

**EMPIRE VILLAGE COUNCIL REGULAR MEETING**  
**Empire Township Hall - 10088 W. Front Street**  
**April 23, 2024 @ 7 PM**

**AGENDA**

**A. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

**C. CHANGES OR ADDITIONS TO THE AGENDA**

**D. ADOPTION OF THE AGENDA**

**E. PUBLIC COMMENTS ON AGENDA ITEMS**

**F. CONSENT AGENDA**

- 1) Approve minutes – 04/11/2024 Work Session
- 2) Approve April Bills totaling \$ \_\_\_\_\_
- 3) Purchase of DPW Shirts
- 4) Galerucella Beetle Order for Purple Loosestrife
- 5) Garlic Mustard Bin

**G. REVIEW OF FINANCIAL STATEMENTS**

**H. COMMUNICATIONS**

**I. DEPARTMENT HEAD REPORTS**

**J. COUNCIL MEMBER / COMMITTEE REPORTS**

**K. OLD BUSINESS**

- 1) Village Office Update (Palmer)

**L. NEW BUSINESS**

- 1) Zoning Ordinance Amendment to LI District (Bacon)
- 2) Beach and Front Street Striping (Bacon)
- 3) Village Council Computer Purchase (Palmer)
- 4) 2024 Chamber of Commerce Road Closure Request (Palmer)
- 5) Stormwater Run-off at Lake and Niagara Proposals (Bacon)
- 6) Sidewalk Quotes (Bacon)

**M. PUBLIC COMMENT**

**N. COUNCIL MEMBER COMMENT**

**O. ADJOURNMENT**

## **April 11, 2024 – EMPIRE VILLAGE COUNCIL WORK SESSION**

The meeting was called to order at the Empire Township Hall and the Pledge of Allegiance was led by Palmer at 7:01 p.m. Upon a roll call members Bacon, Chase, Dye, Palmer, Rademacher, Walton, and Webb were present. Clerk Smith was also present.

**CHANGES/ADDITIONS TO AGENDA** – Bacon added Request from ABCD Group as #2 under Old Business.

**ADOPTION OF AGENDA - Motion by Bacon, support by Webb to approve the agenda as amended. Upon a voice vote, MOTION PASSED.**

**PUBLIC COMMENTS ON AGENDA ITEMS** – Linda Young commented on Short Term Rental Committee letters. Bacon Paul Skinner commented on the Mass Gathering Ordinance. Ella Skrocki commented on short term vs long term rentals in Empire. Terry Bacon commented on the charge to Short Term Rental Committee. Karen Baja commented on Short Term Rental Committee.

**COMMUNICATIONS** – Letters regarding Short Term Rentals from Tamara & David Kroll; Tank, Dezelski, Pohlod, Cogan & Weaver Family Trust; Bill & Mary Blacquire; Roy Sonnema & Debra DeWitt; Jay Hoekstra; & Mary Sharry were received and included in packet. Letter regarding Village Council and Planning Commission service to community from the Cooks, Peplinskis and Stepaneks was received and included in packet. Letters regarding Short Term Rentals were received from John Ludlow and Mary Sharry and included as a handout. All nine letters were read aloud by Council members.

**DEPARTMENT HEAD REPORTS** – Palmer reported the boat ramp will be installed next week and street cleaning is being completed. She read from a written report regarding responses from council to public.

**COUNCIL MEMBER/COMMITTEE REPORTS** – Bacon reported on four proposals for sidewalk repairs and parking designation at Shalda Park. Walton reported on Personnel Committee report regarding shirts and protective equipment for employees, updates to job descriptions. Dye reported on Short Term Rental Committee meeting.

## **OLD BUSINESS**

**APPROVE MINUTES: Regular Meeting 3/26/24 – Motion by Dye, support by Walton to approve the minutes as presented. Upon a voice vote, MOTION PASSED.**

**ABCD GROUP REQUEST** – Bacon reported they are planning a community event on April 27<sup>th</sup> at the Township Hall. Rod Barnes reminded the council of the previous presentations by this Group, including a World Café. A cost amount will be available for consideration at the April Regular meeting.

**SHORT TERM RENTAL REVIEW** – Bacon read an overview of the issue. Dye read a history 2019-24 of Short-Term Rental Actions which was included in the packet.

**RULES OF PROCEDURE** – Palmer reviewed suggested changes beginning at 6.12. Discussion of documentation included in packet continued and will begin at 11.5 at the next work session.

VILLAGE OFFICE UPDATE – The property survey was reviewed indicating no recorded easement on property. There was discussion of the options for driveway access to the adjacent property to the south. **Motion by Rademacher, support by Bacon to extend the meeting past 9:00 p.m. On a voice vote, MOTION PASSED.** Discussion continued including which issues on the inspection list could be addressed before purchase. A list of possible costs was reviewed. There was support for bringing the plumbing up to code. The discussion returned to the possibilities for addressing the driveway for the adjacent property. **Motion by Rademacher, support by Walton to move forward with the purchase agreement of the Field Trip building.** There was discussion of how the purchase cost would be spread among funds (65% General, 25% each Local and Major Streets, 10% Water, 15% Equipment) and that the monies are available for a cash purchase. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

MASS GATHERING ORDINANCE REVIEW – There was discussion of changes to the ordinance that had been reviewed, but not adopted in 2023. There was consensus that any changes to the ordinance be considered at a future public hearing to be scheduled.

**NEW BUSINESS – Motion by Bacon, support by Rademacher to move all the New Business on this agenda to the Regular Meeting on April 23rd. Upon a voice vote, MOTION PASSED.**

BEACH AND FRONT STREET STRIPING; VILLAGE COUNCIL COMPUTER PURCHASE; 2024 ROAD CLOSURE APPLICATION; STORMWATER RUN-OFF AT LAKE AND NIAGARA PROPOSALS – All items moved to April 23<sup>rd</sup> agenda.

**PUBLIC COMMENT** – Terry Bacon commented on proposed Public Comment on any topic. Karen Baja commented on Work Sessions.

**COUNCIL MEMBER COMMENT** – Webb commented on the vote for the purchase agreement. Rademacher commented on the Disaster Preparedness committee. Chase commented on Environmental Study. Walton commented on the clarifications provided on the Short-Term Rental committee.

**ADJOURNMENT** at 9:42 p.m.

Derith Smith

Empire Village Clerk

*These are draft minutes for approval at the March 26, 2023, Regular Council meeting.*



900 MONROE AVE NW  
GRAND RAPIDS, MI 49503

PHONE (616) 832-8000  
FAX (616) 832-8002  
MIKAMEYERS.COM

FED-ID 38-1647107

April 9, 2024

Village of Empire  
c/o Derith Smith  
PO Box 253  
Empire, MI 49630

Invoice No. 700301  
Client No. 49292  
Matter No. 64665  
Billing Attorney TJF

---

### Invoice Summary

For professional services rendered through March 31, 2024

**Re: General Legal**

Total Professional Fees	\$ 2,162.00
Total Costs Advanced	<u>    \$ .00</u>
<b>Total Current Invoice</b>	<b>\$ 2,162.00</b>

VC 4/23/2024

Empire, Village of  
Client No. 49292-64665

April 9, 2024  
Invoice No. 700301

**Re: General Legal**

**Professional Fees**

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Amount</b>
3/01/24	TJF	Exchange correspondence with A. Acton regarding signed purchase agreement	.20	46.00
3/01/24	TJF	Telephone conferences with S. Palmer regarding next steps and delegation of duties regarding purchase of real property	.30	69.00
3/01/24	TJF	Exchange correspondence with R. Raymond regarding signed purchase agreement and septic inspection	.20	46.00
3/04/24	TJF	Receipt of signed purchase agreement from R. Raymond; email to A. Acton regarding payment of earnest money	.30	69.00
3/07/24	TJF	Telephone conference with S. Palmer regarding title commitment and supporting documents, inspection, and status of other items related to purchase of real property	.80	184.00
3/15/24	TJF	Telephone conference with S. Palmer regarding purchase of real estate	.30	69.00
3/18/24	TJF	Telephone conference with S. Palmer regarding status of property purchase	.20	46.00
3/21/24	TJF	Telephone conference with R. Hall regarding combination of uses amendment	.40	92.00
3/21/24	TJF	Receipt and review of correspondence related to "combination of uses" amendment to zoning ordinance for light industrial district; review of law regarding multiple uses on a single parcel; email to S. Palmer regarding same	3.40	782.00
3/21/24	TJF	Review of zoning ordinance amendment to move police power sign ordinance to zoning ordinance; review of law regarding sign ordinance; preparation of amended ordinance; email to S. Palmer regarding same	2.90	667.00
3/26/24	TJF	Telephone conference with S. Palmer regarding real property purchase	.40	92.00
<b>Total Professional Fees</b>				<b>\$ 2,162.00</b>
<b>Total Current Invoice</b>				<b>\$ 2,162.00</b>

23

*Consent Agenda*

---

Meeting: April 11, 2024 - Regular Meeting

---

**Subject:** Request to Purchase DPW Shirts

**Author:** Sue Palmer

---

**Overview:**

We need to make an order for shirts for our DPW Department. Having shirts that identify them as DPW makes easier to be recognized by our community. I have received quotes from Field Craft in Honor. Please see attached. This was in the budget under the Water Department estimated at \$750.00. I would like to order 10 short sleeve(\$164.50), 10 long sleeve (\$189.30) and 3 hoodies (\$83.01). This total plus a \$25 set up fee equals \$461.81.

**Action Requested**

I am asking the council to approve an order not to exceed \$500 for our April 23, 2024, Regular meeting for a vote under our Consent Agenda.

