

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – January 19, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Lake Isabella Village President David Torgerson, at 7:01 PM and the pledge of allegiance was recited.

**Members Present:** Cueny, Grey, Lacca, & Torgerson

**Members Absent:** None

**Members Excused:** Eberhart, Kiel, & Griffin

The Agenda for the meeting was accepted without objection or modification.

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

1. November – Investment Report
2. December – Investment Report
3. December – Invoices & Bills Paid
4. December – Balance Sheet
5. December – Income & Expense Report
6. Draft Minutes; December 15, 2015 Village Council Work Session
7. Draft Minutes; December 15, 2015 Village Council Meeting
8. Draft Minutes; December 22, 2015 Board of Ethics Meeting

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

**Reports:**

1. The Village President Torgerson discussed material that the Village Manager supplied to the Council regarding upcoming PASER training. The Village Manager is interested in having Council members attend this year's training with him so they can become more familiar with the PASER process.
2. Village Manager Wolff discussed winter salt use, the Planning Commission meeting schedule, the 2015 Planning & Zoning Report, and an upcoming conference he plans to attend.
3. No report was offered by the LIPOA.

**Public Hearings:** None

**Public Comments:** None

**Existing Business:** None

**New Business**

1. Village Contract with Sherman Twp.; Dedicated Police Coverage  
The Village Council discussed renewing the dedicated police coverage contract with Sherman Twp. Marshal Hooker has asked for both sides to hold off on moving forward

with extending the agreement at this time as he has applied to be Sheriff of Isabella County. The Council discussed Hooker's request, and decided to take no further action until Marshal Hooker's effort to be appointed Sheriff is completed.

The asked if there was any indication of how much longer Mr. Hooker planned to do police work. Wolff stated that it was his understanding that Mr. Hooker would be retiring from all of his work at the end of 2016. He also stated that he did not know what Sherman Township would do with the Marshal's Department once Mr. Hooker retires.

There was brief discussion over what options the Village has if it wanted to continue providing police coverage in the event that Sherman Twp. closes its department.

2. 2016 Village Election Info & Charter Requirements

Staff supplied the Council with information regarding dates and requirements for the 2016 Village General Election. It was reported to the Council that the General Election will be held on November 8, 2016. The deadline to file paperwork with the Sherman Twp. Clerk in order to run for the Council is 4PM on July 26, 2016. The last day to register to vote in the General Election is October 11, 2016. The deadline to have completed ballot proposals to the County Clerk is 4PM on August 16, 2016.

Three seats on the Council have terms expiring at this election; those seats are currently held by Eberhart, Grey, and Lacca. Wolff stated that once again the election will be conducted by the Sherman Township Clerk. He also reported that the Village Charter in section 16.03 requires that the Village place the question of Charter Revision on the General Election ballot this year.

He also reported that section 16.01 of the Charter requires that the Village Council appoint a Charter Review Committee of at least five members to examine the Charter and recommend to the Council any amendments which appear to be necessary or desirable.

The Council asked whether this committee could be Council members, and whether it had to be five members. Wolff replied that the Charter does not prohibit it from being Council members, but he did not recommend this approach. He also stated that the Charter requires it be at least five, so the committee could be more if so desired.

The Council asked who had served on the committee in 2007. Wolff provided those names to the Council. He was asked to reach out to them to see if they were interested in being on the committee again this year. The Council also asked to have that information provided to them via email.

3. Proposed Resolution; Coldwater Road Winter Maintenance

The Council considered a proposed resolution calling on the Isabella County Road Commission to better maintain the section of Coldwater Road between M-20 and the Village of Lake Isabella during the winter. The condition of this stretch of road during the week of January 10<sup>th</sup> was discussed, and all agreed it was unacceptable.

Cueny questioned if sending a resolution was the best way to start the conversation with the Road Commission. He suggested simply having the Council direct the Manager to pursue a solution with the Road Commission.

Torgerson agreed, and stated that the Village could always use the resolution approach as a secondary tool if the Manager is not able to make headway with the Road Commission.

The Council members present agree with this approach and asked the Village Manager to pursue discussion with the Road Commission on improving the quality of Coldwater Road in the winter.

4. Proposed Resolution; Proposed Act 51 Map Amendment

A motion was made by Grey, seconded by Cueny, to adopted proposed resolution 2016-02 which seeks an amendment to the Village's Act 51 Map to add roughly 108 feet to the Village's Local Street Network for the spur of Queens Way which leads to Torcido Lane. ROLL CALL VOTE; YEAS: Cueny, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED (4-0-0).

5. Proposed Resolution; Public Act 269

The Council reviewed a proposed resolution regarding the recently enacted Public Act 269 of 2015. The law contains language which states:

EXCEPT FOR AN ELECTION OFFICIAL IN THE PERFORMANCE OF HIS OR HER DUTIES UNDER THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1 TO 168.992, A PUBLIC BODY, OR A PERSON ACTING FOR A PUBLIC BODY, SHALL NOT, DURING THE PERIOD 60 DAYS BEFORE AN ELECTION IN WHICH A LOCAL BALLOT QUESTION APPEARS ON A BALLOT, USE PUBLIC FUNDS OR RESOURCES FOR A COMMUNICATION BY MEANS OF RADIO, TELEVISION, MASS MAILING, OR PRERECORDED TELEPHONE MESSAGE IF THAT COMMUNICATION REFERENCES A LOCAL BALLOT QUESTION AND IS TARGETED TO THE RELEVANT ELECTORATE WHERE THE LOCAL BALLOT QUESTION APPEARS ON THE BALLOT.

Wolff stated that the language as it has been adopted is very unclear, with respect to the Village he stated he has several questions including:

1. The new law only allows for publications per the Michigan Election Law, does this mean any local Charter provision requiring notification before an election referencing a ballot question is now null and void?
2. In his opinion the wording actually prohibits the spending of funds, not the actual communication itself. He asked, does this mean if the Village was to do a newsletter more than 60 days out with a vendor we have an account with the Village could find itself in violation of the law if the invoice was paid within the 60 day window before the election? Or, if the Village has all the materials in advance of the 60 days could the Village hold them until 30 days out and then mail them and conform to the law?
3. Village newsletters have always been sent to property owners not registered voters. Is this still legal as we are not "targeting the electorate?"

Cueny asked if there was concern on the entire bill, or just the section dealing with local ballot questions. Wolff replied that the MML has asked its members to consider adopting a resolution calling for the language in section 57 to be cleaned up. He stated that there are concerns from other communities about the ability to even discuss a ballot question during a televised meeting of their local City Council as it may be broadcast on their local PEG Channel.

A motion was made by Grey, seconded by Cueny, to adopt proposed resolution 2016-02 regarding section 57 of Public Act 269 of 2015. ROLL CALL VOTE; YEAS: Cueny, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED (4-0-0).

6. Proposed Change to February Meeting Date

A motion was made by Lacca, seconded by Cueny, to reschedule the February 2016 Regular Meeting date from February 16<sup>th</sup> to February 9<sup>th</sup> due to the lack of a quorum on the regular monthly meeting date. Staff was also directed to publish notice of the meeting change. VOICE VOTE: MOTION CARRIED 4-0-0.

7. Approval of Payment, 2015 Winter Tax Bills

The Council reviewed the 2015 Winter Tax Bills received by the Village. Staff reported that the Village also received a foreclosure notice on all of the lots currently offered for sale which have outstanding previous assessments from the Drain Commissioner's dam improvement project. Staff reported that at next month's meeting the payment of those outstanding bills would be on the agenda so the Council could determine whether or not to allow them to go into foreclosure.

8. January 25<sup>th</sup> Liaison Committee Meeting

The Council discussed whether there were items of business which needed to be discussed with the LIPOA through the Liaison Committee. There were no items that members of the Council suggested. Wolff reported that he spoke to LIPOA President Russell the day prior and was informed that the LIPOA also did not have any pressing business. He discussed that since it has been a few months since a formal meeting perhaps it would be good to go back to having coffee between the managers and Presidents. The Council members present felt this was a good move so that at least the two organizations were in regular communication and contact.

**Public Comments:**

- Mike Scherba of Isabella Vista commented on the Village offered to help maintain Coldwater Road, and spoke to concerns he has regarding what liability exposure it would bring to the Village if an arrangement was reached with the Road Commission.

With no further business, the Village Council stood in adjournment at 7:58 PM.

x\ [Approved 2-9-2016]

\_\_\_\_\_  
Dave Torgerson, Village President

x\ [Approved 2-9-2016]

\_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

Village of Lake Isabella  
Village Council Minutes  
Rescheduled Regular Meeting  
February 9, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Lake Isabella Village President Dave Torgerson, at 7:00 PM and the pledge of allegiance was recited. The Roll Call was conducted by Village Manager/Deputy Clerk Wolff.

**Members Present:** Cueny, Eberhart, Lacca, & Torgerson

**Members Absent:** None

**Members Excused:** Grey, Griffin, & Kiel

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Lacca, seconded by Cueny, to approve the Consent Agenda, which included the following items:

1. Invoices and Bills to be Paid
2. Minutes of the January 19, 2016 Village Council Meeting

ROLL CALL VOTE; YEAS: Cueny, Eberhart, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Reports:**

1. Village President Torgerson spoke about the dates for PASER training.
2. Village Manager Wolff reported that due to the early meeting date this month he did not have a snow plowing budget update as an invoice has not been received. He also reported that there have been 20 Code Enforcement cases for the year, including 8 Civil Infraction Tickets issued. He also reported that the Village had just installed an additional No Parking sign on Queens Way just to the north of the driveway to Gilmore Park to help prevent parking in the right-of-way. He reported that there have been 2 zoning permits issued for the year.

Wolff also presented the Council with information on the Village's Site Plan Review Process and Special Land Use approval process. He discussed options that can be explored to add more steps to the approval process so that more public input can be gathered during the decision making process. He asked the Council to review the material and additional material he would be emailing out and begin to think about what the approval process should look like, and what items should be given added review by the Village.

He also discussed concerns that have been voiced regarding the parking lot at the Village Hall being open to public parking on the weekends. The concern stems from complaints about ice fishing parking at the Golf Course and then accessing the lake over private property.

Eberhart stated that he had over 50 calls and emails over the weekend from people upset that non-residents were hosting an ice fishing tournament on the lake. He stated that there are several items which he would like to see addressed at the next Liaison Committee meeting to help get a better handle on this situation.

Lacca stated that he too had heard complaints about the ice fishing tournament this past weekend and is interested to know what role the Village can play in getting a handle on these types of situations.

Wolff stated that one avenue the Village could pursue would be to enact a Special Events Ordinance which regulates events where there is an entry fee or prize money awarded. Through such an ordinance the Village could also place conditions on how accessing the lake may occur, either through Gilmore Park, or one of the LIPOA's parks if permission has been granted. This would only be for events open to the public and where money is collected or prizes awarded and not for private events. He discussed that the lake is a shared public asset and that access to the lake and the use of the lake needs to be done a manner that is sustainable and is not a nuisance.

Cueny also asked about discussions with the Road Commission regarding winter maintenance on Coldwater Road. Wolff reported that there has been a conversation, but he has not been told what specifically the Road Commission is planning to do.

3. No report was provided by the LIPOA.

**Public Hearings:** None

**Public Comments:**

- Al Davis of Coldwater Road spoke in support of limiting non-residents from accessing the lake. He stated that he believes since community members pay to maintain the lake it isn't really right that in the winter non-residents can have free use of the lake.

**Existing Business:**

1. Dedicated Patrol Contract Renewal – Sherman Township

Wolff reported that earlier in the day Isabella County selected Village of Shepherd Chief of Police Michael Main to become the new Sheriff. As such, Marshal Hooker would like to renew and extend his agreement until the end of 2016. There were no objections to Wolff negotiating a contract to present to the Council for consideration.

