

EMPIRE VILLAGE COUNCIL REGULAR MEETING
Empire Township Hall - 10088 W. Front Street
March 26, 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 – 03/14/2024 Work Session
- 2) Approve March Bills totaling \$_____

G. REVIEW OF FINANCIAL STATEMENTS

H. COMMUNICATIONS

I. PRESENTATION – Renovare

J. PUBLIC COMMENT ON PRESENTATION

K. DEPARTMENT HEAD REPORTS

L. COUNCIL MEMBER / COMMITTEE REPORTS

M. OLD BUSINESS

- 1) New Village Office Update (Palmer)
- 2) Appoint ZBA Alternates (Palmer)

N. NEW BUSINESS

- 1) Purchase a Computer for Village Council (Palmer)
- 2) Extended Warranty for John Deere Tractor Loader (Palmer)
- 3) Village Council Representative for First Responders Appreciation Event (Palmer)

O. PUBLIC COMMENT

P. COUNCIL MEMBER COMMENT

Q. ADJOURNMENT

FYI - FOR WATER PAYMENTS

Village of Empire

11518 S. Lacore Rd.

P.O. Box 253

Empire, MI 49630

(231) 326-5466

ACH Payment Authorization Form

Please sign and complete this form to authorize the Village of Empire to make a quarterly ACH debit from your bank account. Once you have completed this form, please attach a voided check of the account you wish us to debit from for verification and security purposes.

By signing this form, you give the Village of Empire permission to debit your account the total amount due as indicated on your water bill. This is permission for quarterly transactions to be debited up to 5 days prior to the due date and does not provide authorization for any additional unrelated debits or credits to your account.

Written cancellation of this agreement must be submitted to our office within 15 business days prior to the next scheduled debit.

Please complete the information below:

I, _____, authorize the Village of Empire to charge my bank account indicated below for the total amount due as indicated on my Village of Empire quarterly water bill.

Name _____ Water Account # _____

Service Address _____ Phone # _____

City, State, Zip _____ Email _____

Name on Account: _____

Bank Name: _____

Bank Routing # _____ Account # _____

Bank City/State: _____

Type of Account: Checking / Savings (Please Circle)

SIGNATURE _____ DATE _____

NAME (printed) _____

I certify that I am an authorized user of the bank account as stated above and that I have the authority to authorize this payment on the accounts behalf. I understand that because this is an electronic transaction, these funds may be withdrawn from the account as of the due date. In the case the transaction is returned for Non-Sufficient Funds (NSF) I agree to an additional \$20.00 charge, which will be added to your Village water bill account balance. I have certified that the above bank account is enabled for ACH transactions, and agree to reimburse the Village of Empire for all penalties and fees incurred as a result of my bank rejecting ACH debits or credits. Both parties agree to be bound by the NACHA Operating Rules as they pertain to this transaction. I acknowledge that the origination of ACH transactions to its account must comply with the provisions of US law. I agree not to dispute this transaction with my bank or the Village of Empire provided the transaction corresponds to the terms indicated in this authorization form.

March 14, 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, Webb were present. Clerk Smith was also present.

CHANGES/ADDITIONS TO AGENDA – Chase requested the Rules of Procedure be moved to the April Work Session.

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

PUBLIC COMMENTS ON AGENDA ITEMS – John Collins commented on the solutions to be presented by Dr. Grobbel.

COMMUNICATIONS – Two letters from Ed Peplinski, and a letter from Dave Taghon, Tina Dunphey, and Holly Decker were read aloud and available in the posted packet.

PRESENTATIONS

WILCO ROAD PLAN – Dr. Grobbel reviewed the plans drawn up by Gosling Czubak after several on-site visits and consultation with between him and Village Engineer Graf. A series of bio swales would slow and infiltrate the drainage before it reaches Lake St.

SOUTH BAR LAKE QUALITY REPORT – Dr. Grobbel reviewed his study that includes the continued areas of bacterial concern at the Florence Inlet, Lake & Niagara and Chippewa Run. He has recommended a treatment system that would mitigate the influx of these concerns. His report is available on the Village website.

PUBLIC COMMENT ON PRESENTATIONS – Several comments were made, and questions were answered.

DEPARTMENT HEAD REPORTS – Palmer noted that there will be a severe weather siren alert on 3-20-24 at 1:00 p.m. She also read a prepared statement on the Village Office Update (posted as handout).

COUNCIL MEMBER/COMMITTEE REPORTS – Bacon reported on the Planning Commission Annual Report, asked about the status of several PC items sent to the Village Attorney and whether a Mass Gathering permit has been requested for the Asparagus Festival. Walton reported the Personnel Committee will be meeting on 4/9/24. Dye reported on the 3/13 STR Committee meeting and the next meeting will be on 3/26 at 10:30 a.m. at the Library.

There was discussion of whether an appraisal, survey, or an environmental assessment are needed for the new village office property purchase. The inspection report was reviewed, and it was suggested that each item be addressed by the seller. **Motion by Rademacher, support by Webb to contract for an appraisal not to exceed \$4K. ROLL CALL: Ayes: Dye, Palmer, Rademacher, Webb. Nays: Bacon, Chase, Walton. MOTION PASSED. Motion by Bacon, support by Rademacher to not conduct an environmental assessment. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton. Nays: Webb. MOTION PASSED.**

The annual report from the Planning Commission was reviewed and several items were discussed and corrected. The report is available on the Village website.

OLD BUSINESS

APPROVE MINUTES: Special Meeting 2/23/24, Closed Meeting 2/23/24, Special Meeting 2/28/24, Closed Meeting 2/28/24, Budget Hearing and Regular Meeting 2/28/24 – **Motion by Dye, support by Walton to approve all the minutes listed. Upon a voice vote, MOTION PASSED.**

RULES OF PROCEDURE REVIEW – Moved to April Work Session.

NEW BUSINESS

REQUEST FROM PLANNING COMMISSION TO INCREASE BUDGET FOR PROFESSIONAL SERVICES – **Motion by Bacon, supported by Dye to approve the Planning Commission contracting for a Master Plan update not to exceed \$10K.** There was discussion of budget amendments to be made if needed. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

WATER UTILITY CUSTOMER ACH PAYMENT OPTION – Treasurer Acton reviewed the costs and savings to offer this service. **Motion by Bacon, support by Walton to authorize ACH payment option for water bills. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

Motion by Rademacher, support by Walton to continue the meeting until 9:30 p.m. Upon a unanimous voice vote, MOTION PASSED.

PERSONNEL PAY RAISES FOR FY 2024-25 – **Motion by Walton, supported by Dye to approve the 5% pay raise for the employees listed in the agenda request. ROLL CALL: Ayes: Dye, Palmer, Rademacher, Walton, Webb. Nays: Bacon, Chase. MOTION PASSED.**

PUBLIC COMMENT – Tina Dunphey commented on the Short-Term Rental issues, transparency and encouraged all Council members to attend the committee meetings. Sage Campbell commented on having agendas available to the public for committee and council meetings.

COUNCIL MEMBER COMMENT – Dye commented on Short Term Rental Committee.

ADJOURNMENT at 9:10 p.m.

