

## **JUNE 25, 2024 – EMPIRE VILLAGE COUNCIL REGULAR MEETING**

The 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. Clerk Smith, Treasurer Acton and DPW Superintendent Friend were also present.

**CHANGES/ADDITIONS TO AGENDA** – Rademacher requested the Wade Trim proposal be removed and the Water Rate Study presentation. Bacon removed the sign ordinance.

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

**PUBLIC COMMENTS ON AGENDA ITEMS** – Carey Ford and Bob Chase commented on the process used by the Short-Term Rental Committee as they were both members. Linda Young commented on the Short-Term Rental petition she and neighbors recently circulated. Barbara Ludlow commented on a Short-Term Rental regulation ordinance. Terry Bacon commented on beach parking, the Short-Term Rental Committee assignment and the regulation ordinance petition. Tina Dunphey commented on the Short-Term Rental regulation, the registration ordinances and the need for a public hearing. Frank Clements read a letter regarding Short-Term Rentals (included as handout).

**CONSENT AGENDA – Motion by Dye, support by Walton to approve the Consent Agenda including the 6/13/24 Work Session minutes and bills totaling \$109,869.94. ROLL CALL: Ayes: Bacon, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.** The largest expenses were described.

**FINANCIAL REPORTS** – Financial reports were received and indicated that the bank balances and the general ledger match by fund.

**COMMUNICATIONS** – None.

**DEPARTMENT HEAD REPORTS** – DPW report was received and included in the packet. Reports on water loss and usage were requested. Records of gas pumped from Village tanks compared to billings were discussed as a means of financial control. **Motion by Dye, support by Walton to approve the replacement of Wellhouse #2 &3 roof for a cost not to exceed \$2K. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

**COUNCIL MEMBER/COMMITTEE REPORTS** – Bacon reported on several traffic or directional signs and the tar & chip project on a portion of Union St. Dye reported on the status of changing area and parking at Shalda Park for major events.

## **OLD BUSINESS**

**APPOINTMENT OF WASTEWATER STUDY UPDATE COMMITTEE**- Palmer appointed Marc Oberschulte. **Motion by Webb, support by Walton to approve the appointment of Marc Oberschulte to this committee.** Discussion included questions on whether the Council and/or Mr. Oberschulte had changed their mind regarding the economic need for a wastewater system, not an environmental need (letter excerpt read); and whether John Lambkin (retired

waste system operator and committee applicant) had been considered for his expertise and appointment. No answers were offered for discussion. **Upon a voice vote, Bacon opposed, MOTION PASSED.**

**SHORT-TERM RENTAL ORDINANCE NEXT STEPS- Motion by Dye, support by Walton to send both the regulation and registration ordinances to an attorney at Mika Meyers with Short-Term Rental experience for a review on their legality and have a lawyer in the firm who is familiar with STRs do the work.** There was discussion of whether a professional planner may offer advice not available from an attorney; the opportunity for the entire council and public to offer questions to the attorney; the need for a definition of goals and problems to be addressed. Consultation with a planner after the legal review was suggested as the process is far from complete. **Upon a voice vote, Bacon, Chase, and Rademacher opposed, MOTION PASSED.**

**BEACH PARKING FEES-Motion by Dye, support by Walton to double the parking fees to \$2.00/hour.** There was discussion of current Park revenues exceeding the expenditures and how that money could be used; what the grant agreement includes; if a legal opinion is required. Clarification from the DNR about free passes for residents vs the payment by public, updates to the fee schedule, and signs were discussed. **ROLL CALL: Ayes: Dye, Palmer, Walton, Webb. Nays: Bacon, Chase, Rademacher. MOTION PASSED. Motion by Walton, support by Dye to send the beach parking fee implementation plan to the Parks Committee for the July Work Session report and voted on at the July Regular Meeting. Upon a voice vote, Bacon, Chase, Rademacher opposed, MOTION PASSED.**

**MASS GATHERING FEE-** Palmer reviewed the documentation she had provided. **Motion by Dye, support by Walton to update the Fee Schedule: the Non-profit fee to \$200 and For-profit Fee of \$300.** Discussion included actual costs incurred by the Village and reimbursement for such. **ROLL CALL: Ayes: Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: Bacon. MOTION PASSED.**

**FENCE AT RECYCLING- Motion by Bacon, support by Rademacher to authorize the Street Administrator to explore the options for remediation and expected costs for the August Work Session.** Discussion included asking the County if they would contribute to the cost of a new fence. **Upon a voice vote, Palmer opposed, MOTION PASSED.**

## **NEW BUSINESS**

**NEW VILLAGE OFFICE TAX BILL-UPDATE AND CLARIFICATION-** Palmer reviewed the documentation. There was discussion of whether these could be appealed to the July Board of Review; **Motion by Bacon, support by Dye that the President speak to the attorney about the tax bill, purchase agreement and our disappointment that this was not caught in the legal review. Upon a voice vote, MOTION PASSED.**

**Motion by Rademacher, support by Dye to extend the meeting until 9:30pm. Upon a voice vote with Bacon opposed, MOTION PASSED.**

**OFFICE FURNITURE PURCHASE- Motion by Chase, support by Dye to approve a not to exceed amount of \$5K for office furniture for the new office. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

**PURCHASE OF TREES FOR CORNER OF WILCE AND UNION-** Dye reviewed the documentation provided. **Motion by Dye, support by Walton to purchase 3 trees, with 2 professionally planted, not to exceed \$1500K. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

**PUBLIC COMMENT** – Ine Hacker commented on fees for non-profit events. Terry Bacon commented on the trees on public or private property, the taxes and purchase agreement, possible proration of legal fees, and legal review of STR ordinances including a cap. Frank Clements commented on additional street issues for the Street Administrator to address with MDOT.

**COUNCIL MEMBER COMMENT** – Bacon thanked the Beautification Committee for all their work and Chase’s friend for her work. Chase thanked her friend, Carrie Hanscom, for her work on the new office landscaping at no cost.

**ADJOURNMENT** at 9:14 p.m.

Derith Smith Empire Village Clerk

*These minutes were approved at the July 11, 2024, Council meeting.*