

## **APRIL 25, 2023 – EMPIRE VILLAGE COUNCIL REGULAR MEETING**

The Regular meeting was called to order at the Empire Township Hall and the Pledge of Allegiance was led by Palmer at 7:00 p.m. Upon a roll call, Council members Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb were present. Clerk Smith was also present.

**CHANGES/ADDITIONS TO AGENDA** – Bacon added ROP and Citizen Engagement as Work Session expectations under Old Business.

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

**PUBLIC COMMENTS ON AGENDA ITEMS** – Mary Sharry spoke in favor of the Wastewater Update Task Force and Citizen Engagement. William Rotenberry commented on the Wastewater Update Task Force as a waste of taxpayer dollars. Val Dalton commented that she and her husband feel the 20K in taxpayer dollars for the Wastewater Update Task Force in support of a sewer system for businesses would be better spent on problems with existing infrastructure.

**CONSENT AGENDA** – Motion by Dye, support by Walton to approve the Consent Agenda including minutes of 4/13/23 Work Session and bills totaling \$38,452.18. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

**FINANCIAL REPORTS** – Financial reports were received and indicated that the cash bank balances and the general ledger match by fund. ~~Several questions from Dye were answered.~~

**COMMUNICATIONS** – An email from Mary Sharry was read aloud. Bacon read her letter to the Council and public aloud.

**DEPARTMENT HEAD REPORTS** – Palmer reported on progress at Shalda Park. The Zoning Administrator report was received and read aloud.

**COUNCIL MEMBER/COMMITTEE REPORTS** – Chase reported on the Personnel Committee meeting of 4-24-23 where a job description (read aloud) and an ad for a seasonal DPW worker were discussed. **Motion by Chase, support by Dye to advertise for the seasonal DPW worker and Beach Ambassadors in the Leelanau Enterprise and the Benzie Patriot for 2 weeks.** There was discussion regarding \$15 pay rate for Ambassadors and the possible duties beyond mowing grass for the DPW assistant. **Upon a voice vote, MOTION PASSED.**

## **OLD BUSINESS**

**CONSIDER MOTION TO APPROVE THE PURCHASE OF A NEW PARKING METER FOR EMPIRE BEACH** – Motion by Dye, support by Walton to approve ordering the new Luke II Pay Station for Empire Beach not to exceed \$14,675. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

CONSIDER MOTION TO RESCIND SEPTIC INSPECTIONS AT TIME OF SALE ORDINANCE NO. 137- **Motion by Rademacher, support by Bacon to rescind the Point-of-Sale Septic Inspection Ordinance No. 137 now that Leelanau County has approved a county-wide ordinance that is stricter.** Discussion included whether those reports are available as a public record if there is a concern. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

CONSIDER MOTION TO APPROVE PROPOSAL FOR THE WILCO DRAINAGE IMPROVEMENT PROJECT – **Motion by Bacon, support by Rademacher to approve \$40,500 for the Wilco Road Improvement Project and commit the AARPA funds of \$39,433.95 received towards this plan.** ~~Discussion included whether the National Park Service, Empire Township and the County Road Commission had been notified and may partner with the Village on this project. It was noted that this is a first step of a large plan with details to take to those entities and required to apply for grant funding. Pollutants contained in the infiltrator and South Bar Lake have been identified over the last 5-6 years of testing and this would be a first step in addressing a possible solution.~~ *Discussion included a plan to provide a solution for water run-off on Wilco Road to be shared with the National Park Service, Empire Township, and the County Road Commission. The solution would be a first step and could also be used for potential grant funding. Questions were raised regarding partnering to share some of the costs were answered.* It was noted that the bulk of this cost would be covered by Federal AARPA dollars rather than taxpayer dollars. **ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher. Nays: Dye, Walton, Webb. MOTION PASSED.**

WASTEWATER UPDATE TASK FORCE - CONSIDER RESCINDING 2022 MOTION REGARDING REMOVAL OF WASTEWATER STUDY FROM THE CIP FOR 5 YEARS – **Motion by Bacon, support by Walton to rescind the motion of 1-22-22 removing the Wastewater Study from the CIP for 5 years.** Discussion was requested and included comments that conversation with *some* residents along LaCore *who* indicated they were all opposed to spending taxpayer monies on this committee at this time. **Upon a voice vote, MOTION PASSED with Chase and Rademacher opposed.**