9930 Honor Hwy.  
Honor, MI  
49640  
800 332 3131  
sue@bookwear.net



PO  Terms  Created  Payment Due   
 Ref  Ship Via  Ship Date  Deadline

BILL TO

**Village of Empire**  
Alacia Acton  
11518 S Lacore  
Empire MI 49630

SHIP TO

**PICK UP**  
Call Sue Palmer  
402.201.4242

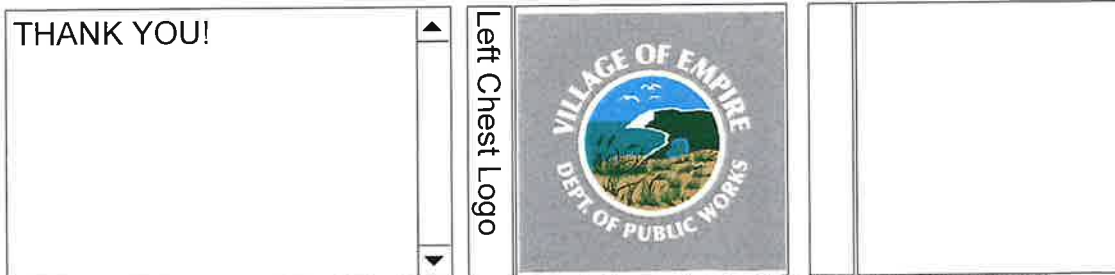
Sales Rep

Phone: 231-326-5466 Ext 402-201-4242 E-mail: s.palmer@villageofempire.com

ID	Description	Product Color	Size	Qty.	S	M	L	XL	2 XL	3 XL	4 XL	Qty.	Each
12-23 PC PRICING: (S-XL)													
64000	Gildan Softstyle T-Shirt	Sport Grey			1	1	1	1				4	16.45
64400	Gildan Softstyle L/S T-Shirt	Sport Grey			1	1	1	1				4	18.93
18600	Gildan - Full-Zip Hooded Sweatshirt	Dark Heather Grey			1	1	1	1				4	27.67
24 - 47 PC PRICING: (S-XL)													
64000	Gildan Softstyle T-Shirt	Sport Grey			1	1	1	1				4	13.48
64400	Gildan Softstyle L/S T-Shirt	Sport Grey			1	1	1	1				4	16.32
18600	Gildan - Full-Zip Hooded Sweatshirt	Dark Heather Grey			1	1	1	1				4	25.06
48-71 PC PRICING: (S-XL)													
64000	Gildan Softstyle T-Shirt	Sport Grey			1	1	1	1				4	12.52
64400	Gildan Softstyle L/S T-Shirt	Sport Grey			1	1	1	1				4	15.00
18600	Gildan - Full-Zip Hooded Sweatshirt	Dark Heather Grey			1	1	1	1				4	23.74
72-143 PC PRICING: (S-XL)													
64000	Gildan Softstyle T-Shirt	Sport Grey			1	1	1	1				4	11.81
64400	Gildan Softstyle L/S T-Shirt	Sport Grey			1	1	1	1				4	14.29
18600	Gildan - Full-Zip Hooded Sweatshirt	Dark Heather Grey			1	1	1	1				4	23.03
NO "Dept of Public Works" on 1 Full-Zip Hooded Sweatshirt													
APPLY TO LEFT CHEST ONLY SET UP - ONE TIME FEE													

Number of Print Colors:  Number of Stitches:  Total Units:   
 Front Back Right/S Left/S Front Back Right/S Left/S

Screens	
Press Setup	
Shipping	
Film	
Art	
Rush	
SET UP	30.00 25.00
Total	
Tax	
Total With Tax	
Deposit	
Balance	



All prepress work including but not limited to screens, art work, films and embroidery files are the property of Crafts Inc. Field Crafts Inc. will not be held responsible customer - supplied goods.  
 A finance charge of 1.5% per month (18%APR) will be assessed on unpaid balances beyond established terms.  
 If you are reviewing this as an estimate, please carefully look at all information in the estimate to insure it is accurate - this includes ink colors, locations, thread colors, products and sizes, as well as artwork and shipping information. Once approved, we cannot be held liable for any inaccuracies

Full Color Transfers

Prepared:	April 3, 2024	
Meeting:	April 11, 2024	
Subject:	Galerucella Beetles and Purple Loosestrife	Author: Maggie Bacon

**Overview:**

In 2023, the Village Council purchased several pots containing the Galerucella Beetle known to be an effective management tool for the invasive species of Purple Loosestrife. With the assistance of resident Steve Lewis, those pots were planted along South Bar Lake. This was done as a pilot project.

I am recommending an extension of the pilot for one more year (2024) to adequately gauge the effectiveness of the Galerucella Beetles on the Purple Loosestrife along the shore of South Bar Lake. '

The pricing per pot, delivered, has increased by \$125. Therefore, the recommendation is to purchase just two additional pots at \$325 per pot for pick up. Mr. Lewis has offered to assist the Village in picking up the pots. He has offered, once again, to coordinate the planting of the pots in July.

He will monitor the growth cycle this year of the Purple Loosestrife given the pots already planted. The plan, at this time, will be to allow those pots to continue offering a home to the beetles for next few years and evaluate their effectiveness.

Like most invasive plants on the Top 12 list for the Grand Traverse region, purple loosestrife forms monocultures that replace native plants in high quality natural areas, which in turn reduces critical food resources for birds, butterflies, and other wild creatures. Not only do purple loosestrife seeds germinate very rapidly, but purple loosestrife also grows faster than almost any wetland plant. This makes it very easy for it to out-compete native species.

When purple loosestrife enters an area, its stiff stems can collect debris such as silt (sedimentation). This can dry up a shallow water habitat and make it into a terrestrial area, destroying the habitat for native aquatic animals that have been living there. Furthermore, the stems of purple loosestrife are very unwelcoming to waterfowl and as a result waterfowl do not frequent areas with purple loosestrife.

The pots are typically available in early July. This was a budgeted item for 2024 and fulfills a continuing priority of ours to protect the land and water resources in the Village as listed in the 2019 Master Plan. Cost: \$650.00

**Action Requested:**

Council to provide additional questions or comments to research prior to regular meeting for action.





**WILDLIFE & WETLANDS**  
*Solutions*

5211 US 131  
South Boardman, MI 49680  
(231) 570-4215

<b>Dates of Contract:</b> 3/18/24-12/31/24
<b>DEQ Permit Required:</b>
<b>Aquatic Permit #:</b>
<b>Mowing Permit #:</b>

- Invasive Species Control Contract
- Planting or Seeding Contract
- Lake/Stream Restoration Contract
- Product Contract

**Customer Information**

<b>Name:</b>
<b>Mailing Address:</b>
<b>Mailing City, State, Zip:</b>
<b>Contact Phone:</b>
<b>Contact Email:</b>
<b>Treatment Address:</b>
<b>Treatment City, State, Zip:</b>
<b>Alternate Contact Name/Phone/Email:</b>

By signing this contract, Customer grants permission to Wildlife and Wetlands Solutions, LLC to access Customer's property to apply herbicide, mow invasive phragmites, and/or perform other services or provide products as necessary.

By signing this contract, Customer acknowledges and agrees that Wildlife and Wetlands Solutions, LLC has not made, does not make, and expressly disclaims any warranties, representations, covenants, or guarantees, either express or implied, whether arising by operation of law or otherwise, as to the merchantability, quantity, quality, environmental impact, suitability, or fitness for any particular purpose, or use, of its services rendered and products used in connection with this contract. Further, due to the unique nature of services rendered and products used in connection with this contract, Customer waives, releases, and/or holds harmless Wildlife and Wetlands Solutions, LLC, its members, agents, affiliates, employees, predecessors, successors and assigns, from any and all liability for any and all claims or causes of action relating to, or arising out of, its services rendered and products used in connection with this contract.

By signing this contract, Customer agrees to pay Wildlife and Wetlands Solutions, LLC a reasonable fee for its services or products, which shall be \_\_\_\_\_.

<b>Date:</b>
<b>Name:</b>
<b>Signature:</b>

**Invasive Species Control Contract**

Treatment of invasive plants can consist of herbicide application during the spring, summer or fall months depending on the targeted species along with mechanical methods including hand pulling and mowing. With regular management practices in place, invasive species can be controlled to an acceptable level, but will most likely never be eradicated. After initial treatments to control large areas of invasive species, annual or biannual spot treatment may be required to keep them from returning. You are able to cancel service anytime between the signing of this contract and the application period. Please contact Mikayla Leishman at 231-570-4215 if you wish to cancel service. If treatment has already begun or is underway, partial or full payment will be required.

**Planting and Seeding Contract**

During invasive species treatments, areas may become open land and require restoration or seeding to facilitate the removal of invasive species or to bring native species back to the area. These areas are to be maintained by the property owner unless specific maintenance of the planted material is arranged between Wildlife and Wetlands Solutions and the property owner.

**Lake/Stream Restoration Contract**

Lake/stream restoration is an important component of lake health, fisheries health, and water quality. Shoreline restoration can enhance property, allow lake or stream access, and promote or deter wildlife use (depending on owner needs) with proper planning and execution. Shoreline restoration involves permit applications, materials, labor, and plantings. This involves a large commitment from both Wildlife and Wetlands Solutions and the property owner. Half of the cost is paid before the project begins and the remainder 2-3 weeks after completion when restoration materials and plants have shown to be stable. Maintenance is an important part of a waterbody restoration. A maintenance agreement for up to two years will ensure the success of the project. Maintenance payments will be determined on a case-by-case basis.

**Product Contract**

Products will be procured and made available to the client as agreed upon.

**Consent for Electronic Notification**

I give my consent for electronic notification within 48 hours of treatment.