**New Business**

1. Proposed Resolution 2016-03; 1<sup>st</sup> of 2<sup>nd</sup> Required Resolutions to Annually Renew the Broomfield Township Fire Protection Special Assessment District. Submission of Special Assessment Roll and Set Public Hearing:

A motion was made by Eberhart, seconded by Lacca, to adopt Resolution 2016-03 which files the Special Assessment Roll and sets a public hearing on the Roll for the April 19, 2016 Village Council Meeting.

Cueny asked about the dollar amount listed in the resolution of an amount not to exceed \$35,000. Wolff reported that the amount to be levied is 1 Mill of the Taxable Value, and that since the tax rolls have not been filed by Broomfield Township this amount is used to ensure that we authorize enough of a levy to collect the 1 Mill.

ROLL CALL VOTE; YEAS: Cueny, Eberhart, Lacca, & Torgerson NAYS: None;  
MOTION CARRIED UNANIMOUSLY (4-0-0).

2. Village Owned Lots Scheduled for Foreclosure for Unpaid Property Taxes:

Wolff presented a list of lots to the Council which is scheduled to be foreclosed on by Isabella County for unpaid property taxes. All of the delinquent taxes are from unpaid installments billed for the Lake Isabella Dam Special Assessment project. All lots in question have been offered for sale to the general public the Village has determined that at present there is no foreseen public use.

The Council discussed if there was any merit in paying the roughly \$1,500 to delay foreclosure for an additional year. Wolff reported that these lots have been offered for sale for as little as \$800 and there have been no takers. All of the lots in question came to Village ownership through previous foreclosures for unpaid taxes.

After a brief discussion the Council took no action to prevent foreclosure.

3. Charter Committee Appointments:

President Torgerson submitted his nominations for appointments, they were as follows:

- Jim Kenney
- Donna Whaley
- Liz Hackenbruch-Walters

The Council reviewed the nominees, and did not object to the appointment of any of these individuals. They also asked about additional people to serve since the Charter requires a minimum of five people. Members stated that they would continue to seek people out.

4. March Meeting Date:

The Council reviewed schedules and presently there will be 4 members able to attend the March meeting (Torgerson, Eberhart, Lacca, and Grey) on the 15<sup>th</sup> and no action was taken to reschedule the meeting.

**Public Comments:**

- Mike Scherba of Isabella Vista discussed the need for the Village to use less road salt in maintaining the streets during the winter. He also voiced concerns over the need for more maintenance on the road shoulders during the summer.
- Dave McGrath of Queens Way discussed if salt could be spread more evenly on the road as opposed to only in the middle of the street.

With no further business, the Village Council stood in adjournment at 7:48 PM.

x\ \_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President

x\ \_\_\_\_\_  
Timothy R. Wolff, Deputy Village Clerk

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting  
March 15, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Lake Isabella Village President Dave Torgerson, at 7:01 PM and the pledge of allegiance was recited. The Roll Call was conducted by Village Manager/Deputy Clerk Wolff.

**Members Present:** Eberhart, Grey, Lacca, & Torgerson

**Members Absent:** None

**Members Excused:** Cueny, Griffin, & Kiel

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Lacca, seconded by Eberhart, to approve the Consent Agenda, which included the following items:

1. January – Investment Report
2. January – Balance Sheet
3. January – Income & Expenditures Report
4. February – Invoices & Bills Paid
5. February – Investment Report
6. February – Balance Sheet
7. February – Income & Expenditure Report
8. Draft Minutes, February 9, 2016 Village Council Meeting

ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

**Reports:**

1. Village President Torgerson spoke briefly about the two additional applicants to the Charter Review Committee.
2. Village Manager Wolff discussed winter street maintenance costs. He reported that so far this winter the Village has spent roughly 60% of the total budget. He also discussed permits, Code Enforcement, and the draft of regulations submitted to the DEQ for Lake Isabella South and Lake Isabella Golf Estates 2.
3. No report was provided by the LIPOA.

**Public Hearings:** None

**Public Comments:**

- Mike Scherba of Isabella Vista discussed the need to make sure zoning permits are only being issued for additions and remodeling projects after getting an approval from the Health Department for an updated septic system.  
Wolff stated that the Health Department does not require changing the size of the system or tank for an addition unless the tank or field needs to be relocated to accommodate the

addition. What the Village has been told is that if the tank and field are not disturbed, they get to continue being used until there is a failure.

The Council discussed looking into expanding the zoning code to require either an evaluation or tank and field resizing when an addition is built on an existing single-family home.

### **Existing Business:**

#### 1. Dedicated Patrol Contract Renewal – Sherman Township

A motion was made by Lacca, seconded by Eberhart, to approve the proposed agreement with Sherman Twp. for continued service from the Township Marshal for dedicated patrol services until the end of the 2016 calendar year.

Lacca questioned what the options would be for additional services on January 1, 2017. He discussed the community survey from 2015 showing that roughly 53% of the community felt the current level of police services were the appropriate level, and if the Township would no longer be providing the service on that date what could be done to continue providing additional service to the community.

ROLL CALL VOTE; YEAS: Eberhart, Grey, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (4-0-0).

#### 2. Charter Review Committee Appointments

Torgerson submitted the following individuals to the Council for advice and consent for appointment to the Charter Review Committee:

- Lee Prince of Fairway Drive
- Dean Willard of Parkview Drive

There were no objections from the Council, and both individuals were appointed with unanimous consent.

### **New Business**

#### 1. Isabella Pellet Status of Agreements/Enforcement Action

The Council reviewed the Correction Notice mailed to Isabella Pellet on February 19<sup>th</sup> for violating the Village's outdoor storage ordinance. The Council also reviewed the letter mailed on March 11<sup>th</sup> to the owner of the factory regarding the Correction Notice and also a violation of the Completion Agreement from 2015.

Wolff stated that if these matters were unresolved, he would issue the owner a Civil Infraction Ticket on Monday, March 28<sup>th</sup>.

The Council discussed concerns about the safety of the facility and asked for the Manager to contact the Fire Department about safety concerns relating to safe access to the site. The Manager was also directed to move forward with the enforcement actions as discussed and outlined in the Correction Notice and memo of March 11<sup>th</sup>.

The condition of the site was also discussed. Wolff voiced concerns that with the way materials are being stored. Not only is finished product and raw materials being stored in violation of the Village ordinance, but areas on the approved Site Plan for ingress and egress, parking, and loading are being occupied by raw materials and finished products.

Concerns were voiced that the condition of the premise is a danger to life and property if there were a fire or other emergency. It was discussed that the approved means of ingress and egress are currently blocked by pallets of finished product waiting to be shipped. Wolff was directed to inquire with the Fire Department about having the site inspected for any possible violation of the Michigan Fire Code.

2. Placement of Lien on Isabella Pellet

A motion was made by Eberhart, seconded by Grey, to approve placing a lien on Isabella Pellet for the unpaid balance and interest from the Baseline Road paving project.

Wolff reported that the Village entered into an agreement with Isabella Pellet in 2015 to split the cost of paving and curbing between the factory and Village with the factory being required to make two payments of \$5,750. The second payment, due once the project was completed, was invoiced in December, with a second notice mailed in January. No contact has been received from the factory since the fall of 2015.

VOICE VOTE: MOTION CARRIED 4-0-0.

3. March 2% Applications

Wolff discussed the upcoming deadline to submit applications for 2% funding from the Saginaw Chippewa Indian Tribe. He discussed that while the Village typically does not submit requests since we are located outside of the boundaries of the Reservation, he would like to submit a small request to help with funding for e.coli testing. The Council did not object to submitting the request as discussed.

**Public Comments:**

- Mike Scherba of Isabella Vista spoke in support of looking into 2% funding to help with e.coli testing.

With no further business, the Village Council stood in adjournment at 7:47 PM.

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Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting  
April 19, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Lake Isabella Village President Dave Torgerson, at 7:01 PM and the pledge of allegiance was recited. The Roll Call was conducted by Village Clerk Grey.

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

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Eberhart, seconded by Cueny, to approve the Consent Agenda, which included the following items:

1. March – Invoices & Bills Paid
2. March – Investment Report
3. March – Balance Sheet
4. March – Income & Expenditure Report
5. Draft Minutes, March 15, 2016 Village Council Meeting
6. Draft Minutes, April 7, 2016 Charter Review Commission
7. Draft Minutes, April 12, 2016 Planning Commission Meeting
8. Draft Minutes, April 14, 2016 Charter Review Commission

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

**Reports:**

1. Village President Torgerson discussed the PASER training workshop he attended on April 5<sup>th</sup> in Gaylord. He discussed the need to be proactive on roads, and while the roads may look and drive very well, there are maintenance needs which need to happen in the very near future to ensure that the roads stay in good condition.
2. Village Manager Wolff discussed that Sherman Township has yet to act on renewing the agreement for Marshal Hooker's services through the end of the year. As of now they have asked to continue operating on a month-to-month basis at the previous price. The concern on their part is they are not certain on what the timeframe will be with closing the Department. Meaning, while Marshal Hooker plans to retire at the end of the year, in order to not have outstanding cases or tickets does the township actually need to scale back the operations in October or November. He also discussed road salt use, draining work on Tee Drive, information on septic systems and the need for additional review when an addition is built. He also updated the Council on the status of the lien filed against Isabella Pellet and calls to Treasury to begin the process of requesting their abatement be revoked.
3. The LIPOA Report was presented by LIPOA Board Member Scherba. He discussed the recent exchange of easements with the Cooley estate and that the LIPOA Board is pursuing amendments to the bylaws at this year's annual meeting.

**Public Hearings:****1. Proposed Resolution 2016-05; Confirmation of Special Assessment Roll for the Annual Renewal of Special Assessment District for Broomfield Twp. Fire Protection**

Torgerson opened a public hearing on proposed Resolution 2016-05 at 7:20 PM.

Wolff provided a synopsis of the resolution to the Council. Wolff also reported that no letter in support of, or against, the renewal of the Special Assessment District were submitted prior to the meeting.

**Public Comments:**

Larry Hiither of Queens Way, spoke in favor of renewing the Special Assessment district as he does not fire protection to come from Remus.

**Council Comments:**

Cueny stated that he would like to see the fire protection moved from a special assessment to a voter approved millage in the future.

Grey asked if he was referring to it being voter approved by Lake Isabella residents, or all of Broomfield Township as is done in Sherman Township. Cueny replied that he was thinking of just the Lake Isabella portion of the Township, which is the only portion that is covered by the Nottawa-Sherman Townships Fire Department.

Griffin asked about the history of the Special Assessment. Wolff replied that it is his understanding that the special assessment approach was taken at the request of the residents in that area of the Village around the year 2000.

Torgerson closed the public hearing at 7:26 PM.

A motion was made by Grey, seconded by Eberhart, to approve proposed resolution 2016 which renews the 1 Mill fire protection special assessment for the Broomfield Twp. portion of the community. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**2. Proposed Resolution 2016-06; Sale of Village Lots**

Torgerson opened a public hearing on proposed Resolution 2016-05 at 7:29 PM.

Wolff provided a synopsis of the resolution to the Council.

**Public Comments:**

Mike Scherba of Isabella Vista discussed that he had purchased a lot from the Village through their lot sale process and thought it was easy and straight forward.

**Council Comments: None**

Torgerson closed the public hearing at 7:31 PM.

A motion was made by Eberhart, seconded by Griffin, to adopt resolution 2016-06 which sets the terms and conditions for the sale of various village-owned lots. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (5-0-0).

**Public Comments:**

- Mike Scherba of Isabella Vista thanked the Village for the follow-up to his comments at last month's meeting regarding septic systems.

- Roger Hauck of Union Township was present and discussed his candidacy for the 99<sup>th</sup> District seat in the Michigan House of Representatives. Eberhart and Mr. Hauck discussed the need to emphasize vocational training and training in the skills trades.