Derith Smith

Empire Village Clerk

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

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 02/29/2024	ACTIVITY FOR MONTH 02/29/2024	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL FUND						
Dept 000						
101-000-403	REAL PROPERTY TAX	450,000.00	437,405.39	0.00	12,594.61	97.20
101-000-404	PERS PROP TAX	5,000.00	6,621.59	0.00	(1,621.59)	132.43
101-000-476	LICENSES & PERMITS	5,000.00	6,265.00	150.00	(1,265.00)	125.30
101-000-546	GRANT FUNDING	150,000.00	150,000.00	0.00	0.00	100.00
101-000-574	STATE SHARED REV	40,000.00	41,008.25	6,453.00	(1,008.25)	102.52
101-000-655	FINES & FORFEITS	5,000.00	2,585.00	0.00	2,415.00	51.70
101-000-664	INVEST INTEREST	5,000.00	12,967.38	518.03	(7,967.38)	259.35
101-000-670	MISC INCOME	2,000.00	6,325.61	0.00	(4,325.61)	316.28
101-000-671	PARKING PASS	150.00	250.00	0.00	(100.00)	166.67
101-000-672	BEACH PARKING	34,000.00	37,765.35	0.00	(3,765.35)	111.07
101-000-691	FUND BALANCE CONTRIBUTION	130,000.00	0.00	0.00	130,000.00	0.00
101-000-693	REFUNDS & REBATES	0.00	598.89	0.00	(598.89)	100.00
Net - Dept 000		826,150.00	701,792.46	7,121.03	124,357.54	
Dept 100 - COUNCIL						
101-100-702	WAGES - COUNCIL	13,000.00	12,065.00	1,465.00	935.00	92.81
101-100-715	PR TAX EXP - COUNCIL	950.00	922.99	112.05	27.01	97.16
101-100-910	PROF DEVELOPMENT	2,000.00	1,295.00	0.00	705.00	64.75
Net - Dept 100 - COUNCIL		(15,950.00)	(14,282.99)	(1,577.05)	(1,667.01)	
Dept 215 - CLERK						
101-215-702	WAGES - CLERK	19,500.00	16,274.43	1,830.91	3,225.57	83.46
101-215-703	WAGES - DEPUTY CLERK	32,400.00	34,464.60	4,131.54	(2,064.60)	106.37
101-215-715	PR TAX EXP - CLERK	4,000.00	3,881.44	456.12	118.56	97.04
101-215-726	SUPPLIES	25.00	0.00	0.00	25.00	0.00
101-215-840	INSURANCE	4,000.00	2,605.33	0.00	1,394.67	65.13
101-215-874	RETIREMENT	1,800.00	1,723.19	206.56	76.81	95.73
Net - Dept 215 - CLERK		(61,725.00)	(58,948.99)	(6,625.13)	(2,776.01)	
Dept 253 - TREASURER						
101-253-702	WAGES - TREASURER	9,700.00	9,693.06	1,118.43	6.94	99.93
101-253-715	PR TAX EXP - TREASURER	750.00	741.55	85.56	8.45	98.87
101-253-726	SUPPLIES	500.00	198.49	0.00	301.51	39.70
101-253-730	POSTAGE	300.00	756.00	0.00	(456.00)	252.00
101-253-860	TRANSPORTATION	50.00	0.00	0.00	50.00	0.00
Net - Dept 253 - TREASURER		(11,300.00)	(11,389.10)	(1,203.99)	89.10	
Dept 262 - ELECTIONS						
101-262-705	ELECTION WORKERS	100.00	0.00	0.00	100.00	0.00
Net - Dept 262 - ELECTIONS		(100.00)	0.00	0.00	(100.00)	
Dept 265 - ADMINISTRATION						
101-265-702	WAGES - ADMINISTRATION MAINTENANCE	30,000.00	25,277.80	1,734.20	4,722.20	84.26
101-265-707	BRUSH PILE WAGES	5,000.00	3,177.64	0.00	1,822.36	63.55
101-265-715	PR TAX EXP - ADMINISTRATION	3,000.00	2,114.87	132.67	885.13	70.50
101-265-726	SUPPLIES	2,000.00	2,084.26	83.14	(84.26)	104.21

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 02/29/2024	ACTIVITY FOR MONTH 02/29/2024	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL FUND						
101-265-730	POSTAGE	300.00	157.00	0.00	143.00	52.33
101-265-800	PROFESSIONAL SERVICES	20,300.00	41,460.00	10,000.00	(21,160.00)	204.24
101-265-801	AUDIT FEES	5,000.00	8,385.00	0.00	(3,385.00)	167.70
101-265-821	ENGINEERING FEES	0.00	420.00	0.00	(420.00)	100.00
101-265-826	LEGAL FEES	3,000.00	6,527.00	171.00	(3,527.00)	217.57
101-265-840	INSURANCE	18,000.00	16,186.00	0.00	1,814.00	89.92
101-265-853	TELEPHONE	400.00	500.54	29.99	(100.54)	125.14
101-265-854	CABLE INTERNET	1,200.00	1,159.87	99.99	40.13	96.66
101-265-874	RETIREMENT	1,800.00	796.21	86.68	1,003.79	44.23
101-265-880	BEAUTIFICATION	2,000.00	855.86	0.00	1,144.14	42.79
101-265-900	PRINT & PUB	1,000.00	968.30	105.30	31.70	96.83
101-265-919	WASTE DISPOSAL	1,000.00	3,247.77	0.00	(2,247.77)	324.78
101-265-921	ELECTRICITY	2,000.00	1,519.21	157.38	480.79	75.96
101-265-930	REPAIRS & MAINTENANCE	8,000.00	592.25	180.00	7,407.75	7.40
101-265-931	STORM SEWER CLEANOUT	4,200.00	1,965.00	0.00	2,235.00	46.79
101-265-933	SOFTWARE MAINTENANCE/SUPPORT	4,000.00	3,990.00	0.00	10.00	99.75
101-265-956	DOES & MISC	600.00	0.00	0.00	600.00	0.00
101-265-957	BANK CHARGES	200.00	4,067.17	20.00	(3,867.17)	2,033.59
101-265-965	CONTR TO OTHER FUNDS	25,000.00	25,000.00	25,000.00	0.00	100.00
101-265-966	GF CONTR - AIRPORT	750.00	750.00	750.00	0.00	100.00
101-265-967	PARKING AT LION'S PARK	500.00	500.00	500.00	0.00	100.00
101-265-970	CAPITAL OUTLAY - OFFICE BLDG	25,000.00	0.00	0.00	25,000.00	0.00
101-265-971	SPECIAL PROJECTS - WILCO RD	39,000.00	19,625.00	1,225.00	19,375.00	50.32
101-265-978	EQUIPMENT RENTAL	18,000.00	4,785.28	794.00	13,214.72	26.58
101-265-979	BRUSH PILE - EQUIPMENT RENTAL	8,000.00	9,125.01	0.00	(1,125.01)	114.06
Net - Dept 265 - ADMINISTRATION		(229,250.00)	(185,237.04)	(41,069.35)	(44,012.96)	
Dept 444 - SIDEWALKS						
101-444-930	REPAIRS & MAINTENANCE	17,000.00	0.00	0.00	17,000.00	0.00
Net - Dept 444 - SIDEWALKS		(17,000.00)	0.00	0.00	(17,000.00)	
Dept 446 - ALLEYS						
101-446-930	REPAIRS & MAINTENANCE	0.00	488.15	488.15	(488.15)	100.00
101-446-970	CAPITAL OUTLAY - ALLEYS	29,000.00	1,820.00	0.00	27,180.00	6.28
Net - Dept 446 - ALLEYS		(29,000.00)	(2,308.15)	(488.15)	(26,691.85)	
Dept 448 - STREET LIGHTING						
101-448-921	STREET LIGHTING	10,000.00	10,165.52	803.82	(165.52)	101.66
Net - Dept 448 - STREET LIGHTING		(10,000.00)	(10,165.52)	(803.82)	165.52	
Dept 536 - WASTEWATER UPDATE TASK FORCE						
101-536-726	SUPPLIES	0.00	45.14	0.00	(45.14)	100.00
101-536-815	CONTRACTED SERVICES	20,000.00	4,290.08	0.00	15,709.92	21.45
Net - Dept 536 - WASTEWATER UPDATE TASK FORCE		(20,000.00)	(4,335.22)	0.00	(15,664.78)	
Dept 721 - PLANNING COMMISSION						
101-721-701	WAGES - PLANNING COMMISSION	4,300.00	2,970.00	275.00	1,330.00	69.07

PERIOD ENDING 02/29/2024

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 02/29/2024	ACTIVITY FOR MONTH 02/29/2024	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL FUND						
101-721-702	WAGES - PLANNING SECY	1,100.00	700.00	100.00	400.00	63.64
101-721-715	PR TAX EXP - COMM PLANNING	400.00	280.79	28.70	119.21	70.20
101-721-726	SUPPLIES	100.00	219.46	0.00	(119.46)	219.46
101-721-730	POSTAGE	100.00	0.00	0.00	100.00	0.00
101-721-730	PROFESSIONAL	6,000.00	0.00	0.00	6,000.00	0.00
101-721-821	LEGAL FEES	1,500.00	209.00	209.00	1,291.00	13.93
101-721-826	PRINT & PUB	500.00	168.01	0.00	331.99	33.60
101-721-900	SEMINARS	500.00	0.00	0.00	500.00	0.00
101-721-950	DUES & MISC	100.00	0.00	0.00	100.00	0.00
101-721-955						
Net - Dept 721 - PLANNING COMMISSION		(14,600.00)	(4,547.26)	(612.70)	(10,052.74)	
Dept 722 - ZONING COMMISSION						
101-722-701	WAGES - BOARD OF APPEALS	400.00	0.00	0.00	400.00	0.00
101-722-702	WAGES - ZONING ADMIN	8,750.00	8,750.04	1,009.62	(0.04)	100.00
101-722-715	PR TAX EXP - ZONING	700.00	669.38	77.24	30.62	95.63
101-722-726	SUPPLIES	0.00	37.84	0.00	(37.84)	100.00
101-722-826	LEGAL FEES	200.00	0.00	0.00	200.00	0.00
101-722-900	PRINT & PUB	100.00	0.00	0.00	100.00	0.00
101-722-900						
Net - Dept 722 - ZONING COMMISSION		(10,150.00)	(9,457.26)	(1,086.86)	(692.74)	
Dept 751 - PARKS						
101-751-702	WAGES - PARK MAINT	27,000.00	23,586.19	1,082.14	3,413.81	87.36
101-751-703	WAGES - AMBASSADOR	7,500.00	13,833.06	0.00	(6,333.06)	184.44
101-751-704	WAGES - PARKS CLERK	4,000.00	2,959.15	332.91	1,040.85	73.98
101-751-715	PR TAX EXP - PARK	3,000.00	3,100.84	108.26	(100.84)	103.36
101-751-726	SUPPLIES	3,500.00	1,656.97	1,086.62	1,843.03	47.34
101-751-726	INSURANCE	3,500.00	2,915.00	0.00	585.00	83.29
101-751-840	RETIREMENT	1,400.00	669.01	54.11	730.99	47.79
101-751-874	WASTE DISPOSAL	1,800.00	2,414.42	0.00	(614.42)	134.13
101-751-919	REPAIRS & MAINTENANCE	23,000.00	13,029.06	0.00	9,970.94	56.65
101-751-930	CREDIT CARD FEES	2,500.00	2,558.03	0.00	(58.03)	102.32
101-751-958	CAPITAL OUTLAY	291,000.00	296,791.33	0.00	(5,791.33)	101.99
101-751-970	EQUIPMENT RENTAL	19,000.00	24,676.60	830.86	(5,676.60)	129.88
101-751-978						
Net - Dept 751 - PARKS		(387,200.00)	(388,189.66)	(3,494.90)	989.66	
Fund 101 - GENERAL FUND:						
TOTAL REVENUES						
TOTAL REVENUES		826,150.00	701,792.46	7,121.03	124,357.54	84.95
TOTAL EXPENDITURES		806,275.00	688,861.19	56,961.95	117,413.81	85.44
NET OF REVENUES & EXPENDITURES		19,875.00	12,931.27	(49,840.92)	6,943.73	65.06