**Contract Price Tabulation:**

Item	Quantity	Cost	Total
Galerucella Beetle Pot-Picked up		\$325/pot	
Galerucella Beetle Pot-Delivered		\$400/pot	
<b>Beetle Pot Totals:</b>			

**Comments:** Beetles can be picked up from our office location at 5211 US 131, South Boardman, MI 49680. Beetles must be picked up, or will be delivered, within one day of the shipment's arrival from supplier (typically around the beginning of July).

Prepared:	April 8, 2024	Pages:1
Meeting:	April 11, 2024	Attachments: 2
Subject:	Garlic Mustard Bins	Author: Maggie Bacon

**Overview:**

For the last three years, the Village has rented a "rolloff" bin for the collection of garlic mustard (one of the area's top 10 invasive species) each spring. The smallest roll off available is 10 yards. The cost is \$575.00. The village receives a grant from Northwest Michigan Invasive Species Network of \$200 for this project every year reducing our price to \$375.00. This bin allows volunteers to collect the garlic mustard and discard it in the Village bin where it will be properly disposed of.

This invasive species releases chemical can inhibit the growth of other plant species. Some researchers believe that these compounds can also hinder beneficial soil fungi (mycorrhizal fungi) which help tree roots take up water and nutrients. It is a threat to the biodiversity of many native ecosystems. This plant spreads its seeds in the wind and gains a foothold in fields and forests by emerging earlier in spring than many native plants.

The request and case for the bin was made by a local landscaper who has seen, over the years, the population of this invasive species increase in Empire. In the last two years, we have seen growth in the use of the bin. This year, Northwest Michigan Invasive Species Network has offered to provide additional signage.

It is usually placed at the beginning of May for 5-6 weeks. This was a budgeted item for 2024 and fulfills a continuing priority of ours to protect the land and water resources in the Village.

**Action Requested:**

Council provide additional questions or comments to research prior to regular meeting.

## Village of Empire Deputy Clerk

---

**From:** Audrey Menninga <amenninga@habitatmatters.org>  
**Sent:** Wednesday, March 27, 2024 2:05 PM  
**To:** Village of Empire Deputy Clerk  
**Subject:** Re: Garlic Mustard Dumpsters

GFL \$575 dumpster rental (10 yard roll off)

Hi Alacia,

I just wanted to follow up with you about whether or not the Village of Empire would be interested in placing a garlic mustard dumpster again this year. If so, feel free to invoice me for the \$200 cost-share at any time! I can send along the signs to post on the dumpster as well if that would be helpful; please just let me know if you need us to print them off. Let me know if you have any questions!

On Wed, Feb 21, 2024 at 8:29 AM Audrey Menninga <amenninga@habitatmatters.org> wrote:  
Happy Wednesday!

You're receiving this email because your organization has hosted garlic mustard dumpsters in the past as part of our cost-share program. The great news is that we have the funding already available for this year's dumpsters! I'm reaching out to see if your organization would still be interested in hosting a dumpster. Our cost-share this year will still be the \$200 per usual - next year we're hoping to be able to offer a bit more as I know that rates have gone up in the past few years.

If you would still like to participate, please let me know! I'll get some social media together, get signs sent to you, and you can invoice us at any point for the \$200. Please also let me know what dates the dumpster will be on site, and if the location has changed at all. And also, please let me know if you have any questions! With the change of ISN becoming a nonprofit, we've moved locations and have different contact information (including a new email!), so please look at my email signature to find new phone numbers.

Thank you everyone!

--

-----

Audrey Menninga (she/her)  
Northwest Michigan Invasive Species Network  
ISN Director  
[3334 Veterans Dr, Unit A, Traverse City, MI 49684](mailto:amenninga@habitatmatters.org)

Typical office hours:  
M-Th: 7am-4pm  
F: 7am-12pm  
Cell: (231) 299-0786  
Office: (231) 252-4148



VC 4/11/2024

## Garlic mustard (*Alliaria petiolata*)

- See MISIN species profile
- Introduced to North America from Europe in 1868 by settlers as food and medicine.
- Learn more about ISN's efforts in garlic mustard treatment

### What problems does garlic mustard cause?

Like most invasive plants on the Top 20 list for the region, garlic mustard replaces native plants in high quality natural areas, which in turn reduces critical food resources for birds, butterflies, and other wildlife. In addition to physically crowding out native plants—especially spring ephemerals like trillium and violets—garlic mustard releases chemicals into the soil that hinder the growth of other plants. Furthermore, few native herbivores will eat garlic mustard, giving it a large competitive advantage over native plants. The replacement of native plants by garlic mustard can hinder forest regeneration by limiting tree seedling



Report Invasive  
Species

growth. Garlic mustard seeds are able to live in the soil for at least 7 years before sprouting.

### What does garlic mustard look like?

Garlic mustard is a biennial herb that usually grows to 2 to 3 feet when mature, though it spends its first growing season and the following winter as a small leafy rosette. Leaves are triangular or heart-shaped, and are roughly and irregularly toothed.

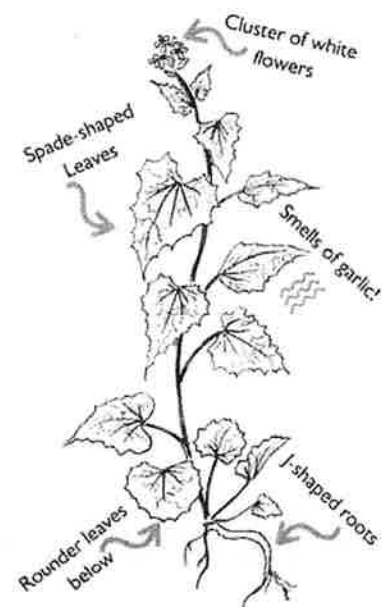
The second year stem is topped by clusters of small, white, 4-petaled flowers. All parts of the plant smell of garlic when crushed, especially early in the season. Adult plants die in midsummer, but persist as tall dead stalks with thin seed pods. Although tolerating a range of conditions, garlic mustard is most common in moist forest edges, open woods, and shaded roadsides.

### How do I manage garlic mustard?

Pulling garlic mustard is very effective in small populations. Take care to remove the root, and pulling should be done in early spring, before the plant goes to seed. Garlic mustard is an extremely hardy plant, and can re-sprout in a compost pile or if left out, and seeds can develop even if the plant was not flowering when pulled. Bag pulled plants, and send them to the landfill; this PDF explores a lot of garlic mustard disposal options, including landfill, animal feed, and human consumption! More garlic mustard recipes can be found here (compiled from various sources, including local business Still Grinning Kitchens). Larger populations may be managed through herbicide use; spraying is best done in early spring and late fall, when garlic mustard is one of the few green things, so there is little risk to native plants. After removal, it's a great idea to plant natives to help out-compete this invader!

**Garlic Mustard Dumpsters for FREE disposal of**

## Garlic Mustard: What to Look For



NORTHWEST MICHIGAN  
INVASIVE SPECIES NETWORK

Visit [www.HabitatMatters.org](http://www.HabitatMatters.org)  
to learn more!

## Village of Empire Deputy Clerk

---

**From:** Rodney Barnes <rdbarn1@gmail.com>  
**Sent:** Thursday, April 18, 2024 3:33 PM  
**To:** Sue Palmer; m.walton@villageofempire.com; Maggie Bacon;  
m.dye@villageofempire.com; t.rademacher@villageofempire.com;  
c.webb@villageofempire.com  
**Cc:** Robert Chase; Lewis Steve; linda lewis; Baker Trish; Weinheimer Carla;  
rdbarn@gmail.com; Alacia Acton  
**Subject:** Asset Based Community Development Committee Work

Dear Village Council:

At the April 11, 2024, Village Council Work Session, Trustee Bacon introduced an amendment to the meeting agenda to request funding for a “World Cafe” event to be hosted by the Asset Based Community Development (ABCD) committee. This unanticipated agenda item generated a lot of discussion, questions, and confusion among the Village Council; and it prematurely revealed draft planning and nomenclature (i.e., World Cafe) which the ABCD committee was not yet ready to publicly announce.

The purpose of this letter is to add clarity to the discussion and clear up any confusion about the work of the ABCD committee.

You may recall that the Village Council extended an open invitation and appointed interested citizens to an “Asset Mapping Task Force.” The Village Council understood Asset Based Community Development to be a strength-based approach (versus a deficit-based approach) to community engagement and development – that is, it is a methodology for *sustainable development* of the community based on its strengths and potentials (i.e., assets) versus an approach that focuses on identifying and servicing needs. Asset Based Community Development builds on the assets that are found in the community and mobilizes individuals, associations, and institutions to come together to realize and develop their strengths. It involves assessing the resources, skills, and experience available in the community and using the community’s own assets and resources as the basis for development; it empowers people of the community by encouraging them to use what they already possess.

The initial charge of the Asset Mapping Task Force was:

- Define community boundaries
- Identify and involve partners (partnerships to be developed in our next steps)
- Determine what type of assets to include
- List the assets of groups
- List the assets of individuals (yet to be developed in our next steps)

## Organize the assets

The Asset Mapping Task Force provided the Village Council a written report summarizing its findings and recommendations at the Village Council Regular Meeting held on December 14, 2023. Inspired by its findings, the Task Force committed to independently - as a citizen-led committee - continue its work towards developing an Asset Based Community Development model in the following areas:

- COLLECT STORIES - Stories are collections of the cultural capital of a community. The listening conversation can engage people's experience of successful activities that will help to uncover the gifts, skills, talents, and assets within the community. From the stories, what people care about and their motivations to act can be discovered. Importantly this form of inquiry does not diminish but reinforces citizens as the center of their community.
- BRING TOGETHER A CORE GROUP - From the stories, people will emerge who have shown commitment and leadership in the past or who are currently taking a leadership role. Next bring together a group of these committed individuals who are interested in exploring the community's assets, identifying opportunities, and leading developmental action. Engaged and motivated to act on what they care about, using their strengths and gifts, these individuals will open networks of relationships inside the community.
- MAP THE GIFTS, CAPACITIES AND ASSETS OF INDIVIDUALS, ASSOCIATIONS, AND LOCAL INSTITUTIONS - Citizens and their associations do the asset mapping so that they build new relationships, learn more about the contributions and talents of community members, identify connections that open opportunities and enable change.
- FIND AND ENGAGE CONNECTORS WHO CAN BUILD RELATIONSHIPS - Lasting change comes from within the community and local people who know what needs to change. Possibly the most vital step of Asset Based Community Development is encouraging the building of new relationships and strengthening and expanding existing ones. This is the heart of community building and will lead to the immeasurable benefit that communities protect and support what they create.