### **Existing Business:**

#### 1. Detached Garage Ordinance – Pattern Book Discussion

The Council discussed the concept of a pattern book for garages. Griffin again stated his opposition to allowing garages to be built across the street from the dwellings that they are subordinate to. Cueny and Torgerson both agreed that a Joint Meeting with the Planning Commission would be order to get everyone on the same page. A Joint Meeting with the Planning Commission was requested for Tuesday, May 3<sup>rd</sup> beginning at 6 PM.

### **New Business**

#### 1. Charter Review Committee Recommendations

The Council reviewed the five proposed amendments to the Chart as prepared by the Charter Review Committee. After a brief discussion the Council felt that a Special Meeting would be in order to discuss these items and only these items. A Special Meeting was set for the Tuesday, April 26<sup>th</sup> at 4 PM.

#### 2. Liaison Committee Meeting Agenda Items

Agenda items for the next Liaison Meeting were discussed. The next meeting is scheduled for Monday, April 25<sup>th</sup> at the Village Hall beginning at 9 AM. Eberhart requested that the following items be discussed:

- No parking without current LIPOA sticker signs or no parking Dec. through mid-March without an LIPOA sticker sign for the golf course parking lot
- Legal signed documentation allowing the Village to write tickets to non LIPOA stickered vehicles in LIPOA parks.
- Exactly what is legal concerning residents calling on vehicles parked in tow away zones?
- Is the cul-de-sac at the end of Queensway a tow zone (the way the sign sits it looks as if the property behind it is the tow zone)
- Exactly where are the public easements outside of Gilmore Park and if and how we could close them off to outside groups
- Discussion on fishing tournaments sponsored by LIPOA members and drawing up paperwork defining what is allowed (may already be done and I don't know it)
- Is it possible to stop residents from allowing outside fishing groups crossing their property on foot or ORV's without having the vehicles parking in their yard.

#### 3. Proposed Amendment to Chapter 832

The Council discussed a request from staff to pursue an amendment to the Rental Code which would allow the Village to seek a search warrant as a last resort on locations which are being rented but will not allow access to. Wolff was given the approval to continue working on this project and also asked to see if it would be permissible to also include the collection of court cases in any circumstance where a search warrant was needed.

**Public Comments:**

- Mike Scherba of Isabella Vista stated his opposition to allowing garages to be built across the street from the home that they are subordinate to.
- A letter from Tobin Schwartz was reviewed by the Village Council.
- Dave McGrath of Queens Way discussed communication issues between the Council and Planning Commission and that the Planning Commission had not acted in a way to pursue an amendment to the code that only allow detached garages to be built from the pattern book.

With no further business, the Village Council stood in adjournment at 8:21 PM.

x\  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

## **Lake Isabella Village Council**

Special Meeting

April 26, 2016

1010 Clubhouse Dr.  
Lake Isabella, MI 48893  
989.644.8654

The meeting was called to order at 4:00 PM by Village President David Torgerson, the pledge of allegiance was recited.

**Members Present:** Cueny, Eberhart, Grey, Griffin, and Torgerson

**Members Absent:** Kiel and Lacca

**Staff Present:** Manley and Wolff

**Public Comments:** None

### **Review of Village Charter Amendments**

Torgerson discussed that the purpose of the meeting was to examine the various areas of the Village Charter that were discussed and identified by the Charter Review Committee for possible amendment. He stated that the Council can move forward with presenting all of the proposed recommendations, some of the recommendations, or adding areas that they feel may be needed. This ability includes changing the wording of any of the proposed amendments if needed or desired. In considering the action of the Charter Review Commission, he stated that the goal would be to finalize items to send to the Village Attorney for review. He stated that this should be done before moving forward with any proposed amendments as they must also be submitted to the Governor and Attorney General for review. The Council also must let the proposal lie on the table for 30 days before acting on them.

The Council discussed Section 3.12 of the Village Charter. The Charter Review Committee discussed the conflict between this Section of the Charter and Section 6.05 but did not recommend an amendment to the Charter as the Village operates under a legal opinion restricting the Council to four Council members being the number needed to be considered a majority. Griffin asked if it would be worthwhile to amend Section 6.05 so that a majority vote of the Council was based on the members present and voting, not the full membership of seven members. He stated that this could be helpful during the winter when people tend to be gone more frequently. Grey stated that he disagreed with that approach and that a majority vote should always be four members of the Council. The members discussed how to reword Section 3.12 so that it was not in conflict with the four-member standard for a majority vote as found in Section 6.05. Wolff presented wording to that effect, which was agreed to by consensus of the members present.

The Council then discussed the proposed amendment to Section 5.07 of the Village Charter. The Council discussed whether or not the wording of the section should reflect that officers are to be elected at the first meeting in January after a regular election, or the first meeting of the calendar year. Manley discussed possible issues with signers and issuing checks if a January meeting is not held. Wolff discussed a concern that would leave open electing officers at a meeting before new members taking office if the Charter

were to read “first meeting of the year.” After further discussion, the members present agreed by consensus with wording to the effect that officers are to be elected “at its first meeting of the calendar year following a regular election once new terms have seated.”

The Council then discussed the recommended amendment to Section 10.02 of the Village Charter. Cueny stated that he would like to see the current special assessment levied in the Broomfield Twp. portion of the Village for Fire Protection converted to a dedicated millage. Wolff stated that as a matter of policy it would not be his recommendation to the Council to pursue such based on the proposed language which would limit the Village to no more than two special millages at any one time. He stated that if the Council was limited to only two special millages at any one time sacrificing 50% of the Village’s ability to pursue a project to present to the voters on a 1 Mill levy for one-half of the Village would be hard to justify.

Grey asked what advantage to the Village there was to cap the number or individual amounts of special millages since any would have to be approved by the voters. Cueny stated that without a hard cap it opens the ability to tax up to anything. There was further discussion on this proposed amendment. Cueny asked if the Council was planning on voting on the recommendations as a whole or individually, as he would not vote in favor of moving forward with this amendment without a hard cap on total taxation. The Council agreed to vote on the items individually once there was consensus on the wording to submit to the Village Attorney.

There was continued discussion on the wording to section 10.02. Wolff stated that from a policy standpoint he would be comfortable recommending moving forward with wording that included a hard cap to the combined total millage of the general operating levy and any special levies approved by the voters. Grey again questioned the need for a total cap as any dedicated or special millage would still need to be approved by the voters. Torgerson stated that he feels it is important to have this section amended so that the Council and the community have the ability to consider dedicated millages for items such as road maintenance. After further discussion, there was a consensus among the members present to move forward with wording which contained a cap on the total combined millages approved by the voters and levied by the Village to 9 Mills. Cueny thanked the other members present for working with him on including a hard cap of all millages.

The Council reviewed the proposed amendment to Section 10.06 of the Village Charter. This proposed amendment would move the Village’s tax collection date from August 31<sup>st</sup> to September 15<sup>th</sup> to match the collection dates of Sherman and Broomfield Townships. There were no changes made to this amendment, and the members agreed by consensus with the wording as presented.

The Council reviewed the proposed amendment to Section 12.01 which would limit special assessments to non-road related projects to a per-project cap of \$250,000. The members present discussed this proposed recommendation. Cueny stated that when he was campaigning, he was told by residents that they wanted him to get the special assessments under control if he were elected. The other members present all were not in favor of moving forward with this amendment. Cueny asked to have the record reflect

that he was strongly opposed to the Council not moving forward with this proposed amendment from the Charter Review Committee.

The Council considered the proposed amendment to Section 18.03(b) which clarifies that opinions issued by the Board of Ethics are binding on the conduct of Village officials. All members present were in agreement with the wording as submitted by the Charter Review Committee.

With the review of each proposed amendment submitted by the Charter Review Committee, Torgerson asked to have the Council vote on each item as to whether or not to move forward with having the Village Attorney review them.

#### Proposed Amendment to Section 3.12

A motion was made by Cueny, seconded by Grey, to move forward with the wording agreed to as a possible amendment to Section 3.12 of the Village Charter.

There was no additional discussion.

Torgerson called for the vote to be taken. VOICE VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, and Torgerson. NAYS; None. MOTION CARRIED 5-0-0.

#### Proposed Amendment to Section 5.07

A motion was made by Eberhart, seconded by Cueny, to move forward with the wording agreed to as a possible amendment to Section 5.07 of the Village Charter.

There was no additional discussion.

Torgerson called for the vote to be taken. VOICE VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, and Torgerson. NAYS; None. MOTION CARRIED 5-0-0.

#### Proposed Amendment to Section 10.02

A motion was made by Cueny, seconded by Eberhart, to move forward with the wording agreed to as a possible amendment to Section 10.02 of the Village Charter.

There was no additional discussion.

Torgerson called for the vote to be taken. VOICE VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, and Torgerson. NAYS; None. MOTION CARRIED 5-0-0.

#### Proposed Amendment to Section 10.06

A motion was made by Grey, seconded by Cueny, to move forward with the wording agreed to as a possible amendment to Section 10.06 of the Village Charter.

There was no additional discussion.

Torgerson called for the vote to be taken. VOICE VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, and Torgerson. NAYS; None. MOTION CARRIED 5-0-0.

#### Proposed Amendment to Section 12.01

A motion was made by Griffin, seconded by Grey, to not submit any proposed amendment to Section 12.01 to the Village Attorney.

Cueny again stated his strong opposition to not moving forward with this proposed amendment.

Torgerson called for the vote to be taken. VOICE VOTE: YEAS; Eberhart, Grey, Griffin, and Torgerson. NAYS; Cueny. MOTION CARRIED 4-1-0.

**Proposed Amendment to Section 18.03(b)**

A motion was made by Eberhart, seconded by Grey, to move forward with the wording agreed to as a possible amendment to Section 18.03(b) of the Village Charter.

There was no additional discussion.

Torgerson called for the vote to be taken. VOICE VOTE: YEAS; Cueny, Eberhart, Grey, Griffin, and Torgerson. NAYS; None. MOTION CARRIED 5-0-0.

**Public Comments: None**

With no further business to be conducted, the Village Council stood in adjournment at 6:15 PM.

X/ \_\_\_\_\_

Jeffrey P. Grey  
Village Clerk

X/ \_\_\_\_\_

David K. Torgerson  
Village President

**Lake Isabella Village Council**  
**Lake Isabella Planning Commission**  
Joint Meeting  
May 3, 2016

1010 Clubhouse Dr.  
Lake Isabella, MI 48893  
989.644.8654

The meeting was called to order at 6:00 PM by Village President David Torgerson, the pledge of allegiance was recited.

**Council Members Present:** Eberhart, Grey, Griffin, and Torgerson

**Council Members Absent:** Cueny, Kiel, and Lacca

**Planning Commission Members Present:** Dunn, Hiither, Grey, Tafreshi, and McGrath

**Planning Commission Members Absent:** Laraway and Schofield

**Staff Present:** Wolff

**Public Comments:** None

**Discussion of Projects:**

Torgerson thanked everyone for attending and reviewed the purpose of the meeting. He stated that there was a need for both groups to get a clear understanding of the direction that people want to take so that issues are not sent back from the Council. He stated that he felt this was unfair to the Planning Commission and appreciates their time and effort.

McGrath agreed with Torgerson as to the purpose of the meeting. Wolff stated that he believed that the main issue with the groups not being on the same page was that the Planning Commission wrapped work on a few projects in December of 2015, and then were unable to meet until April of 2016.

Griffin stated that in his opinion the Council owed the Planning Commission an apology. He discussed that the issue with garages all started with working on finding more options for storage in the community. He stated that he feels that building garages across the street from the homes that such a garage would be accessory to is not a good answer to the storage issue, plus that would be unfair to people who own unbuildable lots.

Eberhart stated that he would favor an approach that did not tie people's hands with over regulation. He also stated that development on and near the lake should be of high quality to match existing development.

Dunn stated that his concern with allowing garages to be built across the street is the limited impact it has, and a better answer would be to develop a storage area where people could build garages as a primary structure.