User: DSMITH
DB: Empire

PERIOD ENDING 02/29/2024

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 02/29/2024	MONTH 02/29/2024	AVAILABLE BALANCE	% BDDG USEE
Fund 202 - MAJOR STREETS FUND						
Revenues						
202-000-574	STATE SHARED REV	41,000.00	53,170.54	5,177.87	(12,170.54)	129.68
202-000-575	STATE WINTER REV	6,500.00	0.00	0.00	6,500.00	0.00
202-000-583	CO ROAD MILLAGE	27,000.00	31,520.93	0.00	(4,520.93)	116.74
202-000-664	INVEST INTEREST	400.00	2,163.34	264.33	(1,763.34)	540.84
TOTAL REVENUES		74,900.00	86,854.81	5,442.20	(11,954.81)	115.96
Expenditures						
202-000-801	AUDIT FEES	325.00	325.00	0.00	0.00	100.00
202-000-930	REPAIRS & MAINTENANCE	5,000.00	690.35	0.00	4,309.65	13.81
202-215-702	WAGES - MAJOR STREETS CLERK	1,500.00	1,479.35	166.41	20.65	98.62
202-215-715	PR TAX EXP - CLERK	100.00	113.10	12.72	(13.10)	113.10
202-463-702	WAGES - ROUTINE MAINTENANCE	6,000.00	1,833.32	99.59	4,166.68	30.56
202-463-715	PR TAX EXP - ROUTINE MAINTENANCE	500.00	140.37	7.64	359.63	28.07
202-463-726	SUPPLIES	1,000.00	697.59	0.00	302.41	69.76
202-463-787	TRAFFIC CON - ROUTINE	200.00	0.00	0.00	200.00	0.00
202-463-821	ENGINEERING FEES	3,000.00	0.00	0.00	3,000.00	0.00
202-463-840	INSURANCE	1,700.00	1,402.00	0.00	298.00	82.47
202-463-874	RETIREMENT	250.00	45.50	4.99	204.50	18.20
202-463-978	EQUIPMENT RENTAL	5,500.00	2,083.19	0.00	3,416.81	37.88
202-478-702	WAGES - WINTER MAINTENANCE	5,000.00	1,995.59	377.23	3,004.41	39.91
202-478-715	PR TAX EXP - WINTER MAINTENANCE	400.00	152.73	28.86	247.27	38.18
202-478-726	SUPPLIES	4,000.00	1,078.81	0.00	2,921.19	26.97
202-478-815	CONTRACTED SERVICES	0.00	23,425.00	21,100.00	(23,425.00)	100.00
202-478-840	INSURANCE	800.00	352.00	0.00	448.00	44.00
202-478-874	RETIREMENT	250.00	53.73	12.56	196.27	21.49
202-478-978	EQUIPMENT RENTAL	8,000.00	2,076.74	387.98	5,923.26	25.96
202-965-999	50% TRF TO LOC ST	26,000.00	26,594.11	2,588.93	(594.11)	102.29
TOTAL EXPENDITURES		69,525.00	64,538.48	24,786.91	4,986.52	92.83
Fund 202 - MAJOR STREETS FUND:						
TOTAL REVENUES		74,900.00	86,854.81	5,442.20	(11,954.81)	115.96
TOTAL EXPENDITURES		69,525.00	64,538.48	24,786.91	4,986.52	92.83
NET OF REVENUES & EXPENDITURES		5,375.00	22,316.33	(19,344.71)	(16,941.33)	415.19
Fund 203 - LOCAL STREETS FUND						
Revenues						
203-000-574	STATE SHARED REV	28,000.00	36,714.99	3,647.04	(8,714.99)	131.12
203-000-575	STATE WINTER REV	6,000.00	0.00	0.00	6,000.00	0.00
203-000-664	INVEST INTEREST	350.00	2,220.64	253.43	(1,870.64)	634.47
203-000-677	50% TRF FR MAJ ST	26,000.00	26,594.11	2,588.93	(594.11)	102.29
203-000-691	FUND BALANCE CONTRIBUTION	40,000.00	0.00	0.00	40,000.00	0.00
203-000-692	CONTRIBUTION FROM OTHER FUNDS	25,000.00	25,000.00	25,000.00	0.00	100.00
TOTAL REVENUES		125,350.00	90,529.74	31,489.40	34,820.26	72.22
Expenditures						
203-000-801	AUDIT FEES	450.00	450.00	0.00	0.00	100.00
203-000-821	ENGINEERING	5,000.00	0.00	0.00	5,000.00	0.00
203-000-930	REPAIRS & MAINTENANCE	7,000.00	690.65	0.00	6,309.35	9.87

GL NUMBER	DESCRIPTION	2023-24	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT
		AMENDED BUDGET	02/29/2024	MONTH 02/29/2024		
Fund 203 - LOCAL STREETS FUND						
Expenditures						
203-215-702	WAGES - LOCAL STREETS CLERK	1,500.00	1,479.35	166.41	20.65	98.62
203-215-715	PR TAX EXP - CLERK	100.00	113.10	12.72	(13.10)	113.10
203-463-702	WAGES - ROUTINE MAINTENANCE	3,500.00	2,613.22	35.80	886.78	74.66
203-463-715	PR TAX EXP - ROUTINE MAINTENANCE	300.00	199.83	2.73	100.17	66.61
203-463-726	SUPPLIES	1,000.00	1,213.96	0.00	(213.96)	121.40
203-463-787	TRAFFIC CON - ROUTINE	250.00	0.00	0.00	250.00	0.00
203-463-821	ENGINEERING FEES	5,000.00	3,180.00	0.00	1,820.00	63.60
203-463-840	INSURANCE	2,100.00	1,402.00	0.00	698.00	66.76
203-463-874	RETIREMENT	250.00	80.99	1.81	169.01	32.40
203-463-978	EQUIPMENT RENTAL	5,500.00	1,920.21	0.00	3,579.79	34.91
203-478-702	WAGES - WINTER MAINTENANCE	5,200.00	2,241.56	401.77	2,958.44	43.11
203-478-715	PR TAX EXP - WINTER MAINTENANCE	500.00	171.42	30.72	328.58	34.28
203-478-726	SUPPLIES	4,500.00	2,227.64	0.00	2,272.36	49.50
203-478-815	CONTRACTED SERVICES	0.00	9,350.00	4,550.00	(9,350.00)	100.00
203-478-840	INSURANCE	1,200.00	352.00	0.00	848.00	29.33
203-478-874	RETIREMENT	250.00	60.17	13.80	189.83	24.07
203-478-978	EQUIPMENT RENTAL	7,000.00	2,123.16	387.98	4,876.84	30.33
203-901-970	CAPITAL OUTLAY- UNION ST	70,000.00	7,909.47	0.00	62,090.53	11.30
TOTAL EXPENDITURES		120,600.00	37,778.73	5,603.74	82,821.27	31.33
Fund 203 - LOCAL STREETS FUND:						
TOTAL REVENUES		125,350.00	90,529.74	31,489.40	34,820.26	72.22
TOTAL EXPENDITURES		120,600.00	37,778.73	5,603.74	82,821.27	31.33
NET OF REVENUES & EXPENDITURES		4,750.00	52,751.01	25,885.66	(48,001.01)	1,110.55
Fund 591 - WATER FUND						
Revenues						
591-000-626	SERVICE INSTALLATION	15,000.00	3,332.06	2,113.00	11,667.94	22.21
591-000-642	WATER SALES	155,000.00	164,452.98	27.78	(9,452.98)	106.10
591-000-655	LATE PAYMENT FEES	2,000.00	4,750.00	1,075.00	(2,750.00)	237.50
591-000-664	INVEST INTEREST	400.00	2,877.69	332.65	(2,477.69)	719.42
591-000-665	FIRE SUPPRESSION LEASE	800.00	800.00	0.00	0.00	100.00
591-000-670	MISC INCOME	200.00	1,561.03	0.00	(1,361.03)	780.52
591-000-691	FUND BALANCE CONTRIBUTION	140,000.00	0.00	0.00	140,000.00	0.00
TOTAL REVENUES		313,400.00	177,773.76	3,548.43	135,626.24	56.72
Expenditures						
591-215-702	WAGES - WATER CLERK	2,200.00	0.00	0.00	2,200.00	0.00
591-215-703	WAGES - WATER ADMIN	11,000.00	10,197.24	1,076.49	802.76	92.70
591-215-715	PR TAX EXP - CLERK	1,000.00	780.16	82.36	219.84	78.02
591-215-874	RETIREMENT	450.00	391.53	40.53	58.47	87.01
591-556-702	WAGES - WATER MAINTENANCE	19,450.00	16,513.62	1,491.55	2,936.38	84.90
591-556-715	PR TAX EXP - WATER	1,500.00	1,263.30	114.09	236.70	84.22
591-556-726	SUPPLIES	2,500.00	3,582.41	1,759.32	(1,082.41)	143.30
591-556-730	POSTAGE	600.00	692.60	0.00	(92.60)	115.43
591-556-800	PROFESSIONAL SERVICES	800.00	0.00	0.00	800.00	0.00
591-556-801	AUDIT FEES	800.00	800.00	0.00	0.00	100.00
591-556-804	LABS & TESTING	1,000.00	3,043.75	40.00	(2,043.75)	304.38
591-556-821	ENGINEERING FEES	5,000.00	0.00	0.00	5,000.00	0.00
591-556-840	INSURANCE	4,000.00	3,553.99	0.00	446.01	88.85