These activities are currently being discussed and planned by the ABCD committee, but not yet ready for public announcement or implementation. Our planned approach is to use The World Cafe ([www.theworldcafe.com](http://www.theworldcafe.com)) community conversation method which is designed to be a safe, welcoming environment in which to intentionally connect multiple ideas and perspectives on a topic (i.e., in this case: asset based community development) by engaging participants in one or more rounds of small-group table conversations. The following are seven design principles of a World Cafe we intend to follow to facilitate meaningful conversation for the purpose of positive change:

1. Clarify the Context – e.g., who should be part of the conversation, what themes or questions will be most pertinent, what sorts of harvest will be most useful...



2. Create Hospitable Space – one that feels safe and inviting: When people feel comfortable to be themselves, they do their most creative thinking, speaking, and listening.
3. Explore Questions that Matter – knowledge emerges in response to compelling questions: Explore a single question or use a progressively deeper line of inquiry through several conversational rounds.
4. Encourage Everyone’s Contribution – be aware of the importance of participation: Most people don’t only want to participate they want to actively contribute to making a difference.
5. Connect Diverse Perspectives – participants carry key ideas or themes to new tables, exchange perspectives and greatly enrich the possibility for surprising new insights.
6. Listen Together for Patterns and Insights – listening is a gift we give to one another: Through practicing shared listening and paying attention to themes, patterns, and insights, we begin to sense a connection to the larger whole.
7. Share Collective Discoveries - Conversations held at one table reflect a pattern of wholeness that connects with the conversations at the other tables. The last phase of the Café, often called the “harvest”, involves making this pattern of wholeness visible to everyone in a large group conversation.

Our hope is to invite Village residents to a World Cafe-type community conversation and share ideas as to how we might collectively make connections across neighborhoods, connect people with shared interests and connect with local community assets. (We intend to follow the World Cafe methodology, but we will adopt our own title for the event since the term “World Cafe” can be confusing for some people.)

As mentioned, the ABCD committee is still in the planning stages, so we respectfully request that the Village Council temporarily table the discussion of a World Cafe-type community conversation event and/or proposal for funding any such event until the Asset Base Community Development committee is ready to publicly announce the event and/or makes a formal request of the Village Council.

Thank you for your continued interest and partnership.

Respectively submitted,

Asset Based Community Development Committee

Rodney Barnes, Chair

Bob Chase

Steve Lewis

Linda Lewis

Trish Bacon

Carla Weinheimer

## **DPW Report - April 2024**

**Introduction:** Joey started on April 1st and has been adapting well. He's gaining experience with our equipment and brings a positive attitude and fresh perspectives to our team.

### **Beach Park Update:**

- Sand movement and cleaning of sidewalks and parking lots are ongoing.
- Complete sweep of all parking and sidewalks at the beach has been finished.
- Playground and volleyball areas have been replenished with sand.
- Bathrooms have been cleaned and are now fully open for the season, with hand sanitizers and air fresheners reinstalled.
- Final sweep and sand movement are scheduled for next week.
- Tables and benches installation to be completed by the first week of May.

### **Boat Ramp:**

- Boat ramp preparations are completed and installation is expected to be finished by the date of this meeting.
- Skip Harriger will assist with the installation.

### **Brush Pile:**

- Progress has been made on clearing the brush and leaf pile.
- Pine tree stumps at the ball diamonds have been removed.
- Raking and seeding will be done as time permits.

### **Shalda Park:**

- Met with Maggie, March, and Dallas from Gosling to discuss parking ideas in the park.

### **Water Department:**

- New backup generator is online and operational.
- Generac tested the generator with a full load for 4 hours and it performed well with plenty of reserve power.
- The generator is efficient; a 4-hour run only used about 1% of the propane tank.
- Warranty covered the damaged VFDs.

- The new generator transfer switch is designed to detect power abnormalities.

**Fuel Storage:**

- Crystal Flash reconsidered the cost of replacing our fuel tanks.
- New double-walled tanks (300 gal each for diesel and unleaded) will cost \$500 in total, including pumps, hoses, nozzles, vents, installation, and delivery. A base \$250 set fee per tank.
- Electrical hookup of pumps is our responsibility.
- One tank needs to be ordered as they have only one in stock.
- Installation could be done this spring.

**Conclusion:** While some details might have been missed, we remain available for any questions or clarifications.

Sincerely,  
John Friend  
Village Superintendent

---

Meeting: April 23, 2024 - Regular Meeting

---

Subject: Village Office Update

---

Author: Sue Palmer

---

**Overview:**

An update on the Closing and next steps for the new Village Office.

4/19/2024 - Closing

Roof Contractors

Plumbing Contractors

**Action Requested**

Request support for the next steps in this process.

Date: April 16, 2024	
For Meeting: April 23, 2025	
Topic: Zoning Amendment 4.06	Author: Maggie Bacon/Peter Schous PC Chair

**Overview:**

In December of 2023, Marc S. McKellar II from Kuhn and Rogers Law Offices attended the Planning Commission Meeting with a request to amend **Section 4.06 of the Village of Empire Zoning Ordinance**. This section refers to the Industrial District in the Village. The Planning Commission reviewed the request January and subsequently held a public hearing on February 6, 2024 (excerpt of the comments from the public hearing are attached). Following the public hearing, the proposed change was sent to the Village legal counsel. Legal counsel provided their opinion in April.

**Discussion:**

The proposed amendment (section 4.06.5) allows for compatibility in reviewing site plans or special land use permit applications for **combinations of uses**. It **does not introduce additional uses** but allows the combination of uses on a single property, thereby benefiting the community. This aligns seamlessly with the master plan and future zoning map.

The amendment fulfills the spirit of the master plan’s recommendation to accommodate existing activities and encourage additional light industrial endeavors. This includes wholesale and warehousing, research, laboratories, high-tech industries, light assembly operations, office space, and supporting commercial uses. This amendment allows for a mix of uses within the permitted space without compromising the Village’s authority or regulations.

Trustee Bacon requested that Planning Commissioner Schous attend the Village Council Meeting on April 23, 2024, to answer questions the Council may have regarding this amendment.

**Recommendation:**

Approve the amendment to Zoning Ordinance 4.06.

**Attachments:**

- Draft Zoning Ordinance amendment
- Excerpt from the Public Hearing (February 6, 2024)

Attachment One  
Zoning Ordinance as amended (DRAFT)

This is an amendment to the Zoning Ordinance, Section 4.06

THE VILLAGE OF EMPIRE AMENDS THE EMPIRE ZONING ORDINANCE  
EFFECTIVE [INSERT DATE] BY ADDING MIXED USES AS A PERMITTED / SPECIAL USE IN THE LIGHT  
INDUSTRIAL DISTRICT AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH"

I. Amend Section 4.06.2 - Permitted uses include:

6. Combination of uses, subject to Section 4.06.5

II. Amend Article 4, Section 406 to include a new subsection 5 as follows:

4.06.5 COMBINATION OF USES: In the review of site plans, and/or special land use permit applications for uses involving combinations of uses otherwise permitted by right or by special land use approval in the LI district, the planning commission shall find that all such uses be mutually compatible with one another and the all-special use standards applicable to any such component use in a combined land use shall be met for that component use. However, recognizing the potential unnecessary duplication of parking requirements for each use, the planning commission may reduce the overall parking requirement on the parcel by up to 25% if they are satisfied with the sufficiency of the parking at the reduced amount proposed by the applicant.

This amendment shall be effective at 12:01 am on the eighth day following its publication in accordance with the law.

Bacon 4/23/2024

[This is how Section 4.06 will appear in the Zoning Ordinance [minus the green highlight]

## **Section 4.06 Light Industrial District (LI)**

The following provisions shall apply to the Light Industrial District (LI).

### **Section 4.06.1 - Intent**

The Light Industrial District is designed to primarily accommodate wholesale activities, warehouses and other medium scale business and other industrial operations whose external physical effects are restricted to this district and do not affect in a detrimental way any of the surrounding districts. The Light Industrial District is so structured as to permit, along with any specified uses, the manufacturing, compounding, processing, packaging, assembly and/or treatment of finished or semi-finished products from previously prepared material.

### **Section 4.06.2 - Permitted Uses**

1. Food processing and packaging
2. Contractor facilities
3. Public utility buildings without storage yards
4. Public parks, playgrounds and recreation facilities
5. Accessory buildings and uses customarily incidental to the above permitted uses
6. Combination of Uses - Subject to Section 4.06.5

### **Section 4.06.3 – Uses Subject to Special Use Permit**

Special approval use of lands and premises, and the erection and use of buildings and structures shall, after the effective date of this Ordinance, be limited to the following uses and shall be subject to the provisions of **Article 6 - Uses Subject to Special Use Permit** and the applicable portions of **Article 7 - Supplemental Site Development Standards**.