Hiither discussed the plans presented last year by Isabella Storage to expand their facility to include boat and trailer storage. He also stated that in his view it would be best to stay away from the Pattern Book concept.

Wolff discussed the history of how the Pattern Book concept came to be considered. He discussed the original idea presented in 2015 was to allow detached garages in a pod type system where people could develop garages based upon the configuration of two or three different pods.

Grey discussed the work done by the Ad Hoc Committee that worked on storage issues in 2015. The members present reviewed the various surveys conducted in 2015 which showed that in a survey of roughly 130 residents 73% favored allowing sheds on vacant lots as well as a survey of roughly 250 residents which showed 74% favored allowing detached garages on vacant lots.

McGrath questioned whether or not it was hypocritical to allow detached garages to be built on vacant lots next to the dwelling they are accessory to, but not across the street. The members present discussed this concern.

Torgerson asked if they were considering issues out of order. He stated that as the first matter of business the Council really needs to decide if it is going to allow for garages to be built across the street from the homes that they are accessory to. In deciding that, the Planning Commission could then work on the ordinance with that guidance.

Griffin stated that he favored an “up or down” by the Council before asking the Planning Commission to continue working on the ordinance. He stated that he favored keeping the ordinance as is, and not allowing garages to be built across the street from the dwelling they are accessory to.

McGrath asked that when considering how to move forward, the Council consider the reasoning behind allowing detached garages to be built next to a home, but not across from a home. He stated that in his opinion the real issue is whether or not to allow detached garages, and not where they can be placed.

Hiithier stated that he agreed with McGrath in that the ownership of the property and relationship a vacant lot owned by the same person(s) who own a home is secondary to the issue of whether or not to allow garages. He stated that with the high quality of houses in the community that detached garages should be built consistently with those standards.

Dunn questioned the impact on the aesthetics of the community if detached garages were allowed to be developed on otherwise vacant lots.

There was further discussion, and it was agreed to have the Council vote on the issue at its next meeting to give the Planning Commission guidance on how the ordinance should be crafted.

Wolff then reviewed the work being done on the Permitted Use and Special Land Use clean-up project.

The members present then reviewed the Site Plan Review process. Grey asked about having a checklist included that had to be signed showing all items completed before a business could open.

Tafreshi also suggested that a document is included where the developer acknowledges receipt and understanding of the process and or final development agreement.

Wolff asked what the pleasure of the group was on who issues the final approval in the Site Plan process. He suggested that the process has the Planning Commission review

the site plan and then recommend it for approval or rejection by the Village Council. The responsibility would then shift to the developer to prepare a final site plan reflecting any modifications from the Planning Commission as well as the development agreement which the Council would approve as a single document.

The members liked this idea. There was also discussion on processing Special Land Use applications. Dunn stated that in his opinion there was no need for the Village to pursue industrial development as it is not harmonious with the community.

The members present also discussed tax abatements as part of the review process. It was stated by both Wolff and Dunn that abatements are appropriate before construction, but not after.

**Public Comments:** None

With no further business to be conducted, the Village Council stood in adjournment at 7:54 PM.

X/

Jeffrey P. Grey  
Village Clerk

X/

David K. Torgerson  
Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting  
May 17, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

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

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

The Agenda for the meeting was accepted without objection or modification.

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

1. April – Invoices & Bills Paid
2. April – Investment Report
3. April – Balance Sheet
4. April – Income & Expenditure Report
5. Draft Minutes, April 19, 2016 Village Council Meeting
6. Draft Minutes, April 25, 2016 Liaison Committee Meeting
7. Draft Minutes, April 26, 2016 Village Council Meeting
8. Draft Minutes, May 3, 2016 Joint Meeting Minutes

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

**Reports:**

1. Village President Torgerson congratulated Jessica Manley on her completion of the Michigan Clerk's Institute training program.
2. Village Manager Wolff discussed the information that has been shared with him regarding the Marshal's retirement date, and noted that Sherman Twp. has not formally contacted the Village regarding a month-to-month agreement until the retirement date.
3. No report from the LIPOA was provided.

**Public Hearings:** None

**Public Comments:** None

**Existing Business:**

1. Detached Garage Ordinance – Pattern Book Discussion  
The Council discussed what they would like to see returned from the Planning Commission regarding where to allow detached garages to be built. Torgerson stated that at the Joint Meeting he felt that there was enough misunderstanding between those in attendance that the Council needed to address the issue again. He stated that there are

good arguments on both sides of this issue, and that the members of the Council and Planning Commission have invested a lot of thought and time into this project.

Cueny stated that he felt the Council already set the direction that they wanted to take at its Work Session in September.

Lacca asked if there was any value in delaying action longer as he felt that nothing new would be brought up if the Council waited another month to act.

Kiel and Grey discussed the history of the issue, including the work done by the Ad-hoc committee in 2015 that looked at storage issues.

Kiel stated that while allowing garages across the street would not help everyone, it would be another tool that could be utilized to help some people who need additional storage.

The Council engaged in discussion with Planning Commission Chairman McGrath and Planning Commission member Hiither who were both in attendance. McGrath stated that he felt the Planning Commission was working in a positive direction on this issue and was focused on minimum design requirements and making sure detached garages were harmonious with the neighborhood they are located in.

There was further discussion regarding where to allow detached garages to be built if developed across the street from the lot where the dwelling is located. It was agreed that such garages should only be built on the lot directly across from the dwelling.

Hiither spoke in favor of allowing garages across the street from the dwelling they are accessory to, provided they fit the neighborhood.

There was discussion regarding whether or not to have the design features be mandatory or rather used as a guide. The Council was in favor of having minimum design requirements included in the final ordinance, but also wanted to not allow proposed ordinance 2016-01 to be effective until those standards are established.

A motion was made by Cueny, seconded by Grey, to request that the Planning Commission return proposed Ordinance 2016-01 along with a moratorium delaying its effect for a period not to exceed 6 months to allow for proposed Ordinance 2016-03 to be completed. VOICE VOTE: MOTION CARRIED 6-0-0.

## 2. Proposed Charter Amendments

The Council reviewed the proposed wording to the various Charter Amendments as recommended by the Village Attorney.

Kiel and Grey both stated that they felt the wording on the proposed amendment to Section 10.02 was too wordy.

The Council discussed what time period special millages should be allowed to be approved for. Cueny asked if 15 years was a good maximum time frame. Wolff stated that anything between 10 and 20 would be appropriate. After discussion it was agreed to set the time period as a maximum of 12 years.

A motion was made by Kiel, seconded by Grey, to advance all five proposed amendments to the Governor and publish notice of the proposed amendments as required by the Home Rule Village Act. VOICE VOTE: MOTION CARRIED 6-0-0.

**New Business**1. Proposed Fireworks Contact

A motion was made by Kiel, seconded by Lacca, to approve the 2016 Fireworks Contract with Freedom Fireworks in the amount of \$9,000. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

2. Proposed Contract with Nottawa-Sherman F.D.

A motion was made by Kiel, seconded by Eberhart, to approve the 2016-17 Fire Protection contract with the Nottawa-Sherman Townships Fire Department.

Cueny asked to have the funding for this service on the June agenda as he would like to move forward with having it shifted from a special assessment to a voter approved millage.

ROLL CALL VOTE TO APPROVE THE CONTRACT; YEAS: Cueny, Eberhart, Grey, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

3. Sale of Village Owned Lots

The Council discussed the sale of several lots owned by the Village which will be foreclosed on by Isabella County for unpaid assessments from the Lake Isabella Dam project. Wolff suggested reducing the prices of these lots so that collectively they would cover the shortfall in the upcoming budget from the Local Street Special Assessment Paving Project. The Council liked this idea and asked to have such ready for the June meeting.

4. Approval of Bid – Street Striping

A motion was made by Kiel, seconded by Lacca, to approve the street line striping bid of Michigan Pavement Markings. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

5. Septic Inspection Ordinance

Wolff submitted a draft of an ordinance that would require an inspection of a septic system at the time of a property transfer. The ordinance would also require that when additions to existing structures are built, the septic tank and septic would have to be of sufficient size to accommodate the expansion.

Lacca questioned why there is a need for an ordinance when a buyer could simply request a septic inspection as part of the purchase of a home.

Torgerson stated that this may be needed due to the age of the some of the septic systems in the community.

Grey stated that he was not certain about requiring this for the entire community, but certainly for waterfront homes.

Kiel asked about other communities which have a point of sale program.

Wolff asked about conducting a survey on this topic to get feedback from the community.

The members discussed this, and agreed that an online survey done through the upcoming newsletter would be a good first step to see what the community feels is the best course of action to pursue.

6. Introduction of Proposed Budget

Wolff submitted a proposed 2016-17 Budget, which was referred to the Finance Committee.

7. Village Council Policy on Salary Donation

The Council discussed developing a policy to guide the donation of members wishing to donate their Council salary and in turn donate that to an organization in the name of the Village. Staff was asked to work on a policy and return such to the Council for consideration.

**Public Comments:** None

With no further business, the Village Council stood in adjournment at 9:10 PM.

x\ [Approved June 21, 2016]

\_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\

\_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting  
June 21, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

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

**Members Present:** Cueny, Eberhart, Grey, Griffin, Kiel, Lacca & Torgerson

**Members Absent:** None

The Agenda for the meeting was accepted without objection and included the modification of Existing Business #2 to include the proposed 2016 Lake Patrol Agreement from the Isabella County Sheriff's Department.

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

1. May – Invoices & Bills Paid
2. May – Investment Report
3. May – Balance Sheet
4. May – Income & Expenditure Report
5. Draft Minutes, May 17, 2016 Village Council Meeting
6. Draft Minutes, June 10, 2016 Finance Committee Meeting

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

**Reports:**

1. Village President Torgerson covered two items during his report. First he appointed the following individuals to Village boards and committees without objection from the Village Council:
  - Dave McGrath to a three-year term on the Planning Commission
  - William Preuss to a three-year term on the Planning Commission
  - Arvil King to a three-year term on the Zoning Board of Appeals
  - Becky Thornhill to a three-year term on the Airport Advisory Board
  - Richard Kulin to a three-year term on the Board of EthicsIn addition to making appointments, Torgerson discussed the Finance Committee meeting from earlier that evening. He discussed the possibility of purchasing a used backhoe and the Finance Committee's desire to investigate this purchase including having it inspected by a local mechanic and report such back to the Council.
2. Village Manager Wolff discussed fireworks fund raising, permit activity, the newsletter, and his planned upcoming time off. There was discussion regarding the content of the upcoming survey that is referenced in the newsletter regarding time of sale inspections for septic systems.
3. No report from the LIPOA was provided.

**Public Hearings:****1. Proposed Resolution 2016-07; FY 2016-17 Budget & Millage Rate to be Levied in Support of the Annual Budget**

Torgerson opened a Public Hearing on proposed Resolution 2016-07 at 7:10 PM.

Wolff provided a summary of the proposed budget. He also noted that the Finance Committee reviewed the proposed budget and made a few changes which are reflected in the proposed budget submitted to the Council this month.

Public Comments: None

Council Comments:

Griffin asked if the proposed budget covers the Village's salary obligations. Kiel stated that it does.

Kiel stated that he feels the Village is very well served by staff. Each year the Village gets a clean audit, and have been able to not only maintain but expand services on less than 1 Mill.

Lacca stated that he feels an addition millage is needed to provide security for services.

Cueny thanked the Finance Committee for their review, and asked about the proposed amount of Revenue Sharing. Wolff stated that one of the main drivers of Revenue Sharing dollars is the price of gas, and with the drop in prices in early 2016 the Village did see a decline in payments versus what was projected by the state. However, the number in the budget matches the projections as of May from the Michigan Department of Treasury website.

Torgerson closed the Public Hearing at 7:29 PM

A motion was made by Kiel, seconded by Lacca, to adopt proposed Resolution 2016-07. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**2. Proposed Resolution 2016-08; Sale of Village Lots**

Torgerson opened a Public Hearing on proposed Resolution 2016-08 at 7:31 PM.

