

## Village of Lake Isabella

### Village Council Minutes

Regular Meeting – August 18, 2009

1010 Clubhouse Drive  
Lake Isabella, MI, 48893

The Meeting was called to order at 7:00 PM by Village President David Torgerson and the pledge of allegiance was recited.

**Members Present:** Lacca, Grey, Kiel, Griffin, Miller, Pattison & Torgerson

**Members Excused:** None

The agenda was approved as presented without objection.

A motion was made by Miller, which was seconded by Kiel, to approve the Consent Agenda as presented, which included the following items: Bills to be Paid, the Balance Sheet, the Income/Expense Report, Minutes of the July 21, 2009 Village Council Regular Meeting, the minutes of the closed session from the July 21, 2009 Village Council meeting, and the minutes of the July 28, 2009 Planning Commission meeting; ROLL CALL VOTE; YEAS: Lacca, Grey, Kiel, Griffin, Miller, Pattison & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0).

### Reports

- The Village manager submitted his report to the Council. He addressed recent street work, citizen concerns on Crown Point and Bishop Lane, the upcoming election, and changes coming to the website.
- Steve Clark and John Tanner from Rowe Professional Services were present to present the final report of the decentralized wastewater feasibility study. There was discussion from the Council with Mr. Clark and Mr. Tanner. A complete copy of the report can be obtained at the Village Hall, or downloaded from the Village's website.

### Public Hearing: Coyne Oil Sign Code Appeal

Torgerson opened the public hearing at 7:56 PM.

Dave Coyne from Coyne Oil presented a request to the Council for an appeal of the interpretation of the sign code, and if the interpretation is upheld a variance from the requirements of the code. Specifically, he is appealing the opinion of the zoning administrator that the changing from a manual number display to a digital display would be an alteration, thereby requiring additional changes to the sign as the Citgo sign is non-conforming in height.

There was discussion with the applicant about whether other signs and sizes were considered. Mr. Coyne replied that due to the extra cost of footings for the site due to high groundwater, they would like to modify the existing sign due to the cost they incurred for the footings.

Mr. Coyne also stated that the sign would only display one price if modified, not three.

Scott Slasor (co-applicant) also commented on the safety concerns they have due to the curve in Coldwater Road. Landa Fostich (co-applicant) commented on the number of transactions that occur daily at the gas station, and that the traffic volume factors into the need to safely change prices on the gas sign.

**Public Comments:**

Dave Ochander of Fairway Drive: Commented that any changes should also make the sign lower in height, and aesthetically more compatible with the plaza.

With no further public comments, King closed the public hearing at 8:19 PM.

A motion was made by Grey, which was seconded by Kiel, to deny the first request and to uphold the interpretation of the ordinance. VOICE VOTE: MOTION CARRIED

Miller commented that she would like to revisit the site and take action on the second request the following month.

A motion was made by Kiel, which was seconded by Griffin, to deny the appeal of the sign code to allow an alteration of a non-conforming sign which does not bring the sign into greater conformity with the ordinance. VOICE VOTE: MOTION CARRIED

**Public Comments**

- None

**Existing Business**

1. Resolution 2009-07: Code Enforcement Procedures

A motion was made by Kiel, which was seconded by Miller, to adopt Resolution 2009-07 which establishes a set of procedures for ordinance enforcement and duties/responsibilities for code enforcement personnel. ROLL CALL VOTE; YEAS: Lacca, Grey, Kiel, Griffin, Miller, Pattison & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0)

**New Business**

1. Resolution 2009-08: Single Parcel Special Assessment Districts

A motion was made by Miller, which was seconded by Kiel, to adopt Resolution 2009-08 which establishes creates Single Parcel Special Assessment Districts 2009-01, 2009-02, and 2009-03 and sets a public hearing for the September meeting to recover costs incurred for abating a public nuisance. ROLL CALL VOTE; YEAS: Lacca, Grey, Kiel, Griffin, Miller, Pattison & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0)

2. Introduction of Ordinances 2009-03, 2009-04, 2009-07, 2009-08, and 2009-09

Proposed ordinances 2009-03, 2009-04, 2009-07, 2009-08, and 2009-09 were introduced and a public hearing set for the September meeting.

3. September Village Council Meeting

Due to the September 15<sup>th</sup> General Election the Village Council moved its meeting date to September 22<sup>nd</sup> next month.

4. Designation of Voting Delegate: MML Annual Convention

A motion was made by Grey, which was seconded, to designate Village Manager Wolff as Lake Isabella’s voting delegate for the annual MML business meeting. VOICE VOTE: MOTION CARRIED UNANIMOUSLY (7-0-0)

**Public Comments**

- Mike Scherba of Lincoln Drive: Thanked the Council for upholding the standards of the sign code.

A motion was made by Grey, which was seconded by Pattison, to enter into closed session at 8:42 PM as allowed under MCL 15.268(a) to conduct the annual performance evaluation of the Village Manager. ROLL CALL VOTE; YEAS: Lacca, Grey, Kiel, Griffin, Miller, Pattison & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0)

A motion was made by Miller, which was seconded by Grey, to end the closed session at 9:26 PM. ROLL CALL VOTE; YEAS: Lacca, Grey, Kiel, Griffin, Miller, Pattison & Torgerson; NAYS: None; MOTION CARRIED UNANIMOUSLY (7-0-0)

With no further business, the Village Council stood in adjournment at 9:27 PM.

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

x\ \_\_\_\_\_  
David Torgerson, Village President