PERIOD ENDING 02/29/2024

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 02/29/2024	ACTIVITY FOR MONTH 02/29/2024	AVAILABLE BALANCE	% BDGT USED
Fund 591 - WATER FUND						
Expenditures						
591-556-853	TELEPHONE	1,600.00	1,366.94	107.21	233.06	85.43
591-556-874	RETIREMENT	800.00	572.08	70.77	227.92	71.51
591-556-921	ELECTRICITY	12,000.00	9,977.04	560.77	2,022.96	83.14
591-556-923	HEAT	3,600.00	4,523.33	816.46	(923.33)	125.65
591-556-930	REPAIRS & MAINTENANCE	56,000.00	12,486.67	1,097.58	43,513.33	22.30
591-556-933	SOFTWARE MAINTENANCE/SUPPORT	1,000.00	1,660.00	0.00	(660.00)	166.00
591-556-938	METER HOSTING & SOFTWARE	1,400.00	702.09	0.00	697.91	50.15
591-556-956	DUES & MISC	2,600.00	2,395.00	1,036.07	205.00	92.12
591-556-957	BANK CHARGES	400.00	469.91	80.72	(69.91)	117.48
591-556-959	DEPRECIATION	40,000.00	0.00	0.00	40,000.00	0.00
591-556-970	CAPITAL OUTLAY	110,000.00	81,212.58	15,000.00	28,787.42	73.83
591-556-978	EQUIPMENT RENTAL	6,000.00	4,960.58	767.59	1,039.42	82.68
591-556-991	DEBT PRINCIPLE/BOND RESERVE	18,000.00	20,000.00	0.00	(2,000.00)	111.11
591-556-995	DEBT INTEREST	8,800.00	8,249.28	0.00	550.72	93.74
TOTAL EXPENDITURES		312,500.00	189,394.10	24,141.51	123,105.90	60.61
Fund 591 - WATER FUND:						
TOTAL REVENUES		313,400.00	177,773.76	3,548.43	135,626.24	56.72
TOTAL EXPENDITURES		312,500.00	189,394.10	24,141.51	123,105.90	60.61
NET OF REVENUES & EXPENDITURES		900.00	(11,620.34)	(20,593.08)	12,520.34	1,291.15
Fund 661 - EQUIPMENT FUND						
Revenues						
661-000-664	INVEST INTEREST	1,200.00	2,533.43	257.73	(1,333.43)	211.12
661-000-668	EQUIPMENT RENTAL	70,000.00	52,238.92	3,656.56	17,761.08	74.63
661-000-691	FUND BALANCE CONTRIBUTION	75,000.00	0.00	0.00	75,000.00	0.00
TOTAL REVENUES		146,200.00	54,772.35	3,914.29	91,427.65	37.46
Expenditures						
661-215-702	WAGES - EQUIPMENT CLERK	5,200.00	5,030.38	565.91	169.62	96.74
661-215-715	PR TAX EXP - CLERK	400.00	384.88	43.31	15.12	96.22
661-557-702	WAGES - EQUIPMENT MAINTENANCE	13,000.00	10,359.74	1,138.20	2,640.26	79.69
661-557-715	PR TAX EXP - EQUIPMENT	1,000.00	792.50	87.08	207.50	79.25
661-557-726	SUPPLIES	2,000.00	2,051.16	252.88	(51.16)	102.56
661-557-751	FUEL & OIL	12,000.00	5,556.69	0.00	6,443.31	46.31
661-557-801	AUDIT FEES	600.00	600.00	0.00	0.00	100.00
661-557-840	INSURANCE	16,000.00	16,591.00	0.00	(591.00)	103.69
661-557-874	RETIREMENT	600.00	365.11	56.90	234.89	60.85
661-557-925	WATER	250.00	200.00	0.00	50.00	80.00
661-557-930	REPAIRS & MAINTENANCE	14,000.00	2,917.44	320.25	11,082.56	20.84
661-557-970	CAPITAL OUTLAY	79,000.00	27,651.83	24,651.84	51,348.17	35.00
TOTAL EXPENDITURES		144,050.00	72,500.73	27,116.37	71,549.27	50.33
Fund 661 - EQUIPMENT FUND:						
TOTAL REVENUES		146,200.00	54,772.35	3,914.29	91,427.65	37.46
TOTAL EXPENDITURES		144,050.00	72,500.73	27,116.37	71,549.27	50.33

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF EMPIRE
PERIOD ENDING 02/29/2024

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 02/29/2024	ACTIVITY FOR MONTH 02/29/2024	AVAILABLE BALANCE	% BDT USED
Fund 661 - EQUIPMENT FUND						
NET OF REVENUES & EXPENDITURES		2,150.00	(17,728.38)	(23,202.08)	19,878.38	824.58
TOTAL REVENUES - ALL FUNDS		659,850.00	409,930.66	44,394.32	249,919.34	62.12
TOTAL EXPENDITURES - ALL FUNDS		646,675.00	364,212.04	81,648.53	282,462.96	56.32
NET OF REVENUES & EXPENDITURES		13,175.00	45,718.62	(37,254.21)	(32,543.62)	347.01

Village of Empire Deputy Clerk

From: cheryl clark <a.cheryl.clark@gmail.com>
Sent: Thursday, March 14, 2024 7:00 PM
To: m.walton@villageofempire.com; s.palmer@villageofempire.com; marchdye@gmail.com; deputyclerk@villageofempire.com
Subject: STR request - C. Clark

To the Empire Village Council and members of Empire's short-term rental committee:

(It is not necessary to read this correspondence at a village council meeting, in the interest of saving time, but please include it appropriately in e-packets and/or other short-term rental correspondence that is being collected as you consider an Empire STR ordinance. Also please forward this correspondence to appropriate council email addresses, as I am not sure who/what they are).

I am requesting that my home at 9948 W. Wilce St. be included on a list of STRs to be grandfathered prior to any STR ordinance for these reasons:

1. Like some others who have corresponded, I also designed my home, completed in 2020, with a rental option in mind – such that I could rent partial space in the home while living in the rest should I lose my job unexpectedly or otherwise need supplemental income in order to stay in my home.
2. I lost my job unexpectedly last March and since then have been preparing to publicly rent the partial space in my house that was designed for this purpose.
3. I am already renting this space in my home occasionally to some family and friends who are advising on how the space needs to be furnished for broader public appeal.
4. I intend to use the rental space in my home in the future for both long-term rental as well as short-term rental, depending on the final definitions of these terms, in order to continue to reside in Empire, as assessed values, taxes and living expenses skyrocket.
5. As a resident who occupies my home while renting a portion of it, I believe I am a 'landlord' significantly different from those who own and rent Empire homes from afar. On-site resident landlords with STR options can better control any possible renter issues and actually slow community gentrification by allowing residents to stay in homes they otherwise cannot afford. This is in contrast to off-site, sometimes corporate or international, landlords who are not members of the community and who accelerate its gentrification.