Wolff provided a summary of the proposed Resolution. He also noted that the Finance Committee has reviewed the proposed prices and has approved them.

Public Comments: None

Council Comments:

Kiel stated that the discounted lots will offer people a very good deal if all they want is lake access.

Grey stated that he has been talking to people and has had several interested.

Torgerson closed the Public Hearing at 7:35 PM.

A motion was made by Grey, seconded by Kiel, to adopt proposed Resolution 2016-08. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**Public Comments:**

- Mike Scherba of Isabella Vista thanked the Village for the paint job on the Village streets, and also stated that he was opposed to proposed Ordinance 2016-01.

**Existing Business:**1. Proposed Agreement with GovPayNet

Grey asked if the Village could verify that the process used by GovPayNet is PCI Compliant.

A motion was made by Kiel, seconded by Griffin, to approve the agreement with GovPayNet. VOICE VOTE: MOTION CARRIED 7-0-0.

2. Public Safety Agreements

A motion was made by Kiel, seconded by Eberhart, to approve the agreement with Sherman Township for dedicated patrols by the Sherman Township Marshal with a payment of \$2,625 due by June 30<sup>th</sup> and a final payment of \$2,625 due by August 31<sup>st</sup>. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

A motion was made Kiel, seconded by Lacca, to approve the agreement with Isabella County for dedicated lake patrols for the summer of 2016. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**New Business**1. Discussion on Converting the funding for the Broomfield Twp. Fire Special Assessment to a Voter Approved Millage

At the request of Councilman Cueny, the Council discussed converting the funding for the Broomfield Twp. portion of the Village to a voter approved millage.

Lacca asked if there was any benefit to the Village in doing this. Wolff stated that the Village currently absorbs several hundred dollars of costs in terms of providing notice of the annual Public Hearing.

The Council discussed if it was possible to have this on the ballot and tied to the passage of the proposed Charter Amendment to section 10.02. Staff was requested to consult with the Village Attorney and report back.

2. Proposed Resolution 2016-09; 2015-16 FY Final Budget Amendments

Wolff reviewed the proposed budget amendments. He discussed the sale of Village property and amount needed to be returned to Isabella County due to unsold foreclosed lots.

Kiel discussed that the Finance Committee reviewed the proposed amendments and were in agreement with the numbers presented.

A motion was made by Kiel, seconded by Grey, to adopted Resolution 2016-09 which sets the final 2015-2016 year-end budget amendments. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Griffin, Kiel, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Introduction of Proposed Ordinance 2016-01; Lots Under Common Ownership

Kiel voiced concern about acting on this proposed ordinance without seeing a final draft of proposed Ordinance 2016-03 to know how detached garages would be regulated.

Grey stated that he feels the Planning Commission shouldn't devote time on proposed Ordinance 2016-03 until they know if Ordinance 2016-01 will be adopted.

Griffin stated that he was opposed to the proposed ordinance.

Cueny agreed that too much time has been spent on this issue, and reminded the Council of what the people have stated in previous surveys about this issue. He also noted that at the Planning Commission meeting two members of the public who were attending their first meeting spoke in favor of the allowing garages across the street from their dwelling.

Kiel stated that he feels if garages across the street are allowed, they need to be built on the side of the lot so that a home could still be built at some time in the future.

Cueny also again stated that he feels he has a conflict of interest in discussing and voting on this issue and asked that the record reflect the Council has previously stated that they do not feel it is a conflict of interest.

Torgerson stated that he appreciated Cueny bringing that concern to light, but Councilmembers have a duty to vote on matters before the Council.

A motion was made by Cueny, seconded by Eberhart, to introduce proposed Ordinance 2016-01 as recommended by the Planning Commission and schedule a Public Hearing for the July 19<sup>th</sup> meeting. ROLL CALL VOTE; YEAS: Cueny, Eberhart, Grey, Kiel & Torgerson NAYS: Griffin & Lacca; MOTION CARRIED (5-2-0).

4. Introduction of Proposed Ordinance 2016-06; Site Plan Review Process

Proposed Ordinance 2016-06 was introduced by Grey as recommended by the Planning Commission and a Public Hearing was scheduled for the July 19<sup>th</sup> meeting without objection.

5. Parking on Village Streets

Grey discussed concerns he has regarding parking on streets, particularly El Camino Grande. He voiced concern over landscaping trucks blocking the street as well as a few locations where people are parking on lawns and not their driveway.

Lacca commented on the speed that many people are going on El Camino Grande.

Kiel stated that with several of the homes on El Camino Grande making large trucks park in driveways may not be realistic due to the slope of the property and driveway.

After further discussion of the Council members, no action was requested of staff.

**Public Comments:**

- George Dunn of Queens Way commented on proposed Ordinance 2016-01 and stated that as a Planning Commission member he was discouraged that this issue has dragged on for so long. He also stated that he disagrees with the Council regarding whether or not Councilman Cueny has a conflict of interest when it comes to vote on this proposed ordinance.
- Gerald Bierchbach of Castle Drive stated that he took the survey last year about sheds and garages and didn't really understand what was being asked.
- Bruce Torgerson of El Camino Grande spoke about the speed of traffic on El Camino Grande and also stated that he was opposed to allowing garages to be built across the street from the dwelling they are subordinate to.

- Mike Scherba of Isabella Vista stated that he doesn't use a computer and didn't take the survey about sheds and garages.

With no further business, the Village Council stood in adjournment at 9:10 PM.

x\ [Approved July 19, 2016]

\_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\

\_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – July 19, 2016

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, Lacca, & Torgerson

**Members Absent:** None

The Agenda for the meeting was accepted without objection or modification.

A motion was made by Kiel, seconded by Grey, to approve the Consent Agenda as presented.

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

**Reports:**

1. Village President Torgerson welcomed Isabella County Drain Commissioner Rick Jakubiec and Scott Brown to the meeting. Both are running for the Drain Commissioner office. They each spoke about their candidacy and asked for support in both the primary and general election.

Torgerson also appointed Dave McGrath as the Planning Commission's representative on the ZBA. There were no objections from the Council to this appointment.

2. Village Manager Wolff submitted his report in writing to the Village Council.
3. The LIPOA report was submitted in writing.

**Public Hearings:**

1. Proposed Ordinance 2016-01; Lots in Common Ownership

Torgerson opened a Public Hearing for proposed ordinance 2016-01 at 7:33 PM.

**Public Comment:**

- Mike Scherba of Isabella Vista spoke against the ordinance stating he still opposes allowing garages to be built across the street from homes they are accessory to.
- Dave McGrath of Queens Way spoke in favor of the ordinance.

**Council Discussion:**

Lacca questioned whether or not the ability to vote on this should go before the Board of Ethics as he owns property which would be impacted by this ordinance.

Griffin stated he was opposed to the ordinance, and discussed that the Planning Commission was not unanimous in their recommendation.

Torgerson noted that the Planning Commission's role is advisory in nature and not binding on the Village Council.

Kiel stated that this idea came up as part of trying to find solutions for people to store their "toys."

Torgerson closed the Public Hearing at 7:57 PM.

A motion was made by Eberhart, seconded by Kiel, to adopt ordinance 2016-01. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Kiel, & Torgerson; NAYS: Griffin & Lacca; MOTION CARRIED (5-2-0)

2. Proposed Ordinance 2016-06; Site Plan Review

Torgerson opened a Public Hearing for proposed ordinance 2016-06 at 7:59 PM.

Public Comment: None

Council Discussion:

Cueny thanked the Planning Commission and Manager for their work on this ordinance.

Torgerson closed the Public Hearing at 8:03 PM.

A motion was made by Kiel, seconded by Grey, to adopt ordinance 2016-06. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**Public Comments:**

Mike Scherba of Isabella Vista voiced his support for the quality of this year's fireworks.

Dave McGrath of Queens Way voiced his support for the quality of this year's fireworks.

**Existing Business:**

1. Discussion on Converting the Funding for Broomfield Twp. Fire Protection

The Council received the advice of the Village Attorney which stated the Village could not pursue a millage question that only was applicable to a portion of the community as the Michigan Constitution requires property taxes to be levied uniformly across all properties.

2. Proposed Resolution 2016-10; Charter Amendment #1

A motion was made by Grey, seconded by Cueny, to adopt resolution 2016-10. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Proposed Resolution 2016-11; Charter Amendment #2

A motion was made by Lacca, seconded by Eberhart, to adopt resolution 2016-11. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

4. Proposed Resolution 2016-12; Charter Amendment #3

A motion was made by Grey, seconded by Griffin, to adopt resolution 2016-12. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

5. Proposed Resolution 2016-13; Charter Amendment #4

A motion was made by Cueny, seconded by Kiel, to adopt resolution 2016-13. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

6. Proposed Resolution 2016-14; Charter Amendment #5

A motion was made by Cueny, seconded by Lacca, to adopt resolution 2016-14. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

7. Proposed Resolution 2016-15; Question of Charter Revision

A motion was made by Grey, seconded by Eberhart, to adopt resolution 2016-15. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**New Business**

1. Proposed Resolution 2016-16; Zoning Moratorium

A motion was made by Kiel, seconded by Eberhart, to adopt resolution 2016-16. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Kiel, Lacca, & Torgerson NAYS: Griffin; MOTION CARRIED (6-1-0).

2. Proposed Resolution 2016-17; Approval to Transfer Funds

A motion was made by Kiel, seconded by Cueny, to adopt resolution 2016-17. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

3. Introduction of Proposed Ordinance 2016-07

The Council received proposed ordinance 2016-07 from the Planning Commission. It was formally introduced by Kiel, and a public hearing set for the August 16<sup>th</sup> meeting without objection.

4. Backhoe Purchase

The Council discussed purchasing a used backhoe. The Village was approached by a local business and resident that was interested in selling his backhoe. The Council reviewed the proposed price and item. Concerns were voiced over the Village's ability to adequately use the item, and also in maintenance costs. After discussion there was consensus to pass on purchasing the item.

5. Single Parcel Special Assessment Districts

No parcels were presented by staff.

**Public Comments:** None

A motion was made at 8:48 PM by Lacca, seconded by Grey, to enter into a Closed Session to conduct the Village Manager's annual performance review. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

A motion was made at 8:53 PM by Eberhart, seconded by Cueny, to exit the Closed Session. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

With no further business, the Village Council stood in adjournment at 8:54 PM.

x\ [Approved 2016-08-23]  
\_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\  
\_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – August 16, 2016

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order by Lake Isabella President Pro-Tempore Richard Lacca, at 7:00 PM and the pledge of allegiance was recited.

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

The Agenda for the meeting was accepted without objection or modification.

Cueny asked for a correction to be made to the draft minutes of the July Planning Commission meeting. A motion was made by Kiel, seconded by Grey, to approve the Consent Agenda as amended. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, & Lacca NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

**Reports:**

1. There was no report from the Village President
2. Village Manager Wolff submitted his report in writing to the Village Council. He highlighted the planned changes to meters for gas customers of Consumers Energy, and also the selected meter upgrades planned by Homeworks Tri-County. Cueny voiced concern with Consumers plan to change meters in the winter as many people may be gone during that time of year.
3. There was no report from the LIPOA.

**Public Hearings:**

1. Requested Sign Variance: Lake Isabella Property Owners Association

Lacca opened a Public Hearing for the requested variance at 7:20 PM.

Public Comment: None

Council Discussion: The only matter discussed by the Council was a request to make sure the location chosen by the LIPOA is out of the right-of-way.

Lacca closed the Public Hearing at 7:24 PM.

A motion was made by Cueny, seconded by Kiel, to approve the request for a variance for a sign of 15 square feet at the entrance to South Park on Clubhouse Drive. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, & Lacca; NAYS: None; MOTION CARRIED (6-0-0)

2. Proposed Ordinance 2016-07; Permitted & Special Land Uses

Lacca opened a Public Hearing for proposed ordinance 2016-07 at 7:25 PM.