1. Production, processing, assembly, manufacturing or packaging of goods or materials such as facilities may include testing, repair, storage, distribution and sale of such products.
2. Warehouses and storage buildings, but not including commercial bulk storage of flammable liquids and gases
3. Contractor's equipment storage yard
4. Machine shop
5. Public utility buildings with outside storage yards
6. Vehicle, boat or recreational vehicle repair facilities
7. Planned Unit Development
8. Sexually oriented business
9. Telecommunication towers and facilities
10. Commercial wind turbine generators
11. Accessory buildings and uses customarily incidental to the above special uses

Baon 4/23/2024



**Section 4.06.4 – Dimensional Requirements** Structures and uses in the Light Industrial District are subject to the area, height, bulk and placement requirements in **Section 4.10 - Schedule of Regulations**

**4.06.5 COMBINATION OF USES:** In the review of site plans, and/or special land use permit applications for uses involving combinations of uses otherwise permitted by right or by special land use approval in the LI district, the planning commission shall find that all such uses be mutually compatible with one another and the all-special use standards applicable to any such component use in a combined land use shall be met for that component use. However, recognizing the potential unnecessary duplication of parking requirements for each use, the planning commission may reduce the overall parking requirement on the parcel by up to 25% if they are satisfied with the sufficiency of the parking at the reduced amount proposed by the applicant.

Ben 4/23/2024

Attachment Two:

Excerpt from the Public Hearing held February 6, 2024

**EMPIRE VILLAGE PLANNING COMMISSION PUBLIC HEARING AND REGULAR MEETING  
MINUTES THURSDAY, FEBRUARY 06, 2024**

The Empire Village Planning Commission held a special meeting on Thursday, February 06, 2024, in the Empire Township Hall.

Schous opened the hearing at 7:00 PM.

**ZONING ORDINANCE TEXT AMENDMENT PUBLIC HEARING**

Attorney Marc McKellar, representing TC Vision, LLC (Cherry Republic), summarized the zoning ordinance text amendment proposal of the Light Industrial District.

Karen Baja inquired if the purpose of the amendment could be accomplished by going to the Zoning Board of Appeals. McKellar responded that use variances are not allowed. Baja asked if the Planning Commission will be sending the amendment to the Village Attorney.

Tim Barr asked about the type of expansion and if there will be increased parking and cars. McKellar responded the expansion will require more employees and operations, consisting mostly of more storage and refrigeration.

Chair Schous reminded the audience that the hearing is specifically for consideration of a text amendment and there will be a chance to review the expansion project during site plan review.

Laurel Voran asked if the request was denied, where would the expansion occur, and inquired about the empty land on the Cherry Republic parcel to the north. McKellar stated that TC Vision, LLC would illuminate the self-storage and build in its place.

John Collins inquired about creating a new zoning district instead of changing the current text in the Light Industrial District. McKellar's concern was the length of time it would take to amend the zoning map, create new language for an entirely new district and the requirement to hold more public hearings.

Laurel Voran expressed concerns about the additional activity, sounds, and smells packed into a small space and the implications that will have on the surrounding residential neighbors.

Schous closed the public hearing at 7:26 PM.

ROLL CALL –Bacon, Chase, Collins, Deering, Schous, and Ford present. Ellibee was excused. Zoning Administrator Hall was not in attendance.

Bacon 4/23/2024

## Village of Empire Deputy Clerk

---

**From:** Timothy J. Figura <TFigura@mikameyers.com>  
**Sent:** Thursday, March 21, 2024 5:34 PM  
**To:** Sue Palmer  
**Cc:** Derith Smith; Alacia Acton; 'Bob Hall'; Richard M. Wilson  
**Subject:** Zoning Ordinance Amendment regarding combined uses in the Light Industrial District  
**Attachments:** proposed zoning ordinance amendment regarding 'combination of uses' (03443303x9ED46).pdf

Sue,

I have had a chance to review the zoning ordinance amendment proposed by TC Vision LLC. TC Vision is the owner of the only two Light Industrial zoned parcels in the Village. This amendment would not add additional uses, but would allow for combinations of uses that are already allowed in the district. By allowing multiple uses to be approved for a parcel, I believe that the amendment is intended to allow parcels 719-024-10 and 719-024-05 to be combined to a single parcel. Allowing combined uses in this manner is uncommon, but I believe that it can be a sensible approach to provide flexibility for landowners.

### Mixed uses

Provisions for mixed-use developments usually combine residential and commercial uses. This is also true with planned unit developments which are similarly allowed to mix commercial and residential uses. The “combination of uses” provision differs from a “mixed use” since it simply allows for additional light industrial uses on a parcel. So long as the aggregate affects of the combines used are deemed appropriate by the planning commission, the combination of uses seems to be fair and appropriate.

### Combined Uses under 4.06.2

By placing combined uses under 4.06.2, a “combination of uses” would be a use permitted by right. Since 4.06.5 would further provide that the underlying approval (site plan review/ special land use permit) applies to combined uses, it is not appropriate to list “combination of uses” as permitted by right. A use by right is subject site plan review and is not reviewed for compatibility with uses on neighboring parcels. Consideration of combined uses by right under this amendment would require that the planning commission find that the uses are *mutually compatible with one another*, but it would not require compatibility with neighboring uses.

### Recommendation to move “Combinations of uses” to 4.06.3

In order to carry out the intent of the proposed 4.06.5, I recommend that the “combination of uses” be moved from “permitted uses” to “uses subject to special use permit”. Further, I recommend requiring that a combination of uses be considered in *aggregate* instead of treating each permitted use separately. In return for providing flexibility, the total effect of the combines uses should be considered by the planning commission.

I have provided a modified draft with additions in green and deletions in red. If the Village wishes to allow uses to be combined in this manner, I recommend adoption with these suggested changes.

**Timothy J. Figura**



**From:** "Marc S. McKellar II" <msm@kuhnrogers.com>

**Date:** April 2, 2024 at 6:08:47 PM EDT

**To:** pieter schous <pjschous@yahoo.com>

**Subject: RE: Zoning Ordinance Amendment regarding combined uses in the Light Industrial District**

Peter,

No worries. I have reviewed this. If his intention was to make it so uses by right were still approved administratively, but that the PC would have to make one determination, "are the uses by right compatible with each other". I understand the concept in theory, but not only does it add an additional process, cost and time, the devil is in the details in practice.

As the proposed language provides, it would require that the use by right would have to meet article 6 special use requirements. I see the use language that says "applicable" but there is no language to say what's applicable or not. Further, compatibility of uses by right on sight isn't provided for in article 6 so what is applicable, I would argue that as written, all of article 6 is. Which is obviously an issue, because it makes all uses, even by right, go through the special use process.

Further, uses by right are considered compatible to neighboring parcels by the very existence of them identified as uses by right. That is why a use by right applicant doesn't have to prove the use is compatible with the neighboring parcel. It's deemed compatible under the law. So, what purpose at all is it to have the parcel owner prove that their uses are compatible on their own property, that seems odd at best. As proposed an owner doesn't have to worry about proving its compatibility to the neighbors but does to itself? And if so, why even go through such a process. Most importantly, the ordinance must provide context to a requirement, here there is no definition or guidance of what is considered "compatible for combined uses by right". So how would an owner go about proving that it's compatible.

And frankly uses by right could subjectively not be "compatible" or maybe they are "compatible".

I would ask that the language not be changed, from what we proposed. The use by right language we use is appropriate and provides that it is further subject to special use review for any special use that is considered in the combination of uses. The only justification for it being moved by Mr. Figura is the need to have the PC determine if the uses by right are compatible with itself and not neighbors. For the reasons above I can't see a legal reason that needs to be required. That seems like a planning process and I'm uncertain in practice how that would even proceed.

I have to apologize for the late response and my inability to attend the meeting tonight, I was just made aware of it this afternoon. However, I would request that if you are going to move forward with the original language that we would support it going forward tonight. However, if there is consideration that the proposed language from Mr. Figura is going to be required, I would ask that the decision be postponed until we have an opportunity to present and meaningfully participate at a PC meeting. Further, I believe that changing the use from a use by right to special use would be a material change and would require that it go back to the county. Given our timeline to get moving and that I had, and maybe mistakenly, thought legal review was going to be to legal concepts and

not planning ones, I would again ask that the original language be recommended and sent to the village counsel for their approval.

Best regards,

**Marc S. McKellar II**  
4033 Eastern Sky Drive  
Traverse City, MI 49684  
(231) 947-7900 Reception  
(231) 941-5154 Fax  
[msm@kuhnrogers.com](mailto:msm@kuhnrogers.com)

Prepared:	April 3, 2024	Pages:1
Meeting:	April 11, 2024	Attachments:
Subject:	Beach and Front Street Striping	Author: Maggie Bacon

**Overview:**

Due to sand, wind and use, the parking lanes (regular and handicapped), the fog lines, driving direction arrows and cross walks require repainting. Repainting parking designations and some cross walks is also needed for Front Street. The request for a quote includes new stop bars in 2 locations (Niagara and Lake; Union and Front).

This is an outsourced activity to ensure road and parking lots are well swept JUST PRIOR to laying the paint. This can extend the life of the paint. The contractor will be using waterborne paint which is a “spec book” material approved by the Michigan Department of Transportation. It can be applied between May 1st and October 15th when the ambient temperature is 50 degrees or higher. Standard placement is at a film thickness of 15 mils. Dry time varies with temperature and humidity but is generally only a matter of minutes. *Night application is not feasible due to the moisture present.*

**(Of note: State Highway Intersections:** MDOT maintains the stop bar and crosswalk markings at M-22 and M-72. Every year, approximately 85 percent of the long line markings on MDOT roads are restriped, totaling nearly 150 million feet of material. In addition, approximately 25 percent of special markings on MDOT roads are replaced each year. The M-22/M-72 intersection is on their list for this year.)