Thank you for your consideration of the above reasons for my request for STR grandfathering and for also considering language in a possible STR ordinance that differentiates on-site landlords from off-site landlords, with less restrictions on the former community members than the latter non-community members.

Best,

Cheryl Clark
a.cheryl.clark@gmail.com
9948 W. Wilce St., PO Box 18
Empire, MI 49630
989-948-3335

March 20, 2024

To: **Empire Village Council Members**

Short-Term-Rental Committee

From: **Roy Sonnema & Debra De Witt**

9993 West South St., Empire [P.O. Box 202]

Please Note: We wish this letter publicly posted at the committee website, and ask both the Village Council and STR Committee members to read it and consider our suggestions. We'd also request that only the conclusion be read out loud at the next committee meeting since our letter ended up being so long.

We recently learned that the Council is actively developing an ordinance with respect to short term rentals in the Village of Empire, and we have read the letters, memoranda, and materials posted online by the committee. We also obtained copies of the *Seasonal Rental Committee Final Report* of 2020 and the Committee update of 2003. All of this is so that we can better understand this issue in Empire, and form a responsible opinion.

About us: we are home owners in the New Neighborhood who retired here two years ago. We don't use our home for short term rentals, and we own no such property elsewhere in the village. We are not seasonal residents; we live here 12 months of the year (and we love it!) Nor do we operate a business in the village, so a new ordinance would have no direct impact on us. But a new ordinance will surely affect our neighborhood, so we'd like to express our opinions on this matter and make some suggestions to the Short-Term-Rental Committee.

We have a lot of personal experience with STRs: for 8 years we lived in a dense urban environment with many Airbnbs around us, and we have used them many times ourselves when on vacation or travelling.

Caution: Bad Thinking Can lead to Bad Decisions

In their memorandum to the Committee, our neighbors Blacquiere/Marks/Weller/Young have argued for a restrictive STR ordinance because: 1) regulating STRs is good for the community; 2) many other communities in Michigan and the USA are doing it; and 3) although short term renters have economic benefit to the community, "regulation is needed to prevent and correct STR problems we have observed taking place in Empire." But surprisingly, they do not present or discuss any of these problems they claim to have observed. Instead, in very next sentence they state: "the following is a list of reported problems with short term rentals that we believe impact communities, including Empire." It's really just a laundry list of generic complaints about STRs: excessive noise, speeding traffic, more vandalism, lack of privacy, overflowing trash, damage to septic systems, and so forth.

As Mr. Taghon has already correctly pointed out (02.06.2024), they are only expressing *opinions*, not presenting evidence or facts specific to our situation here in Empire. The essential logic of their memorandum--and one that is often used to talk about STR issues--basically boils down to something like this:

Everybody knows that short term renters can cause problems (noise, trash, septic systems, etc.);

These problems might be or could be happening in Empire; so

We need to cap the number of STRs in Empire

This is a faulty way of thinking called *prejudicial speculation based on hearsay*. If you apply the exact same logic and the exact same word-smithing to the issue of “Pets in Empire,” for example, it would sound like this:

Everybody knows dogs can cause problems (they bark loudly, bite people, dig holes and poop in neighbor’s yards, etc.)

These problems might be or could be happening in Empire; so

We need to put a cap on the number of pet dogs in Empire

Notice that the argument is not based on specific evidence or facts; it merely enshrines an opinion about a category of people—renters--and then calls for action to redress the presupposed “problems”. Please do not misunderstand--we are glad to hear our neighbors sharing their opinions about STRs, and it is certainly important for committee members to know people’s opinions. Nothing wrong with that. But we hope the committee and the council keep a clear head and use real evidence and data to logically inform your decisions, not just the opinions of people.

All of which begs the question:

Are We Really Having Problems with STRs in Empire?

According to Village Council’s own self-reporting, the answer is a clear “no.” In 2023 the council issued their *Seasonal Rental Committee Final Report* which contains a lot of useful information about the of STRs in Empire, ordinances by surrounding communities, and some general recommendations. One of the “Knowns” stated in the conclusion is that: “the general behavior of short-term rental guests is acceptable and very few problems have been reported officially or anecdotally.” (p.139). And not only that, in the more recent *Report of the Short-Term-Rental Committee* (November 2023—just 5 months ago) the Committee’s own report concluded “the general behavior of STR guests is acceptable with very few problems.” (p. 3).

So, we are confused when some of our neighbors say Empire is having problems with STRs and therefore call on the Village to quickly develop an ordinance with caps in order to solve this non-problem.

Why So Much Chatter from the South New Neighborhood?

With some neighbors here on the southside of the New Neighborhood calling for a restrictive STR ordinance, you might get the impression that well, after all, maybe there really are some problems with STRs in our corner of the neighborhood, and it’s just that residents are graciously not reporting them.

Let us assure you--if there were problems, we’d be the first to know it. There is only one short term rental property in our corner of the New Neighborhood, and our house is directly adjacent to this rental property. We see everyone who comes and goes from this house and are aware of everything going on there. We can tell you with absolute certainty: since we’ve lived here, *there have not been any problems whatsoever from the short-term rental guests next door.*

Indeed, quite the opposite! We love meeting these renters, answering their questions, and directing them to local businesses/resources when they are in need something. We've even developed a burgeoning friendship with one of these renters who is now thinking about moving herself and her business to the area—what a win for Empire! It's been our experience that just being kind and making a personal connection, short term renters are quick to please; they realize they're strangers in the neighborhood and they genuinely want to be good citizens, follow the rules, and not engage in egregious behavior. That's honestly what we are observing with the renters next to us.

If our neighbors Blacquiere, Marks, Weller and Young here in southside New Neighborhood are having actual problems—specific things that have happened and not just their opinions about short term renters in general—let's hear what they are and see if we can all identify solutions.

But honestly, we're not seeing it.

However, our corner of the New Neighborhood is now changing. Over the last year, two beautiful new houses have popped up right across the street from us; they are not occupied yet. Each of the new owners has indicated they wish to rent short term, at least for some of the time (see the letters by Spina [02.07.2024] and McNutt [02.23.2024]). We think this is great and have no problem with it at all. But some of our neighbors are clearly unhappy—"not in my backyard." The new owners have each made significant investments in their properties and have been transparent about their intent from the start. If the Council does implement an ordinance with a cap, we strongly believe our new neighbors Spina and McNutt should be "grandfathered in" permanently.

And let's all remember what Empire's New Neighborhood is—or was supposed to be. It was intended for a diversity of residents—as affordable housing for working families and singles as well as vacation homes and retirement homes. The entire neighborhood is designed as a "higher-density" and "high-interaction" social space. The lots are intentionally small; design guidelines require front porches, sidewalks, with no driveways or garages off the front so people naturally interact and say hello. If people want a quiet, low-interaction social experience, there are ample opportunities in the suburban-style developments surrounding our village. So it makes perfect sense to have STRs here in the New Neighborhood.

A New Ordinance?—Sure. But No Caps

Our opinion is that an STR ordinance is a good next step for Empire overall. The Village will have an official inventory of STRs, can ensure standards are met by all, and can develop basic ground rules for everyone. But we strongly oppose any implementation of a cap.

You may already be doing this, but here are three specific suggestions:

1. *The Committee and Council should immediately pause any discussion about capping the number of STRs in the Village.* It may not have been your intent, but you are really freaking out some people. (see Clark 03.14.2024)). Not to mention, by implementing a solution (caps) before you have empirically defined and studied the problem (STRs in Empire) you are invalidating the whole process, literally putting the cart before the horse. We hope the purpose of this ordinance is not to quickly make a cap, but to establish fair rules and guidelines so that all stakeholders—home owners who rent, the renters, and the people who live nearby—know what to expect from each other and get along. Over the long term, the committee will get real

data (not just opinions or prejudicial hearsay) about what is working and what is not, and adjust accordingly. If there is consideration of a cap on STRs, that should only come far down the line and after a reasoned evaluation of the all the information collected, specific to our situation here in Empire. (And by the way, simplistic comparisons of the percentage of STRs for Empire, compared to other nearby communities, without at least first *norming the demographic data sets* is another faulty way of thinking you should avoid. And if you don't know what that means, please consult an expert.)

2. *As part of the ordinance, we recommend the committee should develop a Village-approved "packet" of materials that every homeowner is required to review with their renters before arriving.* This packet of information should have all the key information--what the behavior expectations are, the limit on the number of people in the house, exactly where and where not to park, how many vehicles are allowed on-property, a reminder about speeding, what goes down the kitchen drain, etc. This simple tool will solve 95% of all problems before they occur.