Public Comment: None

Council Discussion:

Cueny thanked the Planning Commission and Manager for their work on this ordinance.

Lacca closed the Public Hearing at 7:27 PM.

A motion was made by Griffin, seconded by Eberhart, to adopt ordinance 2016-07. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, & Lacca NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

**Public Comments:** None

**Existing Business:**

1. Discussion on Converting the Funding for Broomfield Twp. Fire Protection

The Council reviewed the results from the survey conducted online and discussed in the Village's summer newsletter. Due to the lack of support from the public, no action was taken with respect towards a "time of sale" septic inspection ordinance.

2. Industrial Facilities Exemption & Delinquent Property taxes

The unpaid status of several property tax bills due from Isabella Pellet from 2014 and 2015 were discussed. A motion was made by Eberhart, seconded by Grey, to hold a public hearing at the September meeting to seek enforcement of the Village's abatement agreement and to request the State of Michigan revoke the IFT granted to the pellet factory. VOICE VOTE: MOTION CARRIED 6-0-0.

**New Business**

1. Approval of Bids – Crack Sealing

The Council reviewed the bids submitted for crack sealing work. The low bid was G.T. Contracting at a price of \$0.98 per pound. A motion was made by Cueny, seconded by Kiel, to approve the bid of G.T. Contracting.

2. Birdie Drive & Clubhouse Drive Overlay Wedging

The Council reviewed the price quote of Central Asphalt to do edge wedging on Clubhouse Drive and Birdie Drive. For this work Central has quoted a price of \$111 per ton of material. There was discussion over whether the Village could secure additional bids to conform to the purchasing policy of the Village. Wolff stated that it was his opinion that for this type of work there is not a competitive market as this is a rehab project and not a new paving project. As such, it was his recommendation that the Council approve the quote under the exemption allowed by §244.05(3) of the Village's purchasing policy.

A motion was made by Eberhart, seconded by Grey, to approve the quote of Central Asphalt under the authority of §244.05(3) of the Village's purchasing policy. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Kiel, & Lacca NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

3. Proposed Sign Ordinance

Wolff presented a rough first draft of an updated sign ordinance to comply with the opinion of the United Supreme Court in the case of Reed v. Gilbert. There was a brief discussion on what the implications of the Court's ruling has in terms of local sign regulation. After this discussion Council requested that staff meet with the local business

community to get a sense as to what direction they feel is best to take with updated sign regulations.

4. August 22<sup>nd</sup> Liaison Committee Meeting

Agenda items were discussed from the upcoming Liaison Committee meeting. The Council discussed the desire on the part of the Village to seek RFPs on several of the professional service agreements used by the Village and to invite the LIPOA to be part of that process if so interested. Eberhart also asked to review the work done with the Golf Course to address parking this winter for ice fishing tournaments.

5. MML Annual Convention

The Council reviewed the agenda for the upcoming MML convention. No members expressed an ability to attend this year. There was also discussion about the need to develop a more formal travel and education policy. Wolff stated he would work on such a policy.

**Public Comments:**

Mike Scherba discussed the Community Survey results and that there is still a valid concern over older homes with small septic fields which build additions and are not forced to increase their field size by the local health department.

Bill Preuss discussed a pothole on Crown Point Drive.

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

x\ [Approved 2016-09-20]

\_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\

\_\_\_\_\_  
Richard Lacca, Village President Pro-Tempore

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – September 20, 2016

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, Lacca & Torgerson  
**Members Excused:** Kiel

The Agenda for the meeting was accepted without objection or modification.

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

1. August – Invoices & Bills Paid
2. August – Investment Report
3. August – Balance Sheet
4. August – Income & Expenditure Report
5. Draft Minutes, August 16, 2016 Village Council Meeting
6. Draft Minutes, August 22, 2016 Liaison Committee Meeting
7. Draft Minutes, September 13, 2016 Planning Commission Meeting

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

**Reports & Presentations:**

1. Isabella County Emergency Operations Manager Marc Griffis was present to discuss the 911 surcharge proposal on the November ballot. He stated that Isabella County has placed a ballot measure on the November 8 General Election Ballot for the voters to consider an increase in the 911 Surcharge. The surcharge increase will be for up to the maximum of \$3.00 per month (current surcharge is \$.150 per month/per device), per device; for a total of \$36.00 per year, per device. If approved, the surcharge will be collected from July 1, 2017 until December 31, 2021.

He stated that the 911 Surcharge is the primary source of funding for Isabella County Central Dispatch. The 911 Surcharge can only be used to fund and support the 911 center. This includes the operations, services, equipment and facilities. These funds cannot be diverted to fund other agencies/funds. The surcharge increase will provide the following:

- Maintain current staffing levels
- Maintain the current level of service to the residents of and visitors to Isabella County
- Ensure that the 911 staff maintains its high level of training and professionalism.
- Keep the school emergency system in place
- Pay for the continued maintenance of the public emergency alert systems:
  - 29 outdoor warning sirens
  - CodeRED Emergency Alert system

- Pay for necessary upgrades to the 911 communications system
- Pay for the migration to “Next-Generation 911”; which will provide more accurate, enhanced location services for wireless callers; text to 911, and future enhanced technology (pictures and video to 911)

Members of the audience also asked questions regarding the proposal. In addition to Mr. Griffis, Sharon Brown spoke on behalf of Citizen for Isabella County 911. She stated that her group represents community members who support the increase to the surcharge and discussed the role that 911 plays in ensuring quality public safety service delivery.

2. Village President Torgerson discussed concerns that were shared with him over the activity and conduct of several people at Termino Park over the Labor Day holiday. He stated that three different people approached him and asked what could be done regarding noise and the vulgarity in the music played.
3. Village Manager Wolff reported on street work, permits, and the Planning Commission meeting from the week prior. The Council received a working draft of proposed ordinance 2016-03 which deals with accessory structures. There was also discussion on the status of the well and septic project being worked on with the DEQ. Wolff reported that the state had reviewed the most recent draft and had no comments, but wanted the Health Department to review them again and comment if necessary.
4. LIPOA President Larry Russell discussed the regular 3-year Dam Inspection conducted by Spicer Engineering. He also discussed the drawdown which is scheduled to begin on October 15<sup>th</sup>.

### **Public Hearings:**

1. Proposed Resolution 2016-18; Revocation of IFT # 2011-277

Torgerson opened a Public Hearing on proposed resolution 2016-18 at 7:54 PM.

A synopsis of the proposed resolution was read by Manager Wolff. He reviewed the conditions of the Village’s abatement agreement and the status of property taxes levied against the factory.

Torgerson asked if there was a representative from Isabella Pellet in attendance that wished to address the Council on the proposed resolution. After holding the floor open, it was determined that there were no representatives from Isabella Pellet at the meeting.

Public Comment: None

Council Discussion: Members of the Council discussed past efforts on the part of the Village to work with the Pellet Factory to resolve unfinished items from their original approvals. Members felt that the Village has been very fair with the factory in terms of completing various items, but the combination of delinquent taxes due to Isabella County, and their unpaid taxes due to both the Village and Sherman Township are not acceptable.

Torgerson closed the Public Hearing at 8:05 PM.

A motion was made by Eberhart, seconded by Grey, to adopt Resolution 2016-18 which asked the State Tax Commission to revoke the property tax abatement granted to Isabella Pellet. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Lacca & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (6-0-0).

**Public Comments:**

- Joyce Swan of Clubhouse Drive spoke to the Council regarding the size and number of trailers parked in yards and driveways around her home. She voiced concern over Ordinance 2016-02 which allows for an unlimited number of items to be stored on a person's property. She stated that they moved here 7 years ago and feel the change to allow people to store trailers and boats will have a negative impact on their property value. She stated that she feels the appearance of so many trailers and boats is not inviting to people considering moving to the community.

Lacca stated that he would be open to seeing a change to limit the size of items people could store in their driveways. Wolff asked if anyone on the Council wanted him to draft a change to the ordinance for the Council to consider at an upcoming meeting, there were no requests of him to take such action.

- Dave McGrath of Queens Way spoke about the efforts done to engage the public in when the storage regulations were updated. He discussed multiple surveys, meetings, public hearings, and notices that were given online about the project.

**Existing Business:****1. Site Plan Conditions & Status of Agreements: Isabella Pellet**

Manager Wolff reviewed the status of the Completion Agreement entered into with Isabella Pellet. From that agreement there is still an item outstanding, that being having suitable vegetation planted on the berms. He also reviewed the approved Site Plan for the property and reported to the Council that it was his opinion as the Zoning Administrator that the factory was not using the site as approved.

Wolff asked for guidance on which manner the Council desired to enforce the Site Plan. He stated he would send out a notice to the owner detailing the items in default and providing a window to correct as is standard practice with all zoning violations. He also stated that in order to enforce the completion agreement the Council would likely need to involve legal counsel. For the time being the Council was comfortable with seeking enforcement of the Site Plan as the main priority. Cueny suggested that in addition to sending it to the owners home address the notice should also be sent to the factory so the Village can be certain the ownership and management at the factory are aware of the items and steps needed for correction.

**2. Travel & Reimbursement Policies**

The Council reviewed a draft policy to govern travel and reimbursement for conferences and training. Also included were the current provisions of the Employee Handbook and the section of the Village Manager's contract that covers these items for those staff members. Staff has recommended that the Council have its own policy for travel and reimbursement, and then a blanket policy for all members of the organization that deal with how to submit expense items and document items for reimbursement.

Grey asked if new members of the Council could be required to attend the MML's weekend training done in February. He discussed that nearly all members of the Council have attended and all who have done so have felt that it was a valuable experience. Wolff stated that he didn't think it could be required, but did recommend that attendance at that event could be a requirement for additional training or travel. Meaning, that if a

member does not attend that training, then they would not be eligible to attend other conferences and seek reimbursement from the Village.

Cueny discussed the manner that Council members should have their expenses reimbursed. He stated that those expenses should be reviewed by two other members of the Council, and if issues are found then such should be brought to the attention of the full Council.

Wolff stated that he would work on finalizing a draft policy and reimbursement form to have ready for the next meeting.

### **New Business**

1. **MML Liability & Property Pool Board of Directors Ballot**

A motion was made by Cueny, seconded by Eberhart, to authorize the Village Manager to cast the Village's ballot for the MML Liability & Property Pool Board of Directors for the individuals he felt were best suited for the position. VOICE VOTE: MOTION CARRIED.

2. **Upcoming Meeting Dates**

Members of the Council reviewed the scheduled meeting dates for the months of October through April. Councilman Cueny stated that while he is planning on being out of town for the January meeting, he would be willing to fly back to attend if he was needed for the purpose of a quorum. Wolff also stated that he had sent a letter to Dave Shoemaker who is running unopposed for a Village Council term beginning in January, but had not heard back from him. He stated it was his understanding from Mr. Shoemaker's travel in past winters that he would be in Florida until either April or May. Members Requested to be excused for the following Regular Meeting dates:

November: Griffin

December: Griffin

January: Cueny, Eberhart, Griffin, and Kiel

February: Cueny, Griffin, Kiel, and Torgerson

March: Cueny, Griffin, and Kiel.

The Council also rescheduled the November 15, 2016 meeting to November 29, 2016.

The April 18, 2017 meeting was also rescheduled to April 25, 2017.

3. **2016 E.coli Testing Results**

The Council received a report detailing the E.coli testing done at various locations around the area from 2014, 2015, and 2016. Staff thanked the Central Michigan District Health Department and Saginaw Chippewa Indian Tribe for their help and support in monitoring E.coli not just in the Lake Isabella area, but for all of Isabella County.

4. **Medical Marijuana Law Update**

Wolff reviewed changes to the state's medical marijuana law. Under the changes there will be five different types of "marijuana facilities" which local units of government may permit in their jurisdiction. The Council reviewed these different types of facilities, and felt that waiting to see how other jurisdictions handle the changes in law would be the best approach.