The quote is from Grand Traverse Sealcoating and Striping for \$5,606.00. This is a repair and maintenance budgeted item that reflects the responsibility of the Village government to provide for the safety of pedestrians and vehicular traffic in the Village.

**Action Requested:**

Council to submit questions or comments requiring research prior to regular meeting.

**Addendum:**

**Stop Bar Markings** indicate the point behind which vehicles are required to stop in compliance with a traffic control signal. They are often used in conjunction with stop signs, but it is not MDOT standard to do so unless an intersection requires additional emphasis.

**On-Street Parking Markings** delineate vehicle parking spaces along the sides of a through roadway. The most common layout for the parking spaces is parallel parking, where the vehicles remain facing in the direction of thru traffic.

**Parking Area** pavement markings are 4-inch wide markings that define parking stalls and buffers in a parking area. Parking area markings are done with waterborne and are unique in that they do not require glass beads, and therefore are not retroreflective.



# QUOTE #878

SENT ON:  
Jan 31, 2024

**RECIPIENT:**

**Village of Empire**

11518 s Lacore  
po box 253  
Empire, mi 49630

**SENDER:**

**Grand Traverse Sealcoating & Striping**

18250 Carcajou Trail  
Lake Ann, Michigan 49650

Phone: (231) 944-9713  
Email: keith@misealcoating.com  
Website: www.GrandTraverseSealcoating.com

**SERVICE ADDRESS:**

11518 s Lacore  
po box 253  
Empire, mi 49630

Product/Service	Description	Qty.	Total
Line Striping and Markings	Parking Lot Striping -Beach   Side Streets 8 Handicap Stalls   Blue 8 Handicap Grids   Blue 191 Parking Stalls   White 28 Crosswalk Bars   White 8 Straight Arrows   White 17 Grids   White 6 Double coat Crosswalk Lines   White 2,300 Ft - Fog Line   White 3 New Stop Bars   White	270	\$5,606.00*

**Total** **\$5,606.00**

\* Non-taxable

\*Accepted Payment Methods\*

Credit Card | Bank Transfer | Check | Cash

Thank you for the opportunity. We look forward to working with you on your project. Please let us know if you have any questions!

Terms | Final payment is to be made upon completion. 24% per annum will be charged on past due invoices over 30 days. All material is guaranteed as

---

Meeting:	March 26, 2024
Subject:	Purchase a Computer for Village Council
Author:	Sue Palmer

---

**Overview:**

In several villages and municipalities, it is customary for the village to provide computers for Village Council members. This is a way to ensure that all business of the village is conducted on these computers and available for any FOIA requests.

I have received an estimate from Dennis Ray, Accucomp Computer Service, for one laptop, installed with all the applications needed to complete Village business. The order is for the laptop, carrying case, Microsoft Office and a wireless mouse.

**Action Requested:**

I would like a motion to purchase a laptop for the Village Council at a cost not to exceed \$900.

The estimate for this purchase is attached.



# Accucomp Computer Service

## Quotation

Quote 996  
Date of Quote 2/6/2024

Quote Village Of Empire  
Derith Smith (231) 326-5466  
Prepare 11518 S LaCore St  
d For Empire, MI 49630

### HP 15.5 screen, INTEL i5 cpu

<u>Part #</u>	<u>Description</u>	<u>Qty</u>	<u>Price</u>	<u>Extended</u>
012105	HP Business pro notebook, 15.5 screen., Intel i5 CPU, 12 gigabytes main memory	1	\$695.00	\$695.00
060603	500 gigabyte Solid state hard drive, windows 10 pro, carrying case	1	\$35.00	\$35.00
011702	Microsoft Office	1	\$120.00	\$120.00
021803-1	wireless mouse	1	\$24.00	\$24.00
<b>Total Items</b>				<b>\$874.00</b>
<b>Total</b>				<b>\$0.00</b>
<b>Tax Exempt Sale</b>				<b>\$0.00</b>
<b>Quote Total</b>				<b>\$874.00</b>

**75% DOWNPAYMENT IS EXPECTED WITH ORDER / PRICES ARE GOOD FOR 30 DAYS**  
8702 Reynolds Rd Traverse City Michigan 49684

dgr@charter.net www.accucompcomputers.com  
8702 Reynolds Road, Traverse City, Michigan 49684 (231) 941-4217  
Licensed to: Accu-Comp Computers

---

Meeting: April 11, 2024 - Regular Meeting

---

**Subject:** 2024 Road Closure Application  
**Author:** Sue Palmer

---

**Overview:**

A request for the Empire Chamber of Commerce has been received by our Zoning Administrator. They are requesting road closures for their events throughout 2024. See the attached request.

**Action Requested**

Review and discuss the road closures requested. Prepare for approval at our March Regular meeting on April 23, 2024.

Empire Chamber of Commerce.

31<sup>st</sup> March 2024

Dear Village Council Members.

The Empire Chamber of Commerce would appreciate the Empire Village Council granting the following street closures via a motion. This will enable the Chamber to promote its 2024 Festival Schedule in the coming months.

The Empire Asparagus Festival

Closure of Front Street from noon Friday 31<sup>st</sup> May 2024 through to noon Sunday 2nd June 2024  
To enable sufficient time to erect tents fences and other essential infrastructure.

Empire Hill Climb Revival

Closure of Wilco/Lake Street from Washington to the Village Limit 10 am thru 4pm Friday 20th September 2024 for the purpose of setting up timing equipment, reason of safety.

Closure of Front Street from 8am Saturday 21st September 2024 until 6pm. To include from Union St to just East of The Secret Garden on Front St.

Closure of Lake Street / Wilco Rd is requested from 8.00am thru 6pm on Saturday ~~20th~~ 21<sup>st</sup> September 2024. From the Junction of Pitch Apple Lane to the Village limit.

Empire Hops Festival

Closure of Front Street from noon Friday 4th October 2024 through to noon Sunday 6th October 2024

I'm sure the members of the Village Council are fully aware that the Chamber relies completely on these events to raise the revenues needed to operate the Chamber on a day to day basis.

Yours Sincerely

Paul W Skinner  
Chamber President

Prepared:	April 3, 2024	
Meeting:	April 11, 2024	
Subject:	Storm Water Run Off Remediation Proposals Lake and Niagara	Author: Maggie Bacon

**Overview:**

During a recent water quality report review from Dr. Chris Grobbel, the Village Council received several recommendations. The first was to clear out the storm drains at least 3 times per year (with a suggestion that 4 times a year would be ideal). The DPW Superintendent has reported 3 clean-outs are on his schedule.

The second was to take action to build a series of bioswales along the creek at Lake and Niagara where the creek flows into South Bar Lake. Bioswales are landscape features that collect polluted stormwater runoff, soak it into the ground, and filter out pollution. Bioswales are like rain gardens but are designed to capture much more runoff coming from larger areas of impervious surfaces like streets and parking lots.

Dr. Grobbel, at the request of the President of the South Bar Lake Association, John Collins, provided a proposal for **the design** of the bioswale project. Dr. Grobbel has been responsible for most, if not all of the South Bar Lake water testing in the Village since 2016. He has recently completed the plan for the Wilco Road storm water run-off along with our Village Engineers.

Mr. Steve Lewis, also with the South Bar Lake Association, requested a second proposal from a firm in Cedar called Inhabitect. As you will see in their proposal, Inhabitect has worked with large and small projects throughout the area. They were recommended as a resource by Ms. Tricia Denton, who is the Chair of Leelanau Clean Water and the Administrator Coordinator for the Glen Lake Association.

These two proposals are for the design phase only. This was not a budgeted item for 2024. It does address the monitoring and remediating water quality issues as priority of water quality identified by Village residents in the Master Plan.

**Action Requested:**

Council to provide additional questions or comments to research prior to regular meeting for action.



Grobbel Environmental & Planning Associates  
PO Box 58 Lake Leelanau Michigan 49653

March 14, 2023

Village Council, c/o Sue Palmer, President  
Village of Empire  
11518 S. LaCore St.  
Empire, MI 49630-0253

**RE: Proposal for Constructed Wetland Design, Engineering & Permitting/South Bar Lake  
Village of Empire, Leelanau County, Michigan.**

Dear Empire Village Council,

Per your request, Grobbel Environmental & Planning Associates is pleased to provide this proposal for environmental consulting services for the constructed wetland design, engineering, and permitting for stormwater treatment down-gradient of the intersection of Lake & Niagara Streets in accordance with Michigan Department of Environment, Great Lakes and Energy (EGLE) and U.S. Environmental Protection Agency methods and protocols.

This proposal is based on standard rates for contracting the professional services of Grobbel Environmental and Planning Associates, as outlined in Attachment A. This contract shall **not exceed the amount of \$9,950.00.**

*If you wish Grobbel Environmental & Planning Associates to undertake this work, please complete the enclosed authorization form and return it with a \$5,000.00 down-payment/retainer to us via email - also please keep a copy for your files.*

If you have any questions regarding this estimate, please contact me at 231-499-7165 or grobbelenvironmental@gmail.com.

Sincerely,  
**Grobbel Environmental & Planning Associates**

Christopher P. Grobbel, Ph.D.  
Sr. Project Manager

enclosures

**ATTACHMENT A**

**PROPOSAL FOR**

**Constructed Wetland Design  
Engineering & Permitting/South Bar Lake  
Village of Empire, Leelanau County, Michigan.**

**1) Constructed Wetland Design & Engineering**

Soil and hydrogeology analysis, stormwater flow modeling, PE-review and elevational surveying.