But this packet could also have lots of other helpful information, like: maps; how to get to the recycling center; times/location for church services; where to go for medical or dental service; a reminder to respect the rights of private property owners along the beach, etc. Why not encourage renters to visit local retailers with some discount coupons? Interested in moving to Empire, starting a business here, or maybe building a home? Provide some realtor / builder / bank contacts. You get the idea.

3. *In addition to making a list of all homeowners who have STRs, the Village might require STR homeowners each year to provide the names and contact information for every renter and create a collective database.* Renters could be surveyed/sampled about their renting experience, but also kept informed about future events to bring them back. And no, you don't need to hire another clerk to do this. Just set up a web page where homeowners can enter the information themselves directly online.

We have the chance to get this right so everybody is happy. Also, we appreciate the time and effort members of the committee and council are devoting to this, and we appreciate the thoughts and opinions expressed by our fellow residents of Empire. Our contact information is below.

Thank you for taking the time to read this long letter.

Roy Sonnema & Debra De Witt

rsonnema1@gmail.com

dewittdeb@msn.com

DPW Report - March 2024

Equipment Updates:

- A new John Deere loader was delivered, replacing the old Case 580 which was picked up.
- The new loader is being used at the beach for moving sand and has been performing well. It is equipped with advanced features such as built-in communications and connected to an app on the shop computer for tracking various parameters and maintenance records.
- The option to purchase an extended warranty for the loader is being considered, with proposed options received during the last work session.
- New controls on the loader will require some adjustment, but training will be provided for staff.

Operational Activities:

- Snow blower was removed and a broom attached to the new tractor for sweeping sidewalks around town.
- Sweeping of sidewalks has begun, with plans for more comprehensive cleaning upon the arrival of Joey.
- Preparations for street sweeping, including using the equipment to ensure thorough cleaning before the county arrives, are underway.

Infrastructure Development:

- Progress on the outlet project is going well, with minor adjustments made to the culvert height due to the water main's location.
- Cleaning of sand for the project is ongoing, with different grades used for various purposes around the beach.

Utilities Management:

- The generator setup is scheduled for the 26th, with full service expected by April 1st.
- No updates yet from Peerless Midwest regarding the burnt out VFDs on well 2 and 3, but the new VFDs are functioning properly.

Upcoming Tasks:

- Joey will start on April 1st, with plans for training and beach cleanup for the spring setup.
- April is expected to be a busy month with training and various operational tasks.

Closing Remarks:

- Acknowledgment of potentially missed details, typical for such reports.
- Signed by John Friend, Village Superintendent.

Sincerely,
John Friend
Village Superintendent

This is a Chatgpt version of the report

Included also with mine. 😊

Dpw report march 2024

New john deere loader was delivered old Case 580 picked up , I have been using it at the beach moving sand, a lot of sand, it just keeps on blowing!! . Very nice piece of equipment, comfortable and very quiet in the cab. It has built in communications and stays connected to an app on the shop computer, records everything temp, oil rpms location and much more. and keeps accurate records of issues and maintenance records, will still be using the equipment software we already have but this serves as a nice quick view of the loader. It is also connected to AIS service department so they also have knowledge of its maintenance on a daily basis. we have till February of next year to decide and/or purchase extended warranty on unit , I believe you received a copy of proposed options at the last work session. New controls will take some getting used to. But joey and I will learn together. He did stop in to see it last week he is looking forward to starting April 1st.

I removed snow blower and attached broom to new tractor , started sweeping sidewalks around town, they will be done again, more completely when joey arrives. The county should be calling me any time to set up street sweeping date. So we will use ours to get the locations swept out correctly before they arrive. Very nice sweeping sidewalks in warmth and dust free !!!

The outlet is coming along very well, nice design , there was some minor adjustments to the height of the culvert due to the location of our water main, (I was not as deep as our prints showed.) . I have been cleaning, what I call dirty sand (sand with vegetation in it) for their use on the project, the good sand (clean sand) we use around playground and volleyball court although the wind doesn't help) I suspect by the meeting the road should be passable again.

The generator is scheduled to be setup and started on the 26th if all goes well will be fully in service by April 1st. as of this writiting I have not heard anything from peerless Midwest pertaining to the burnt out vfds on well 2 and 3 the new vfds are working flawlessly again.

Joey starts Monday the 1st of April, will be busy showing him around and getting started on beach clean up for spring setup with tables and benches , April will be a busy month . between training and getting things done.

Im sure I missed some things , always do

Sincerely

John Friend

Village superintendent

CASH BALANCE BY FUND - FEBRUARY 2024

	GF -101	MSF - 202	LSF - 203	DSF - 301	WF - 591	EQF - 661	MF - 715
HUNTINGTON							
BEGINNING BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 34,031.88	\$ -	\$ -
RECEIPTS	\$ -	\$ -	\$ -	\$ -	\$ 154,635.83	\$ -	\$ -
DISPERSALS	\$ -	\$ -	\$ -	\$ -	\$ (176.72)	\$ -	\$ -
ENDING BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 188,490.99	\$ -	\$ -
SWEEP							
BEGINNING BALANCE	\$ 530,164.73	\$ 206,712.09	\$ 199,002.34		\$ 232,827.76	\$ 213,563.07	\$ 4,111.34
RECEIPTS	\$ 441.52	\$ 172.15	\$ 165.73	\$ -	\$ 193.90	\$ 177.85	\$ 3.42
DISPERSALS	\$ (245,000.00)	\$ -	\$ -	\$ -	\$ (170,000.00)	\$ -	\$ -
ENDING BALANCE	\$ 285,606.25	\$ 206,884.24	\$ 199,168.07	\$ -	\$ 63,021.66	\$ 213,740.92	\$ 4,114.76
STATE SAVINGS							
BEGINNING BALANCE	\$ 22,962.36	\$ 27,665.72	\$ 26,322.65	\$ 17,254.55	\$ 11,895.43	\$ 23,974.52	\$ 585.97
RECEIPTS	\$ 251,679.51	\$ 2,681.12	\$ 31,323.67	\$ 57.48	\$ 22,152.63	\$ 3,736.44	\$ 1.95
DISPERSALS	\$ (104,207.82)	\$ (22,197.98)	\$ (5,603.74)	\$ -	\$ (23,964.79)	\$ (27,116.37)	\$ -
ENDING BALANCE	\$ 170,434.05	\$ 8,148.86	\$ 52,042.58	\$ 17,312.03	\$ 10,083.27	\$ 594.59	\$ 587.92
FIRST NATIONAL - CD							
BEGINNING BALANCE	\$ 263,882.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RECEIPTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DISPERSALS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ENDING BALANCE	\$ 263,882.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	GF -101	MSF - 202	LSF - 203	DSF - 301	WF - 591	EQF - 661	MF - 715
CASH BALANCE - TREASURER	\$ 719,922.30	\$ 215,033.10	\$ 251,210.65	\$ 17,312.03	\$ 261,595.92	\$ 214,335.51	\$ 4,702.68
CASH BALANCE - CLERK	\$ 719,922.30	\$ 215,033.10	\$ 251,210.65	\$ 17,312.03	\$ 261,595.92	\$ 214,335.51	\$ 4,702.68
DIFFERENCE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SWEEP ENDING BALANCE				SSB ENDING BALANCE		TOTAL CASH ALL FUNDS	
TREASURER	\$ 972,535.90			TREASURER	\$ 259,203.30	TREASURER	\$ 1,684,112.19
CLERK	\$ 972,535.90			CLERK	\$ 259,203.30	CLERK	\$ 1,684,112.19
DIFFERENCE	\$ -			DIFFERENCE	\$ -		
REC. BANK STATEMENT BALANCE	\$ 972,535.90			REC. BANK STATEMENT BALANCE	\$ 259,608.26		