**Public Comments:**

- Dean Willard of Parkview Drive discussed his experience with the Post Office with respect to the time frame that a refused certified letter would be held for pick-up.

With no further business, the Village Council stood in adjournment at 9:01 PM.

x\  
Jeffrey P. Grey, Village Clerk

x\  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – October 18, 2016

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, Lacca & Torgerson  
**Members Excused:** None

The Agenda for the meeting was accepted without objection or modification.

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

1. September – Invoices & Bills Paid
2. September – Investment Report
3. September – Balance Sheet
4. September – Income & Expenditure Report
5. Draft Minutes, September 20, 2016 Village Council Meeting
6. Draft Minutes, October 11, 2016 Planning Commission Meeting

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

**Reports & Presentations:**

1. Anna McDonald provided a presentation to the Council on the proposal appearing on this November's ballot to fund the Commission on Aging via a county-wide 1 Mill tax. This millage would be a continuation of the existing 0.88 Mill previously approved by Isabella County voters.  
Jerry Morey was present and spoke in favor of the millage and the services that the Commission on Aging provides for Isabella County senior citizens.
2. Village President Torgerson encouraged everyone to vote and to be informed on the various proposals that will be on the ballot this November 8<sup>th</sup>.
3. Village Manager Wolff provided a copy of the newsletter going out regarding the Village's ballot proposals. The Council discussed hosting at least one forum type meeting so voters could come and get their questions answered about the proposals. Griffin suggested that the LIPOA could be asked to encourage people to vote on the proposals by using their message boards and would bring the idea up at the Liaison Committee meeting.  
Cueny asked if the Planning Commission was meeting on November 8<sup>th</sup> as that is Election Day. Wolff stated that the Planning Commission has not yet discussed moving the meeting due to the election, and did not have a standing practice of moving meetings on Election Day.
4. No report was provided by the LIPOA.

**Public Hearings:** None

**Public Comments:** None

**Existing Business:**

1. Proposed Resolution 2016-19; Village Council Travel & Travel Expense Reimbursement Policies

The Council reviewed a draft of the proposed policy to govern their travel and reimbursement procedures, as well as the reimbursement of travel expenses for Village staff. The Council discussed the policy and the manner by which Council members should submit expenses to be in compliance with section 5.05 of the Village Charter.

The Council took a recess at 7:30 PM until 7:37 PM to allow for the policy to be amended based on the Council's discussion.

The Council reviewed the draft of the policy as amended during the recess. A motion was made by Kiel, seconded by Lacca, to adopt Resolution 2016-19 as amended. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Griffin, Lacca, Kiel & Torgerson NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

**New Business**

1. Introduction of Proposed Ordinance 2016-03

The Council received a draft of a proposed ordinance from the Planning Commission which would amend the regulation of accessory structure in residential districts, and accessory structures subordinate to residential structures in other zoning districts. The Planning Commission recommended the draft for adoption by a 4-0-0 vote at its October meeting.

Three areas of the draft were discussed and edited by the Council. This included requiring hard surfaced driveways on garages located across a street from its primary structure. Increasing the space between a dwelling and detached garage to a minimum of 10 feet, and also not requiring that a guest home have a floor of asphalt or concrete.

It was also discussed that it needs to be a requirement of the approval for a detached garages built across the street from its primary structure that the entire lot where the garage is located be maintained, not just the area around the garage. It was also discussed that the outdoor storage of boats, campers, trailers, and similar items should not be allowed on lots where only a garage is placed.

Once these items were discussed and edited, the ordinance was formally introduced by Cueny, and a public hearing scheduled for the November 29<sup>th</sup> meeting without objection.

2. October Liaison Committee Meeting

The Council discussed items of business to include on the next Liaison Committee agenda. Griffin stated that he would need to leave early, and Wolff stated that he would also need to leave early on the 24<sup>th</sup>.

The topic of fences was suggested as an item to discuss at the next Liaison Committee meeting. Torgerson also stated that noise complaints regarding Termino Park need to be discussed. Griffin also stated he would bring up the request to use the signs to bring attention to and hopefully support the Charter amendments in the upcoming election.

3. Winter Projects & Ordinance Review

There was a discussion regarding conducting a review of Article VI and Article VIII of the Village ordinances this winter. Cueny asked that if that were to happen, no action be taken until all members are back in the spring to vote on the changes. He also stated that the Council should review the Charter and Council Rules this winter and consider changes if needed in the spring. Kiel discussed the need to explore options with policing. Torgerson stated that it would be wise first to see how the voters act on the various Charter Amendments before exploring that topic.

**Public Comments:** None

With no further business, the Village Council stood in adjournment at 8:10 PM.

x\ [Approved 2016-11-29]  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – November 29, 2016

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:** Cueny, Grey, Kiel, & Torgerson  
**Members Excused:** Eberhart, Griffin, & Lacca

The Agenda for the meeting was accepted without objection or modification.

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

1. October – Invoices & Bills Paid
2. October – Investment Report
3. October – Balance Sheet
4. October – Income & Expenditure Report
5. Draft Minutes, October 18, 2016 Village Council Meeting
6. Draft Minutes, October 25, 2016 Zoning Board of Appeals Mgt.
7. Draft Minutes, November 15, 2016 Planning Commission Mgt.
8. Draft Minutes, November 22, 2016 Zoning Board of Appeals Mgt.

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

**Reports & Presentations:**

1. Village President Torgerson stated that he and Manager Wolff has a good meeting with the manager and owner of the pellet factory and was looking forward to discussing the site with them later in the meeting.
2. Village Manager Wolff submitted a report to the Council in writing. In addition to his written report he discussed a request from the Fire Department to work on getting Unified Brands annexed into the Village so that they could be covered by the Nottawa-Sherman Fire Department. He stated that he wanted to approach Broomfield Township about proposing a 425 Conditional Annexation to Unified Brands. This would bring them into the Village and then into the coverage area for the Fire Department. Cueny stated that he did not object to the idea, but would be surprised if Unified Brands wanted to.

Election results were also discussed. Grey stated that he received a notice from the Board of Canvassers that he had been elected to office. Wolff stated that he was unaware the County was directly notifying people as this now creates an issue with Section 5.16 of the Charter which requires individuals take the required Oath of Office within 10 days of being notified. The Council discussed this issue and agreed to amend the agenda of the meeting to allow for the consideration of a resolution to extend the 10 day deadline of Section 5.16. There were no objections to amending the meeting agenda in this manner.

3. LIPOA President Russell reported that the lake level was down the allowed 72 inches before the recent rain and was at 68 inches that morning.

**Public Hearings:**1. Proposed Ordinance 2016-03; Accessory Structures to Single-Family Dwellings

President Torgerson opened the public hearing at 7:15 PM.

Manager Wolff read a synopsis of the proposed ordinance. He also reported that no comments were submitted to the Village in advance of the hearing.

**Public Comments:**

- Mike Scherba of Isabella Vista spoke in opposition to the proposed ordinance. He stated that he feels allowing accessory structures to be located across the street from their primary structure is a bad idea.
- Dave McGrath of Queens Way stated that he was in favor of the proposed ordinance.

**Council Comments:**

Cueny stated that he was in favor of the proposed ordinance

Kiel thanked staff and the Planning Commission for the work they did on this ordinance.

Kiel and Torgerson both stated that they are concerned about voting with only four members present. Kiel suggested that the Council postpone voting on the proposed ordinance until the December meeting to allow as many members of the Council the opportunity to voice their views of the ordinance as possible.

There were no objections from the Council to postpone voting on the proposed Ordinance until the December meeting, and action on proposed ordinance 2016-03 was postponed until the December 20<sup>th</sup> Village Council meeting.

**Public Comments:** None**Existing Business:**1. Isabella Pellet Site Plan Status

The owner of the site, Mr. Gary Glawe was present to discuss the factory.

He stated that from that point forward he has request to be the contact person regarding major issues at the site. He stated that they were working hard on getting the site into compliance from the notice sent in October. He stated that there were some issues that came up with product being ordered but not being taken by the vendor as the vendor had over ordered materials.

Torgerson asked when Mr. Glawe took ownership. Mr. Glawe stated he became the owner in September of 2013.

Grey asked if the facility had copies of the original plans. Mr. Glawe stated that he was able to get copies from the Village for those documents.

Cueny asked if the paving has been paid yet. Wolff reported that it was not paid, and was placed on their 2016 Village tax bill for real property.

Cueny stated that this needed to be paid before the Village should work with the factory on other issues. Mr. Glawe stated that his agreement with his bank is for all taxes to be current as of the end of February. This includes the delinquent 2015 taxes and the 2016 taxes.

Wolff stated that he placed the paving cost on their real tax bill so that it would be paid during settlement if the taxes were delinquent. Unlike personal property taxes, the real taxes will be covered by the County's delinquent tax fund. He suggested that in light of February being 3 months away, that it would be reasonable to have all taxes paid, including the paving, and an updated Site Plan by the end of February, 2017.

Torgerson stated that he feels everyone entered into this project with good intentions.

Kiel asked about the tax abatement. Wolff stated that the information has been submitted to the state to revoke the abatement, but to his knowledge the State Tax Commission has yet to act on the request to revoke the abatement.

Wolff stated that he would strongly object to the Council considering rescinding the request to revoke the abatement as long as there were unpaid taxes as well as non-compliance to the Site Plan and annual report required to verify employment levels.

Grey discussed the outdoor storage. Mr. Glawe stated that he would like to eventually build a three-sided structure to store materials in. Wolff stated that the original developers had stated a covered building was in their 5-year plan when the facility was approved in 2011.

The Council agreed to take no action at this time, and revisit the matter at the end of February to see if the issues with the Site Plan can be resolved with the Planning Commission by that time and also to see if all outstanding tax bills have been paid by the end of that month.

2. Proposed Sign Ordinance Update

Wolff reported that he has attempted several times to meet with the last few business owners in the community on the sign ordinance and has yet to be successful. He stated that he would rather get the ordinance right rather than adopt it quickly and asked for the Council to delay action until he could meet with these owners. The Council was agreeable to this scenario and expressed support in working with the business community to draft an update to the ordinance that works for all parties.

3. Village Owned Lots – Pending Foreclosure

The Council reviewed the list of lots that are slated to be foreclosed by Isabella County for unpaid assessments related to the Lake Isabella Dam project. No action was taken by the Council to stave off the foreclosure process.

## New Business

1. Charter Revision Process

The Council discussed the process required by law to move forward with Charter Revision. Wolff reported that the law requires that at the next municipal election a 5 member Charter Commission be elected. He also reported that the next municipal election for the Village is not until November of 2018. He stated that any election conducted on behalf of the Village outside of that date would be considered a Special Election and would require the Village to pay the costs for the townships to conduct the election.

Wolff also stated that in his opinion there were logistical issues with holding a Special Election as there are only three allowed dates when elections may be held. He stated that

holding a May election would make it hard for people to run for the Charter Commission as the deadline to nominate candidates would likely be in January due to requirements from the Bureau of Elections. He stated that a November election also has issues as the law requires the Charter Commission to have a draft completed in 60 days. Both of these scenarios in his opinion cause issues with the number of community members that travel during the winter months.

Torgerson voiced concerns about the cost of hosting a Special Election.

Kiel asked if this process could be used for pursuing cityhood. Wolff stated that the Charter Revision process could not be used for incorporation as a city.

Grey stated that he feels the nomination requirements should be the same for what was done with the original Charter Commission in the 1990s.

Wolff stated that the costs might not be as bad if the Village Hall could be used as a single polling location for residents of both Broomfield and Sherman Townships.

Wolff was asked to check on the following items and report back to the Council at the December meeting:

- Nominating requirements for the original Charter Commission.
- Using the Village Hall as a single polling location.
- If the townships will be conducting any elections outside of the August 2018 Primary Election and the November 2018 General Election between now and the next municipal election.
- Federal requirements on having ballots ready for oversea voters as that has an impact on the deadline to nominate candidates so that ballots can be ready to comply with those requirements.