Professional consulting services \$7,500.00

**2) EGLE & Leelanau County SESC Permitting**

Preparation & submission of state and local permitting (application fees paid directly by the Village of Empire, et al. to the state and county agency).

Professional consulting services \$2,450.00

**GRAND TOTAL (not to exceed) \$9,950.00**

Inhabitect - Full proposal in WS packet  
4/11



## DESIGN & WORK PROGRAM

Inhabitect is focused on designing, building and growing all forms of green stormwater infrastructure. This is a perfect project for our team and we are offering full scale design-build services, project management and post-installation service to the Village of Empire. There are many benefits to working with a design-build firm and we hope you agree.

We have outlined our proposed process and methodology below to ensure this projects success. Each of these stages includes all necessary travel and meetings that will be needed to complete the design and consulting phase of the project. We will rebate 20% of the design fee if we are also hired to install this GSI. We are ready to get started!

### **Site Inventory & Analysis - (\$ 3,150.00)**

This scope allows for our team to get a good understanding of what is existing on the site. We will get a better understanding of the landscape, take photos and measurements, and gather data about surrounding properties. Inhabitect will fly our lidar equipped drone to get an understanding of the topography of the area which is vital in designing stormwater plans. We will also perform stormwater calculations to determine run off rates, volume and frequencies. Understanding these calculations will allow us to properly size bioswales, catch basins, and drains.

### **Conceptual Stormwater Plan - (\$ 3,050.00)**

Using what we have learned from our analysis, a conceptual drainage plan will be developed. The plan will call out elevation points including invert in and invert out, top of catch basins, high points of swales etc. Detailed drawings will be developed to clearly showcase our solution.

### **Bioswale Planting Plans - (\$ 1,625.00)**

Inhabitect uses and specs plant species native to Michigan. In this scope we are selecting from those native species and thoughtfully arranging based upon, color, size, texture, and bloom time. We strive for four seasons of interest and an acceptable maintenance routine in our planting design.



## **DESIGN & WORK PROGRAM - CONTINUED**

### **Plan Reviews, Meetings and Edits - (\$ 1,400.00)**

We intend on providing one meeting for review prior to completion of the design phase. This allows for stakeholder input at a critical point in the design phase. Upon completion of this review meeting, our team will make the necessary edits/changes to the drawing. At this stage these edits shall be fairly minor to address, should major edits or re-design be necessary, a change order will be presented and accepted before work continues.

### **Project Cost Estimation - (\$ 500.00)**

In order to plan for and meeting budgets, our team will manage the estimation process for the construction phase of the project. Current and updated pricing will be used however these are subject to change based availability in Brimley. Should a material greatly exceed the estimated cost at the time of construction, a change order will be presented and accepted before work continues.

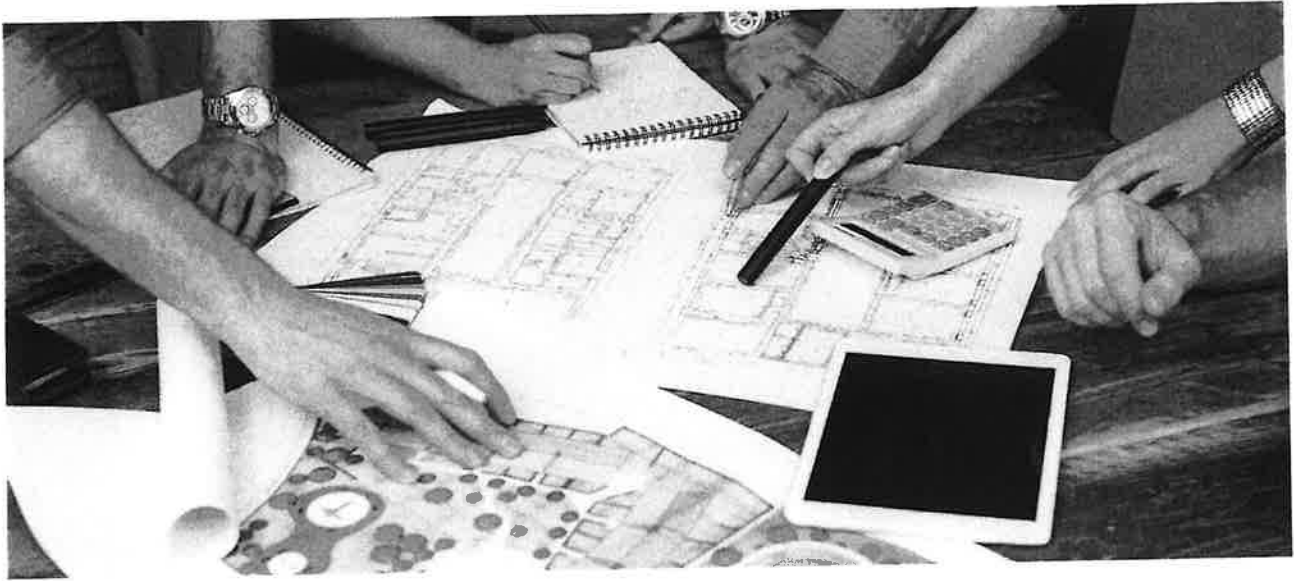
### **Project Handoff Meeting - (\$ 650.00)**

Here at Inhabitect we are focused on Designing, Building, Growing success projects. An essential step in success in handing the project from our Design Team to our Construction team. This meeting will be on site with the project manager, designer, and Village stakeholders prior to the start of Construction.

## **TOTAL ESTIMATED COST = \$10,375.00\***

\*If Inhabitect is selected to design this project and also does the installation 20% of the design fee (\$2,075.00) will be rebated after the installation contract is complete.





## **PROJECT TIMELINE AND SCHEDULE**

Inhabitect has the ability to get started with this project within 1-weeks of receiving the contract. The estimated time line for the entire scope of work is outlined below and can be adjusted to meet the needs of the Village of Empire. Our timeline is fairly aggressive to ensure our onsite work is completed before the 2024 winter begins.

- Initial Site Visit and Meeting with Stakeholders: April 2024
- Inventory and Analysis Phase: Early to Mid April 2024
- Stormwater Drainage Plan: May 2024
- Planting Plan: May 2024
- Final Construction Documents Complete: May 2024
- Project Handoff Meeting: June 2024
- Permitting process begins: June 2024
- Project installation: September or October 2024

## **STANDARD BILLING RATES & FEES**

- Senior Designer/Consultant Billing Rate/Fee ..... \$115.00/hr
- Junior Designer/Consultant Billing Rate/Fee ..... \$95.00/hr
- Administrative Billing Rate/Fee ..... \$75.00/hr
- Managing 3rd Party Consultants ..... Cost plus 20%
- Mileage ..... Current Federal Rate
- Expenses ..... Cost plus 20%

Date: April 16, 2024	
For Meeting: April 23, 2025	
Topic: Sidewalk Quotes	Author: Maggie Bacon/John Friend

**Overview:**

Sidewalks in the Village that are raised 1.5 inches or higher were selected for replacement. In addition, a few areas were identified as being good candidates for grinding.

**Discussion:**

Four companies were given the opportunity to quote on the project. Each were given a list of along with a map. They were accompanied around the Village. Three ultimately provided a quote.

Concrete Details

TD Masonry and Concrete

A+ Concrete

**A+ Concrete** quote lacked specificity. They made no mention of the replace process or how materials would be removed from the work site. Even the square footage was off.

**Concrete Details and TD Masonry and Concrete**

- Spent significant time measuring and evaluating each location.
- Will remove and haul away the old concrete.
- Will provide a discount (about \$500 off price) if we allow them to haul to our site outside of town.
- 3 references were checked. All positive.

TD Masonry and Concrete: 4” thick with 3500 psi concrete with 6x6 welder wire reinforcement. They specify the number of ‘grinds’ (approximately 15) they would include. They come in under budget (19,477). They could begin work immediately (2-3 weeks).

Concrete Details: 4” thick broom finish concrete, hand cut. Poured with a 4,000-psi exterior mix with crushed stone and fiber mesh reinforcement. They were not specific about grinds but had identified several that they would grind “while they were here”. They are \$1,000 over budget but would work with us to meet the budget of \$20,000. They would not be able to start work until July.

**Action Needed**

Select contractor.

**Attachments:**

3 Quotes

## Village of Empire – Sidewalk Quote

### 2024 Scope of Work:

Sidewalk replacement along Niagara, Wilce, Lake, Ontario, Pokagon, Erie, Front and LaRue Streets

Estimated 2,182 square feet of sidewalks needs replacement due to significant breakage or noncompliance with ADA requirements.