CASH SUMMARY BY ACCOUNT FOR VILLAGE OF EMPIRE
FROM 02/01/2024 TO 02/29/2024
FUND: 101 202 203 301 591 661 715
CASH AND INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 02/01/2024	Total Debits	Total Credits	Ending Balance 02/29/2024
Fund 101	GENERAL FUND				
003	CERTIFICATE OF DEPOSITS	263,882.00	0.00	0.00	263,882.00
004	STATE SAVINGS CASH	22,649.86	376,679.51	229,207.82	170,121.55
009	SSB MM SWEEP	530,164.73	125,441.52	370,000.00	285,606.25
015	IMPREST (PETTY) CASH	312.50	0.00	0.00	312.50
	GENERAL FUND	817,009.09	502,121.03	599,207.82	719,922.30
Fund 202	MAJOR STREETS FUND				
004	STATE SAVINGS CASH	27,665.72	5,270.06	24,786.92	8,148.86
009	SSB MM SWEEP	206,712.09	172.15	0.00	206,884.24
	MAJOR STREETS FUND	234,377.81	5,442.21	24,786.92	215,033.10
Fund 203	LOCAL STREETS FUND				
004	STATE SAVINGS CASH	26,322.65	31,323.67	5,603.74	52,042.58
009	SSB MM SWEEP	199,002.34	165.73	0.00	199,168.07
	LOCAL STREETS FUND	225,324.99	31,489.40	5,603.74	251,210.65
Fund 301	DEBT SERVICE FUND				
004	STATE SAVINGS CASH	17,254.55	57.48	0.00	17,312.03
Fund 591	WATER FUND				
001	HUNTINGTON BANK CASH	34,031.88	174,635.83	20,176.72	188,490.99
004	STATE SAVINGS CASH	11,895.43	22,152.63	23,964.79	10,083.27
008	RRI ACCOUNT	19,985.87	0.00	0.00	19,985.87
009	SSB MM SWEEP	212,841.89	20,193.90	190,000.00	43,035.79
	WATER FUND	278,755.07	216,982.36	234,141.51	261,595.92
Fund 661	EQUIPMENT FUND				
004	STATE SAVINGS CASH	23,974.52	3,736.44	27,116.37	594.59
009	SSB MM SWEEP	213,563.07	177.85	0.00	213,740.92
	EQUIPMENT FUND	237,537.59	3,914.29	27,116.37	214,335.51
Fund 715	MEMORIAL FUND				
004	STATE SAVINGS CASH	585.97	1.95	0.00	587.92
009	SSB MM SWEEP	4,111.34	3.42	0.00	4,114.76
	MEMORIAL FUND	4,697.31	5.37	0.00	4,702.68
	TOTAL - ALL FUNDS	1,814,956.41	760,012.14	890,856.36	1,684,112.19

Meeting:	March 26, 2024
Subject:	Village Office Update
Author:	Sue Palmer

Overview:

I would like to discuss with Council the items that were voted on at our last Work Session Meeting to ensure the residents are fully formed have the opportunity to comment. I have summarized the discussions below.

- Do we need a Commercial Appraisal of the Property before closing?
 - Palmer received a rough estimate of \$3,800 to have one completed during our 14-day due diligence period.
 - Linda did extensive research on what an appraisal would look like
- Do we need a Phase I Environmental Site Assessment?
 - Proposal from Otwell Mawby PC is \$2,100.

We also had a discussion regarding the Inspection report and any comments or concerns by Council.

Action Requested:

- I am asking the Council to make the original motions and vote to confirm the following:
 - The motion by Rademacher, second by Webb to complete a commercial appraisal not to exceed \$4,000.
 - Motion by Bacon, second by Rademacher to not accept a proposal by Otwell Mawby PC to complete a Phase I Environmental Site Assessment.



Otwell Mawby, P.C.
Consulting Engineers

March 7, 2024

Village of Empire
C/o: Ms. Maggie Bacon
Email: m.bacon@villageofempire.com

**SUBJECT: PROPOSAL FOR ENVIRONMENTAL SERVICES
PHASE I ENVIRONMENTAL SITE ASSESSMENT
COMMERCIAL PROPERTY
11537 SOUTH LEELANAU HIGHWAY
VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN**

Dear Maggie:

Otwell Mawby P.C. (Otwell Mawby) is pleased to present our proposal for environmental assessment / due diligence services related to the commercial property located at 11537 South Leelanau Highway (Parcel Identification Number: 041-500-003-00) in the Village of Empire, Leelanau County, Michigan. The following is a proposed scope of services to complete a Phase I Environmental Site Assessment (Phase I ESA) for the subject property.

Otwell Mawby is well-versed in performing the specific services requested. During the last year, we have performed over 50 Phase I Environmental Site Assessment (ESA) projects, many of which included Phase II assessments and Baseline Environmental Assessments (BEAs). We believe that our knowledge and experience can be a significant asset toward achieving your project goals.

The following presents Otwell Mawby's scope of services, schedule, and budget for the requested services.

SCOPE OF SERVICES

Otwell Mawby will provide the labor, equipment, and materials necessary to complete the following scope of services:

Conduct Phase I Environmental Site Assessments

Otwell Mawby will complete a Phase I ESA in general accordance with American Society of Testing and Materials (ASTM) Standard 1527-21. The goal of the Phase I will be to identify, to the extent feasible, Recognized Environmental Conditions (RECs) in connection with the subject property or adjacent parcels. The Phase I ESA will include a records review; a site reconnaissance; interviews with current owners, employees and/or occupants of the property; and interviews with government officials. Findings of the Phase I will be documented in the final report.

For the subject property, the client is requested to:

- Obtain a title search for the property during their acquisition process as may be required under ASTM environmental assessment standard. The title search will be evaluated for any environmental liens. Otwell Mawby will undertake a review of the title work.
- Provide lender guidelines (i.e., SBA), if applicable, for Phase I ESAs, as available, if the Phase I ESA will be submitted for lender financing or to meet the requirements of a lending institution.
- Provide any information on the property, including the property tax identification numbers, tax card, legal description, copy of a survey, and any previous assessment reports, if available.
- Make arrangements with the current owner for Otwell Mawby to have access to the site for the Phase I site visit and Phase II sampling and analysis, if necessary.

Otwell Mawby will prepare pdf copy of the Phase I ESA for your use and distribution and can provide a hard copy of the report on request.

SCHEDULE

The Phase I ESA will be completed within approximately two weeks of our receipt of your authorization to proceed or we will meet any mutually agreeable timeframe. If documents are required to be obtained through submittal of a Freedom of Information Act (FOIA) to the State or local municipal office, additional time for completion of the report may be required. Otwell Mawby will notify you if a delay is expected due to a pending FOIA request. Otwell Mawby will initiate the project activities upon receipt of the signed authorization-to-proceed and will provide verbal findings of the Phase I ESA within one week of the authorization-to-proceed.

COMPENSATION

Otwell Mawby will complete the activities scoped herein on a lump-sum basis. The cost for completion of the project activities is presented below.

Phase I ESA	\$ 2,100.00
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The work will be completed and invoiced as described herein, in accordance with the attached project Terms and Conditions. Additional work beyond the scope provided in this proposal will only be executed upon your authorization.

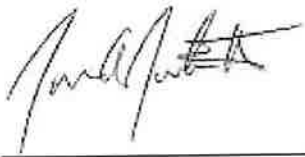
Following your review and acceptance of our proposal, please sign and return the attached project authorization form authorizing Otwell Mawby, P.C. to work on this project.

We thank you for the opportunity to provide our proposal for your review and consideration. If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

OTWELL MAWBY, P.C.

Environmental ▪ Brownfield ▪ Asbestos

A handwritten signature in black ink, appearing to read "James A. Jackson II", is written over a horizontal line.

James A. Jackson II
Senior Environmental Professional

Attachment

cc: Proposal File

AUTHORIZATION TO PROCEED

Village of Empire
C/o: Ms. Maggie Bacon
Email: m.bacon@villageofempire.com

Your signature, or an authorized representative's signature, on this form will provide authorization for Otwell Mawby P.C. to proceed in accordance with our attached standard Contract Terms and Conditions and constitute acknowledgement of the scope of services described in the proposal dated, March 7, 2024.

PROJECT DESCRIPTION / COST

For completion of a Phase I Environmental Site Assessment related to the commercial property located at 11537 South Leelanau Highway (Parcel Identification Number: 041-500-003-00) in the Village of Empire, Leelanau County, Michigan. Otwell Mawby will initiate the project activities upon receipt of the signed authorization-to-proceed and provide verbal findings within one week of the authorization-to-proceed. The Phase I ESA will be completed within approximately two weeks of our receipt of your authorization to proceed or we will meet any mutually agreeable timeframe. If documents are required to be obtained through submittal of a Freedom of Information Act (FOIA) to the State or local municipal office, additional time for completion of the report may be required. Otwell Mawby will notify you if a delay is expected due to a pending FOIA request. The cost for the proposed scope of service is presented below.

Phase I ESA

\$ 2,100.00

Please sign below and return a copy of this document to Otwell Mawby, P.C., Consulting Engineers, 309 East Front Street, Traverse City, Michigan 49684. The executed document can be sent via email at jjackson@otwellmawby.com or facsimile at (231) 946-5216.

