agenda as presented. ROLL CALL VOTE: YEAS: Cueny, Eberhart, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 5-0-0.

Reports:

Village President:

Torgerson thanked the Charter Commission for the time and effort they gave in fulfilling their duties.

Presentation of the Village's FY 2017-2018 Audit:

Bill Hirschman, from Roslund, Prestage & Company, PC, reviewed the Village's audited financial statements for the 2017-2018 fiscal year. He noted that in their opinion the Village's audit was presented fairly, that there were no deficiencies found for internal controls and that there were no instances of non-compliance.

He also stated to the Council that there were no material weaknesses found in the Village's accounting procedures or financial practices.

Kiel stated that he visited with the auditors during fieldwork, and said he was pleased with the report.

Village Manager:

Village Manager Wolff discussed several items with the Village Council. He updated them on the communication with Isabella Pellet concerning rebuilding, ordinance requirements, and the Village's involvement in the State of Michigan Fire Insurance Withholding Program. Grey stated that for the time being his main concern was that the site would not be left with a burned-out building.

He also discussed a small concern that has surfaced on the trash collection. With King's exclusive agreement beginning on Tuesday,

January 1st, and a regular collection day of Monday, residents switching from Granger or Waste Management may miss a week for trash service. He requested the Council's approval to work with King's to have an extra truck that week and allow anyone who contacts King's in advance the ability to use stickers that week. This would bridge the one-week between services for those residents with Granger or Waste Management.

The Council had no objections to this and authorized the Manager to cover costs of \$1,000 if needed for the extra service on December 31st.

LIPOA:

No report was given. However, the LIPOA did receive their drawdown permit and emailed the Village a copy of it.

Public Hearing(s): None

Public Comments:

- Mike King of Vestaburg commented on how well the streets in Lake Isabella were maintained after the most recent snow storm. He thanked all involved as it made his job and commute much easier.

Existing Business:

1. **Proposed Job Descriptions & Compensation Schedules:**

Wolff stated that in September the Council, acting as the Personnel Committee, reviewed the draft of the various Job Descriptions that staff assembled. Since that meeting, the Village has requested and received as of mid-October language from our attorney regarding performance bonuses per the request of the Village's auditors.

Wolff has also compiled a proposed compensation schedule based on the MML Report received by the Village in August. Wolff specified that changes to the Village Managers contract to reflect the Step system submitted by the MML would be included for consideration at the December 13th meeting. Wolff asked to either meet with Councilmember Eberhart who is Chair of Personnel, schedule a Personnel Committee meeting or met with a delegation of three members of the Council and reported back in regards to the Managers contract language at the December 13th meeting.

There was a discussion among the members about entering into a Closed Session to review the contract and discuss the Village Manager's Annual review. All five members at the meeting stated that

they would be at the December 13th meeting and would address this matter then.

New Business:

1. Proposed Ordinance 2018-05; Regulation of Garages & Temporary Accessory Structures:

A motion was made by Grey, seconded by Kiel, to introduce Proposed Ordinance 2018-05; Regulation of Garages & Temporary Accessory Structures and hold a public hearing on December 13, 2018. VOICE VOTE: MOTION CARRIED 5-0-0.

2. Proposed Ordinance 2018-09; Regulation of Marijuana Establishments & Facilities:

Wolff stated the purpose of this Ordinance was to define and prohibit certain types of businesses which have been created either through the Michigan Medical Marijuana Facilities Licensing Act and/or the Michigan Regulation and Taxation of Marijuana Act from being located within the Village of Lake Isabella.

Wolff recommends this be adopted for the time being and revisited once the State of Michigan develops the process and regulations for marijuana establishments.

In doing so would allow the Village then to "opt-in" to any establishments and facilities that are a good fit for our community once the state creates the regulatory framework. Wolff does recommend that this matter is revisited once the state has done its job.

A motion was made by Eberhart, seconded by Grey, to introduce Proposed Ordinance 2018-09; Regulation of Marijuana Establishments & Facilities and hold a public hearing on December 13, 2018. VOICE VOTE: MOTION CARRIED 5-0-0.

3. Resolution 2018-15; Consumers Energy Compliant with the Michigan Public Service Commission:

Wolff stated the Village last engaged Consumers regarding an electric utility franchise on September 27th. There has been no reply from Consumers since that time. On the advice of the Village attorney, this resolution has been drafted formally making a complaint to the Michigan Public Service Commission that Consumers Energy is (1) knowingly operating without a franchise; and, (2) has not negotiated in good faith.

Cueny stated that he was disappointed that Consumers had not responded and did not like the idea of sending the matter before the MPSC.

A motion was made by Grey, seconded by Kiel, to approve Resolution 2018-15; Consumers Energy Compliant to the Michigan Public Service Commission. ROLL CALL VOTE: YEAS: Kiel, Cueny, Eberhart, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 5-0-0.

4. Resolution 2018-16; Proposed Tall Structures:

Wolff informed the council that the purpose of this resolution was to authorize the Village Manager to object to the placement of numerous tall structures within 5 miles of the Village's public use airport. In reviewing the proposed location of windmills for western Isabella County, it appears that 27 of these are within 5 miles of the Village's airport. The proposed height of these structures is over 600 feet. After reviewing the location and height with our Airport Manager, this resolution was drafted to formally oppose these structures as they represent a threat to the safe use of the airport.