## 2. Resolution 2016-20; 2016 Charge Back Lots

The Council discussed the lots which are eligible to be returned to the Village from Isabella County. These lots were foreclosed by the County for delinquent property taxes, and then went unsold during both auctions and subsequent walk-in period of Isabella County.

One of the lots in question does contain a single-wide mobile home. The Council discussed the possibility of demolishing this structure if the Village were to take the lot in question. After discussion it was agreed to not take this particular lot at this time.

A motion was made by Cueny, seconded by Kiel, to adopt proposed Resolution 2016-20 which states:

***WHEREAS**, the Village of Lake Isabella has had to repay Isabella County to cover tax foreclosed parcels in the village which did not sell at either of the public auctions held in 2016; and*

***WHEREAS**, the Village of Lake Isabella has the right to claim ownership of any or all of these parcels for public purpose; and,*

***WHEREAS**, the acquisition and combining of lots in the village has been declared to be a public purpose, that addressing the issue of unbuildable lots is a public purpose, eliminating current and potential future violations of the adopted MDOT Approach Plan for the Lake Isabella Cal Brewer Memorial Airport is a public purpose; and,*

***NOW THEREFORE BE IT RESOLVED***, the Village of Lake Isabella, via the adoption of this Resolution does hereby request that the Isabella County Treasurer convey title to any of the following parcels which have been foreclosed on by Isabella County and that may still remain in the ownership of Isabella County at this time:

21-072-00-309-00	21-072-00-313-00	21-072-00-401-00
21-075-00-431-00	21-076-00-512-00	21-080-00-146-00
22-061-00-038-00	22-061-00-075-00	22-061-00-125-00
22-061-00-146-00	22-061-00-202-00	22-062-00-303-00
22-062-00-343-00	22-073-00-260-00	22-077-00-031-00
22-077-00-032-00		

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

**Public Comments:**

- Mike Scherba of Isabella Vista commented on the discussion involving the Pellet Factory. He stated that in the meetings he has attended over the years that what was told the Village Council tonight is no different than what has been told to the Council in the past and that he fears there will be the same lack of progress as has happened in the past. Cueny replied and stated that he agrees with Mr. Scherba, but is optimistic about the conversation from tonight’s meeting as the buck stops with Mr. Glawe.

The Village Council stood in recess at 8:44 PM with no objection.

The Village Council returned from recess at 8:52 PM without objection.

**Proposed Resolution 2016-21; Notification of Election to Village Council & Extension of Deadline to take Oath of Office**

A motion was made by Cueny, seconded by Kiel, to adopt proposed Resolution 2016-21 which states:

**WHEREAS;** the Charter of the Village of Lake Isabella requires in Section 5.16 that once a person elected to the Village Council is notified in writing of his or her election to said office, he or she shall have 10 days to take the oath of office prescribed for public officers by the Constitution; and,

**WHEREAS;** it has come to the attention of the Village Council that the three individuals elected to the Village Council have been notified of their election through the mailing of the certified election results by the Isabella County Board of Canvassers; and,

**WHEREAS;** this notice of election did not come from the Village of Lake Isabella, but nevertheless would trigger the 10 day time period established by Section 5.16 of the Village Charter; and,

**WHEREAS;** Section 5.16 of the Charter allows for the Village Council to extend the 10 day time period via an adopted Resolution; and,

***NOW THEREFORE BE IT RESOLVED;*** that the 10 day time period established by Section 5.16 of the Village Charter shall not be applicable to the notice of election mailed to individuals by the Isabella County Board of Canvassers; and,

***NOW THEREFORE BE IT FURTHER RESOLVED;*** that the Village Manager is hereby directed to notify in writing the individuals elected to the Village Council via priority mail with return receipt requested and delivery confirmation of their status of their election; and,

***NOW THEREFORE BE IT FURTHER RESOLVED;*** that the 10 day requirement of Section 5.16 shall be applicable to the receipt of the notice mailed by the Village.

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

With no further business, the Village Council stood in adjournment at 9:07 PM.

x\ \_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President

Village of Lake Isabella  
Village Council Minutes  
Regular Meeting – December 20, 2016

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, Kiel, Lacca, & Torgerson  
**Members Excused:** Griffin

A motion to accept the Agenda as presented was made by Kiel, seconded by Cueny. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Kiel, Lacca, & Torgerson NAYS: None; MOTION CARRIED (6-0-0).

The Consent Agenda was accepted as presented without objection and ruled approved by the Chair, which included the following items:

1. November – Invoices & Bills Paid
2. November – Investment Report
3. November – Balance Sheet
4. November – Income & Expenditure Report
5. Draft Minutes, November 29, 2016 Village Council Meeting
6. Draft Minutes, December 13, 2016 Planning Commission Meeting

**Reports & Presentations:**

1. Village President Torgerson thanked Lacca for his service on the Village Council.
2. Staff from Gabridge & Company was in attendance to present the Village's 2015-16 FY audit. It was reported that the Village received a Clean Opinion on the audit. The audit was reviewed with several areas discussed including the Village's New Position of \$2.8 million, and an unrestricted General Fund Balance of roughly 100%. They reported that they encountered no issues with staff during their Audit, and that there were no material deficiencies which needed correction in terms of the Village's financial policies or procedures.  
  
Cueny asked a question regarding the numbers in the audit that appear to be transposed on page 8 regarding compensated absences and long-term debt. Staff from Gabridge reviewed the information and agreed that the numbers were transposed and would be fixed before submission to the State.
3. Village Manager Wolff submitted a report to the Council in writing. In addition to his report he asked Deputy Manager Manley to recap the Adopt-a-Family program this year. Manley stated that this year over \$3,000 was raised and funds were distributed through Toys for Tots, Women's Aid Shelter, Weidman Food Pantry, Foster Closet, St. Jude, and the Adopt-a-Family program which was coordinated through Weidman Elementary.
4. There was no report submitted by the LIPOA.

**Public Hearings:** None

**Public Comments:** None

**Existing Business:**1. **Proposed Ordinance 2016-03; Accessory Structures to Single-Family Dwellings**

There was a brief discussion that highlighted that this proposed Ordinance deals with the design and location requirements for garages, and that the ability to build a detached garage across the street from the dwelling it is subordinate too was approved by Ordinance 2016-01.

A motion was made by Grey, seconded by Eberhart, to adopt proposed Ordinance 2016-03. ROLL CALL VOTE; YEAS: Eberhart, Cueny, Grey, Kiel, Lacca, & Torgerson  
NAYS: None; MOTION CARRIED (6-0-0).

2. **Proposed Resolution 2016-22; Charter Commission Election**

The Council discussed the possible dates at which a Special Election could be held to elect the Charter Commission. After discussion, a motion was made by Cueny, seconded by Grey, to complete the proposed resolution by selecting the August of 2017 election date. VOICE VOTE: MOTION CARRIED (6-0-0).

A motion was then made to adopt proposed Resolution 2016-22 as amended which reads as follows:

**WHEREAS;** the electors of the Village Lake Isabella approved beginning the Charter Revision process at the November 2016 General Election; and,

**WHEREAS;** the Home Rule Village Act grants the authority to the Village Council to establish requirements and procedures for running for the Charter Commission; and,

**WHEREAS;** the Home Rule Village Act requires that the election of a Charter Commission is to occur at the next municipal election; and,

**WHEREAS;** the next municipal election of the Village of Lake Isabella is scheduled for November 6, 2018 as part of the statewide General Election; and,

**NOW THEREFORE BE IT RESOLVED;** that the election of five members of the Lake Isabella Charter Commission shall occur as part of a Special Election held on August 8, 2017.

**NOW THEREFORE BE IT FURTHER RESOLVED;** that the deadline to file Nominating Petitions with the Township Clerk shall be 4PM on the fifteenth Tuesday prior to the Charter Commission election date; and,

**NOW THEREFORE BE IT FURTHER RESOLVED;** that the deadline to file as a Write-in Candidate for the Charter Commission shall be 4 PM on the second Friday immediately before the election; and,

**NOW THEREFORE BE IT FURTHER RESOLVED;** that to be eligible to be nominated as a candidate for the Charter Commission the Home Rule Village Act requires than an individual must be a registered voter in the Village of Lake Isabella for a minimum of 2 years prior to the election date (MCL 78.14); and,

***NOW THEREFORE BE IT FURTHER RESOLVED***; that in addition to other statutorily required paperwork such as an Affidavit of Identity and Campaign Finance Statements, qualified electors shall be required to submit at least 20, but not more than 30, signatures of qualified electors to be nominated as a candidate for the Charter Commission; and,

***NOW THEREFORE BE IT FURTHER RESOLVED***; that a qualified elector may not sign more than five nominating petitions for the Charter Commission; doing so shall invalidate all signatures of that individual; and,

***NOW THEREFORE BE IT FURTHER RESOLVED***; that in addition to the previously listed requirements the prohibition of convicted felons from holding elective Village Office per Section 5.19 of the Village Charter is applicable to the election of the Charter Commission; and,

***NOW THEREFORE BE IT FURTHER RESOLVED***; that the prohibitions detailed in Section 5.03b of the Village Charter shall also be applicable to the Charter Commission so that no member of the Charter Commission shall hold any other elected public office during their term of service on the Charter Commission. No member of the Charter Commission shall hold any village employment during their term of service on the Charter Commission. No member of the Charter Commission shall be on the Board of Directors for the LIPOA, or the board of any other property owner association located within the Village of Lake Isabella. No former council member shall be eligible for the Charter Commission until one year after the expiration of the term for which the member was elected to the Village Council.

Wolff asked if the Council would consider taking a brief recess. He stated that he would like to briefly review the budget to see if the Council needed to make an amendment at this meeting in order to produce a newsletter to mail to residents regarding the deadline to run for the Charter Commission.

The Council stood in recess at 7:55 PM without objection.

The Council returned from recess at 8:01 PM without objection.

Wolff stated that he feels there are funds to cover doing a newsletter and a budget amendment was not needed for that purpose at this time.

3. Proposed Agreement/Amendment to the Building & Use Restrictions for Lake Isabella South and Lake Isabella Golf Estates II

Wolff presented an agreement that has been worked on with the Central Michigan District Health Department to submit to the State of Michigan Department of Environmental Quality to amend the Building and Use Restrictions for Lake Isabella South and Lake Isabella Golf Estates 2.

Cueny asked about the requirement for a reserve field location. Wolff stated that the Health Department has the authority to issue a waiver and allow an applicant to reuse the primary field location if such was needed due to a lack of physical space for an independent second location.

A motion was made by Eberhart, seconded by Grey, to approve the proposed Agreement and authorize that it be submitted to the Michigan Department of Environmental Quality, Central Michigan District Health Department, and Isabella County Board of Public Works for their approval. VOICE VOTE: MOTION CARRIED (6-0-0).

**New Business**

1. Introduction of Proposed Ordinance 2017-01; Fence Regulations

Proposed ordinance 2017-01 was introduced by Grey, and a public hearing set for the April 25, 2017 meeting without objection.

**Public Comments:**

- Becky Thornhill of Sequoia Drive thanked the Village for the work done to address the unbuildable lots in Lake Isabella South and Lake Isabella Golf Estates 2. She stated that this issue has been a problem for far too long, and hoped that the action taken by the Village would be resolution to the matter.
- Galen Voss of Mt. Pleasant thanked the Village for the work done to address the unbuildable lots in Lake Isabella South and Lake Isabella Golf Estates 2. He stated that it was his desire to build on the lots that his family owns on Channel Drive.

With no further business, the Village Council stood in adjournment at 8:18 PM.

x\ \_\_\_\_\_  
Jeffrey P. Grey, Village Clerk

x\ \_\_\_\_\_  
Dave Torgerson, Village President