Name: _____

Title: _____

Company: _____

Address: _____

Email: _____

Phone/ Fax: _____

Signature: _____

Date: _____

Village of Empire, C/o: Ms. Maggie Bacon
Phase I ESA Proposal – Commercial Property
11537 South Leelanau Highway, Empire, Michigan

Otwell Mawby, P.C.
Traverse City, Michigan
Page 5

OTWELL MAWBY, P.C.
Consulting Engineers
309 East Front Street
Traverse City, Michigan 49684

Environmental ▪ Brownfield ▪ Asbestos ▪ Geotechnical ▪ Materials Testing

STANDARD TERMS AND CONDITIONS
EFFECTIVE JANUARY 2024

I. Fees for Consulting Services

Hourly rates for:	Principal	\$110.00
	Project Manager / Sr. Engineer/Geologist	\$96.00
	Project Engineer/Geologist	\$80.00
	Staff Engineer/Geologist	\$72.00
	Senior Environmental Technician	\$65.00
	Technician II	\$47.00
	Technician I	\$43.00
	Clerical	\$30.00

II. Equipment Charges

Mileage	\$0.67 per mile
Sampling Pump	\$75.00 per day
Water Well Monitoring Equipment	\$25.00 per day
Pressure Transducer Equipment	\$50.00 per day
Photoionization Detector (PID)	\$125.00 per day

III. Services of Others

On occasion, subcontractors and subconsultants will be used with your approval. The cost of such services plus a fifteen percent contract administration fee will be included in our invoice.

IV. Invoices

Invoices will generally be submitted once a month for services performed during the previous month. Payment will be due within 30 days of invoice date. Interest will be added to accounts in arrears at the rate of 1.5 percent per month. Credit card payments will be assessed a 3.5% convenience fee. The card holder is also responsible for payment of any transaction fees.

V. On-Site Services During Project Activities

Should our services be provided on the job site during project activities, clean-up or other site tasks, it is understood that, in accordance with generally accepted engineering practices, the contractor will be solely and completely responsible for working conditions on the job site, including safety of all persons and property during the performance of the work, and compliance with OSHA regulations, and that these requirements will apply continuously and not be limited to normal working hours. Any monitoring of the

contractor's performance conducted by our personnel is not intended to include review of the adequacy of the contractor's safety measures, in, on, or near the site.

It is further understood that field services provided by our personnel will not relieve the contractor of his responsibilities for performing the work in accordance with applicable laws and regulations and with the plans and specifications.

VI. Ownership of Documents

All reports, field data and notes, laboratory test data, calculations, estimates, and other documents which we prepare, as instruments of service, shall remain our property. You agree that all reports and other work we furnish you or your agents, which are not paid for, will be returned upon demand and will not be used for any purpose whatsoever.

Any documents or reports prepared by our firm are intended for your use and benefit and any lenders that might rely on the report and findings whose interests are secured by the property. They are not intended for use by any other third party.

Reports and other materials resulting from our efforts on this project or site are not intended or represented to be suitable for reuse by you or others on extensions or modifications of this project or for any other projects or sites. Reuse of reports or other materials by you or others on extensions or modifications, of this project or on other sites, without our written permission or adaptation for the specific purpose intended shall be at the user's sole risk, without liability on our part, and you agree to indemnify and hold us harmless from all claims, damages and expenses, including attorney's fees, arising out of such unauthorized reuse resulting from the release of documents.

VII. Confidentiality

We will hold confidential all business or technical information obtained or generated in the performance of services under this Agreement. We will not disclose such information without your consent, except to the extent required for (1) performance of services under this Agreement; (2) compliance with professional standard of conduct regarding immediate and emergency public safety and health concerns; (3) compliance with any court order or governmental directive; and/or (4) protection of Otwell Mawby, P.C. against claims or liabilities arising from the performance of services under this Agreement. Our obligations hereunder shall not apply to information in the public domain or lawfully acquired on a non-confidential basis from others.

VIII. Insurance

We are protected against risks of liability exposure by Worker's Compensation Insurance, Comprehensive General Liability Insurance (bodily injury and property damage), Automobile Liability and Professional Liability Insurance. We will furnish information and certificates at your request. We will not be responsible for any loss, damage or liability arising from your negligent acts, errors and omissions, and those by your staff, consultants, contractors and agents or from those of any person for whose conduct we are not legally responsible.

IX. Standard of Care

In accepting this Agreement for consulting services, you acknowledge the inherent risk associated with oil, hazardous, radioactive, toxic, irritant, pollutant or otherwise dangerous substances or conditions as well as with construction. In performing our professional services, we will use that degree of care and skill ordinarily exercised, under similar circumstances, by members of the profession practicing in the same or similar locality. The standard of care shall exclusively be judged as of the time the services are rendered and not according to later standards. We make no express or implied warranty beyond our commitment to conform to this standard.

X. Indemnity

It is understood and agreed that, in seeking our consulting services under this Agreement, you are requesting us to undertake potentially uninsurable obligations for your benefit involving the presence or potential presence of hazardous wastes and substances. Therefore, you agree to hold harmless, indemnify, and defend us from and against any and all claims, losses, damages, liability, and costs, including but not limited to costs of defense, arising out of or in any way connected with the presence, discharge, release, or escape of contaminants of any kind, excepting only such liability as may arise out of our negligence in the performance of services under this Agreement.

XI. Limitation of Liability

As part of this contractual Agreement, both parties agree, acknowledge, and so contract between themselves that in the event the owner or signatory to this contract suffers any monetary damage resulting from the negligence of Otwell Mawby, P.C., it is specifically agreed that the liability shall be limited to the extent of coverage of Otwell Mawby, P.C.'s professional liability insurance policy.

XII. Guaranty

The undersigned hereby jointly and severally personally guarantee the full and prompt payment, when due, of the entire principal amount owed Otwell Mawby for services rendered. The liability of the guarantors on this guaranty shall be continuing, direct and immediate and not conditional or contingent upon the pursuit of any remedies against the client or any other person, nor against security or liens available to Otwell Mawby.

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 had two attorneys recommend this purchase and they were surprised we didn't already have this in place.

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
Prepare Derith Smith (231) 326-5466
d For 11518 S LaCore St
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
Total Items				\$874.00
Total				\$0.00
Tax Exempt Sale				\$0.00
Quote Total				\$874.00

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

Meeting:	March 26, 2024
Subject:	Extended Warranty for Backhoe
Author:	Sue Palmer

Overview:

The Village recently purchased the new John Deere 310P Backhoe. In order to save the cost of a price increase that goes into effect on May 1, 2024, the Village should talk about and vote to approve the Extended Warranty.

Action Requested:

John has provided an email outlining the cost. Council to review the document provided and be prepared to discuss and decide if we should approve the Extended Warranty or not.

FYI

dpw@villageofempire.com

From: Dan Novak <DNovak@aisequip.com>
Sent: Thursday, March 7, 2024 3:30 PM
To: dpw@villageofempire.com
Cc: Karen Ross
Subject: Extended warranty Deere 310P

Hello John

John

Per our conversation yesterday
Here are two options for extended warranty for your new Tractor Backhoe

Power Train and Hydraulics – 60 months and 2500h (500h/year) = \$2500
Or
Comprehensive (Full warranty) – 60 months and 2500h = \$4,750 - note this one covers all components but comes with \$250 deductible.

Most of my customers go with the PTH warranty.

NOTE – I just got note that May 1st all extended warranty goes up 8%
So it might be most beneficial to make decision before that date.

Let me know if you have any questions

Thanks
Dan
PS – also confirm that your JD LINK works now ?
d

Daniel Novak
Governmental Sales
AIS Construction Equipment Corp.
8300 E - M72
Williamsburg, MI 49690
231 631 6168
FAX 231 267 5257
dnovak@aisequip.com

Disclaimer: No agent, employee, or representative of AIS Construction Equipment Corporation has any authority to bind AIS to any affirmation, promise, representation, or warranty, unless it is expressly made and agreed to in a written and fully executed Sales Contract. No information in this communication shall become part of any contract for sale unless expressly agreed to by AIS in a fully executed Sales Contract.

Village of Empire Deputy Clerk

From: Sue Palmer <s.palmer@villageofempire.com>
Sent: Thursday, March 21, 2024 8:46 AM
To: Donna Haiderer
Cc: Alacia Acton; Derith Smith
Subject: Re: First Responders Appreciation Event Planning

Good morning Donna. We have a meeting on Tuesday evening and I will ask counsel who would like to volunteer to help out. This is a wonderful idea. I will let you know Wednesday morning.

On 03/20/2024 11:28 AM EDT Donna Haiderer <haidererdl@aol.com> wrote:

Hello Sue!

Background: I am leading the planning for our August 3rd First Responders Appreciation Event. It will be an opportunity for our Empire community to share their appreciation to these amazing men and women at a (free) pig roast at Johnson Park. I already have leaders working on the details for everything from food to facilities to publicity...and we are very excited about this event!

Request: I am looking for a Village Council representative to be part of our four event planning meetings. My hope is that this person could identify areas where the Village Council could collaborate and assist as they listen to the Planning Teams report on their status. The meetings will be at 1-2 pm on the 3rd Tuesday (April 16, May 21, June 18, July 16) at the Empire United Methodist Church fellowship area.

Please let me know if you have any questions. And get back to me asap and let me know who can join us. (It would be great if it was you!) I will want their email to keep them in the loop.

Thank you so much.
Donna Haiderer
248.459.7631
haidererdl@aol.com