#### **Niagara Street**

10176 – 10166 (Between the two houses)

10120 Niagara

At Corner of Lake and LaRue

By sign near new sidewalk

Hill toward Beach (2 trees up from where the bench pad is located)

#### **Wilce Street (Old Empire)**

10201 Wilce

10115 Wilce

10071 Wilce

#### **Lake Street:**

11908 Lake Street

11874 Lake Street

11842 Lake Street

11829 Lake Street

11809 Lake Street

11709 Lake Street (at Niagara)

#### **Ontario Street (New Neighborhood)**

11852 Ontario

11866 Ontario

#### **Wilce (New Neighborhood)**

9832 Wilce

9888 Wilce

9902 Wilce

9944 Wilce

#### **Pokagon (New Neighborhood)**

11915 Pokagon

11909 Pokagon

11907 Pokagon

Baer 4/23/24

11873 Pokagon

**Erie Street (New Neighborhood)**

11765 Erie

11875 Erie

**Front Street**

10126 (Miser Hoard)

10196 Front Street

10046 Front Street

10135 Front Street

**LaRue Street** (side street off Front by Huntington Bank)  
Next to Huntington Bank (north of drinking fountain)

Quote may be sent to:

[dpw@villageofempire.com](mailto:dpw@villageofempire.com) (John Friend, DPW Superintendent)

[m.bacon@villageofempire.com](mailto:m.bacon@villageofempire.com) (Maggie Bacon, Street Administrator)

Bacon 4/22/2024

# TD Masonry & Concrete LLC ESTIMATE

FORM 06-4110091



TD Masonry & Concrete LLC

Property Owner / Client Information		Contractors Information	
Name	John Friend, Maggie Bacon	Company	TD Masonry & Concrete, LLC
Address	Village of Empire	Name	Tom Durga
City, State ZIP		Address	PO Box 292
Phone	m.bacon@village of empire.com	City, State ZIP	Kingsley, MI 49646
Email	dpw@villageofempire.com	Phone	(231) 313-4138
Project name	Empire sidewalks	Email	TDMasonry.concrete@gmail.com
Estimate Date	12 April 2024	Completion date	_____

## Scope of Work & Company Proposal & Materials

(TYPE OF JOB) Details of job , materials to be used, etc . ) For The Village of Empire/ John Friend, DPW Superintendent & Maggie Bacon, Street Administrator: Demo and dispose of approximately 35-5'x5' sections of sidewalk and re pour 4" thick with a 3500 psi concrete with a 6x6 welded wire reinforcement Grind approximately 15 locations of sidewalk to eliminate a trip hazard Total cost for this project as quoted is **\$19,477.00**

This project requires a downpayment of 50% and the remainder is due and payable immediately upon completion of the job. We can be contacted at TDurga Masonry & Concrete, LLC, PO Box 292, Kingsley Mi 49649 (231) 313-4138 THANK YOU!

## Not Included

Only the work listed in the "Scope" above are included in this bid. Unless specifically addressed herein, any other work performed is not included in this bid, unless accompanied by an approved change order. This document is a final breakdown of estimated costs and expenses, and constitutes your written estimate unless other arrangements were previously agreed upon in writing.

**RECEIPT FOR PAYMENT RECEIVED** TD Masonry Representative *TD*

In consideration of the agreement above, Payment has been received in the amount of \$ \_\_\_\_\_ as  
 DEPOSIT  FINAL PAYMENT/IN FULL on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

**AMOUNT DUE NOW: \$ \_\_\_\_\_ Please pay from this invoice.**

Tom Durga, DBA TD Masonry & Concrete LLC *Tom Durga*  
 Submitted by (Company Representative) Date APRIL 9, 2024

**Owner Acceptance**

By my signature below, I attest that I am the owner of the property described above, (or an authorized agent of the owner and empowered to solicit this bid), have requested TD Masonry & Concrete LLC to provide this service and certify that the scope of work described above accurately reflects those services requested & that I agree to make the required payment(s) according to this contract. If this is a final payment, I am fully satisfied with the services that have been provided.

Submitted by (property owner or authorized representative) \_\_\_\_\_ Date \_\_\_\_\_

*Bacon 4/23/2024*



Mark Odziana | Owner

Proposal submitted to: Village of Empire    Email Address: [m.bacon@village of empire.com](mailto:m.bacon@villageofempire.com)    Phone Number:

Date: 04-07-2024

Job Location: Empire

We hereby submit specifications and *estimates* per unit –Lineal foot/sq. foot - pricing for:

Exteriors - To be broom finished and poured with a 4,000-psi exterior mix with crushed stone and fiber mesh reinforcement. Removal and replacement of city sidewalks, concrete to be removed and hauled off site, to be replace with 4" thick broom finish concrete, hand cut. Allowance of 2,182 sq. feet - **\$21,820.00**

**Grand Total - \$21,820.00**

**Note:** Exterior concrete work is a estimated allowance more or less work may apply. \$6.50 + per square foot is our going rate for broomed concrete work. Exterior concrete work will be billed according to final square footage that is poured. \$1,800.00 minimum is applied here. Please inquire about our decorative concrete work if wanted.

**Please advise** - Pump truck maybe needed for hard-to-reach exterior back of house concrete pours porch tops/patios this cost is not always included in above exterior pricing (\$900.00). \$1,800.00 minimum on all pours unless able to piggy back loads.

231-645-4003 / Lake Ann, MI / [concretedetails@yahoo.com](mailto:concretedetails@yahoo.com)  
Decorative Patios and Sidewalks, Broomed and Trowled Concrete, Driveways & All Flatwork

Bacon 4/23/24

\*\*\*Please review lower section for sealer, decorative concrete and 6 mil plastic information, payment terms, possibly wanted upgrades, extra costs and sub grade expectations pending the time of year.

\*Basic subgrade prep work, drain installs with one perforated drain pipe per drain, form work, materials/supplies, proper tools, crack control cuts along with basic cleanup are included in the above flatwork pricing. One exception crawl space mud cap does not get cut unless otherwise stated. \*Flatwork is priced for a 3.5-4.0-inch-thick pour unless otherwise stated above, please advise porch tops are often thicker than 4 inches due to step requirements, if the porch wall is not poured higher this will/could result in extra cost of materials or labor to reach the right step size requirements. \*We price crawl space floors for a 3" thick pour with a Fresno finish (rough trowel finish) \*Please add \$900.00 for pump truck rental if needed for hard-to-reach projects, lower/back of home, patio/porch exterior cement work. \*Fiber mesh is our typical go to reinforcement simply because it is typically mixed in thouroly through the entire load of concrete and through 100% of the slab along with the covenants of no labor. Most prints mention wire mesh for reinforcement but don't require this. If wire mesh is wanted instead of fiber mesh please mention this and add (price may vary with the market price FYI) \$.75 per sq. foot for the extra material and labor cost of using wire mesh reinforcement instead of fiber mesh. Rebar is the best reinforcement for most situations. \*Sealer is only included in our decorative concrete pricing such as stamp work and exposed aggregate, sealer can be added directly into the concrete mix or applied after. Sealer added directly to the concrete mix may have an effect on future coloring applications, adhesive flooring or epoxies. Exterior concrete due to its extremely pores nature sealer helps limit the amount of moisture drawn in by the cement in the concrete and therefore helps limit the amount of movement with the freeze thaw cycle, and dramatically increases the surface strength of the concrete. Please inquire about sealer price options if wanted. \*Decorative concrete work unless stated above does not include colored concrete. Stamp work includes one antiquing color choice and sealer, stamp rental costs may apply. Exposed aggregate includes colored stone 1" or pea stone along with sealer. \*6 mil plastic is included in the basement floor price only, if wanted under the garage slab please add \$.25 a square foot. 6 mil plastic is a radon gas dampener and moisture retarder. This will help stop the floor from drawing up moisture from the ground and help prevent sweating, also allows adhesive floor coverings to stick better. \*2" foam insulation placement labor is \$.35 a sq. foot if wanted. \*Interior footings are priced to be poured with the floor, if poured separately extra cost will have to be applied. \*Seasonal load restrictions once put into effect will also require extra charges if not off of class A roads please inquire about extra cost. \*Proposals given the previous calendar year are subject to revisal for increase of material costs. \*Cold weather pours the general contractor/ builder/homeowner is liable for heating the area for proper curing of the cement, all snow and frost to be free of the soil, along with one week cure time above freezing temps, no standing moisture is allowed to freeze on new troweled surfaces. Extra heating cost will apply for cold weather pours. We have heaters, fuel and man power for this if wanted, time and material prices apply here. \*All sub grade work is to be performed by a licensed professional to ensure the integrity of the cement work. No warranty is given to home owners doing sub grade work. Large amounts of extra dirt work will be subject to extra labor costs from pour/lazy excavation work. Exterior landscaping/dirt work around the new concrete work is not included in any price unless otherwise stated above. The existing dirt/lawn around the new concrete work will be graded out to the best of our ability and given situation. Grading efforts are not applied for new construction homes. \*Concrete in general is very likely to crack due to the nature of itself; we do all that is possible to prevent this. Compacted subgrades free of large amounts of clay are necessary for long term sustainability. \*Therefore, there is no warranty given due to cracking or cracked concrete. No warranties given regarding discoloration, spalling/scaling of the cement due to poor up keep, non-sealing of the cement or salt issues. No warranties for issues resalting from clay or loam-based sub grades that promote large amounts of movement and pour weather conditions that may have affected the concrete work.

We propose to furnish material and labor—complete in accordance with the above specifications for the sum of: **\$-SEE ABOVE PRICING- dollars**, with payments to be made as follows: 50% due upon start of project, progress payments to be made as billed, each due within 30 days with a 2.5% finance fee after 30 days of being due and every 30 days thereafter. After 60 days of no payments, liens will be filed against the property. All remaining payments due upon completion of the project. Proposal can be withdrawn within 10 days of the above date if not accepted, if not accepted within 30 days revisal of possible material and labor costs could apply please advise.

Any alteration or deviation from the above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

By signing this proposal, you are agreeing that the above prices, specifications, estimates and conditions are satisfactory and are hereby accepted. We are authorized to do the work as specified. Payments will be made as outlined above.

Signature: *Mark Odziana*

Date of acceptance: \_\_\_\_\_

Mark Odziana B.L.I.D #2101206837 - L219487

Signature: \_\_\_\_\_

*Bacon 4/23/24*



A+ Concrete  
3921 Center Rd  
Traverse City MI 49686  
231 216 7639  
aplusconcrete@a+con.com

# INVOICE

to: Village of Empire

DATE:

PHONE:

JOB NAME /  
LOCATION:

QTY.	DESCRIPTION	UNIT PRICE	AMOUNT
	<p>1,100 Sq ft tear out &amp; replace sidewalk grind Clean up sites</p> <p><b>\$ 16,800</b></p>		
		TOTAL	

Thank You

Bacon 4/23/24