A motion was made by Eberhart, seconded by Cueny, to approve Resolution 2018-16; Proposed Tall Structures. ROLL CALL VOTE: YEAS: Kiel, Cueny, Eberhart, Grey, & Torgerson; NAYS: None. MOTION CARRIED 5-0-0.

5. Resolution 2018-17; Road Warranty Program and Resolution 2018-18; Road Warranty Implementation:

Wolff stated that Proposed Resolutions 2018-17 and 2018-18 are the approved documents the Village needs to adopt to comply with the new warranty mandate from the State of Michigan. Wolff cannot see a project in the Village's future that would hit the statutory threshold of \$2,000,000 of pavement to trigger the program being in use; however, it is mandatory to adopt. In 2017 there were less than 20 such projects statewide, including MDOT projects.

A motion was made by Cueny, seconded by Eberhart, to approve Resolution 2018-17; Road Warranty Program and Resolution 2018-18; Road Warranty Implementation. ROLL CALL VOTE: YEAS: Cueny, Eberhart, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 5-0-0.

6. Approval of Bid; Queens Way/El Camino Mill & Fill:

Wolff informed the Council on Thursday, November 29, 2018, bids were opened on a proposed paving project for the first-half of 2019. This project is a rebid from a project the Village considered for late

2018 that bids came in well over the estimates the Village had budgeted from. Based on these bids, it is Wolff's recommendation to award the project to Central Asphalt of Mount Pleasant. Rowe PSC is also under contract to handle the field work and inspections for the project. The RFP has a stipulation that the project must be done by June 30, 2019, which is the end of our current Fiscal Year.

A motion was made by Cueny, seconded by Eberhart, to award the Queens Way/El Camino Mill and Fill to Central Asphalt for \$117,989.20. ROLL CALL VOTE: YEAS: Cueny, Eberhart, Grey, Kiel, & Torgerson; NAYS: None. MOTION CARRIED 5-0-0.

7. Michigan Pavement Marking 2019 Proposal:

Wolff stated that the Village received a proposal from Michigan Pavement Marking for doing the Village's pavement marking work in 2019 at the same rate as 2018. This is at least the third year that MPM has offered to do the job honoring the previous year's unit pricing. We have already done the pavement marking for the 2018-19 fiscal year, but have funds reserved in the Village's CIP for pavement marking in the 2019-20 fiscal year. This would mean that the work would be done after July 1st. The price MPM has offered historically been very competitive and below what their competitors have bid in the past. They do quality work, and Wolff recommended that the Village continue working with them.

A motion was made by Cueny, seconded by Kiel, to accept Michigan Pavement Marking's 2019 Proposal with a cost not to exceed \$8,000. VOICE VOTE: MOTION CARRIED 5-0-0.

8. 2018 Charge Back Lots & Tax Reversion Lots:

Wolff informed the Council that the Village received an invoice from Isabella County Treasurer Pickens for \$3,432.01 for lots which were foreclosed due to delinquent property taxes. This invoice will need to be paid regardless of whether or not the Council accepts the eleven lots the fees are tied to.

The fee covers eleven lots that went unsold by the County for all of 2018, and now under P.A. 123 are to be returned to the municipal where taxes were originally owed; unless the municipality objects in writing to receiving any or all of the lots.

The Council had no objections to any of the lots that the County is required to return to the Village. Wolff stated that he would keep the Council informed of discussions with Isabella County, but for the time being, he has no objections to the Village receiving these eleven lots to be offered for sale eventually.

9. F150 Status & Plow Purchase:

Wolff requested direction from the Council as to what should be done with the Village's F150. The F250's scheduled arrival is in early December, and at that point, the Village will have three vehicles in its fleet.

There are three options which Wolff believes should be considered:

- Keep the truck, it is paid for, and only costs outside of use/maintenance are insurance.
- Trade the truck for a more fuel-efficient vehicle.
- Sell it.

Wolff stated that if the Council wishes for Option 2 or 3, he will bring something back for the Agenda at the Special Meeting on December 13, 2018. Wolff recommends Option 2 or 3.

Likewise, the new truck is arriving and will need a plow. Wolff's recommendation is to install the same plow on the new truck like that on the 2010 F250. Wolff feels this will allow the Village to keep surplus parts on-hand for one type of plow.

Bader & Sons in Rosebush is the local vendor for Boss Plows. Wolff asked the Council to approve purchasing a plow directly from Bader & Sons, the cost of which is above our purchasing policy limit requiring bids. The estimated cost from Bader & Sons for a new plow matching our current plow was \$6,000.

Cueny stated that in his opinion he does not see the need for three vehicles when the Village only presently has two employees.

The Council expressed their approval of obtaining the Boss Plow from Bader & Sons in Rosebush and for Wolff to bring back a resolution for the December 13 meeting in regards to selling the F150.

Public Comments:

None

With no further business, the Council was adjourned at 8:35 pm.

Jeff Grey, Village Clerk

Dave Torgerson, Village President