CONSIDER APPROVING AMENDMENTS TO THE ORIGINAL CHARGE – **Motion by Walton, support by Dye to amend the previously adopted motion of January 24, 2023, establishing a Wastewater Update Task Force to include the following changes: A i: Task Force should establish a Scope of work for this project subject to Council approval, change A iv: “economic benefit” to read “economic impact”, B i: a date of dissolution for 1 year from the date of acceptance of this amended motion, and C i; will be comprised of 5 Village residents, property owners and/or business owners.** There was discussion about whether an affordability index should be included. ~~Walton felt~~ *Discussion* that it may be a burden initially for the committee and could be added later. *An affordability index is required for grant funding and available at no charge. Comments were made that the community will want to know “how much will this cost?” Several trustees commented this was the most requested information for the public and their support. Bacon noted it was required for grant funding and available at no charge. Chase and Rademacher felt it was the most requested information for the public and their support.* **ROLL CALL: Ayes: Dye, Walton. Nays: Bacon, Chase, Palmer, Rademacher, Webb. MOTION DEFEATED.** Motion by Dye, supported by Rademacher restated the previous motion and added A iii: “associated costs”, and an affordability index. **ROLL**

**CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None.**  
**MOTION PASSED**

**APPOINTMENT OF WASTEWATER UPDATE TASK FORCE MEMBERS** – ~~Bacon requested the opportunity to ask questions about the process used by Palmer for selection. Her questions: “Were all applicants interviewed by you? Were any other Council members consulted in your deliberations? Is there a reason the handbook page that talks about describing a process for appointing a citizen committee wasn’t a part of your documentation? Are you going to be providing the public the list of all the people who applied?” Palmer responded that the MML handbook page was not included in her documentation because it was included in the work session documentation. She stated her process was: “I looked at people who were involved in the last study. I looked at people that had an interest in the economics of the village people. They are concerned about the wastewater systems. I don’t remember all your questions Maggie, but I did go thru that process that was there. I looked thru all of these. I have made my decision on who I want to do.” Bacon repeated her question on consulting other Council members. Palmer stated she “didn’t consult them to tell me who they wanted. There was a couple of people that I do know background on, and I did ask individual not as a group.” Bacon asked who those individuals were. Palmer responded “I talked to March, and I talked to Meg. They are out in the streets talking to everybody, so they know people a lot better than I do.” Palmer appointed Bruce Taggart, Paul Skinner, Tom Rademacher, Bill Dickenson, John Bruder and requested a motion to approve. Questions were asked about the process used by Palmer for selection of Task Force members. Palmer responded with the process she used. Palmer appointed Bruce Taggart, Paul Skinner, Tom Rademacher, Bill Dickinson, John Bruder and requested a motion to approve. Motion by Bacon, support by Dye to approve the list of appointments. Chase feels John Lambkin has valuable experience to contribute being an electrician and working with wastewater systems. She feels some applicants have more experience to offer. She was curious about the thought process used. Upon a voice vote, MOTION PASSED with Chase opposed.~~

**RULES OF PROCEDURE AND CITIZEN ENGAGEMENT WORK SESSION TOPIC EXPECTATIONS** – Bacon wondered if some context could be provided. Palmer asked that Council review through page 6 of the Rules of Procedure and provide suggestions to the office or herself for inclusion in the next packet in May. Council was asked to bring the suggestions made at the Work Session regarding Citizen Engagement for prioritization. Meg was asked to bring the vision statement so the Council could talk thru that.

**NEW BUSINESS** – None.

**PUBLIC COMMENT** – John Collins thanked Council members for serving and despite political friction for working together for residents. Karen Baja questioned the current Rules of Procedure, thanked Council for serving, and questioned employee performance reviews. Mary Sharry thanked the Council and asked about recording of meetings. Paul Skinner commented on the proposed Wilco Road project.

**COUNCIL MEMBER COMMENT** – Bacon read the list of applicants for the Wastewater Update Task Force. Walton questioned whether Communications included only letters from the community or interested parties.

~~Smith requested that all writings prepared for the meeting, not just those read, per the Rules of Procedure and the General Law Village Act be turned in as part of the Village records.~~

**ADJOURNMENT** at 8:36 p.m.

Derith Smith Empire Village Clerk

*These minutes were approved at the May 11, 2023, Council meeting.*