

October 24, 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, Palmer, Palmer, Walton, and Webb were present. Clerk Smith was present.

CHANGES/ADDITIONS TO AGENDA – Chase added part-time DPW help under New Business. Bacon added Shalda Park under Old Business and Legal Counsel Insurance Company Assignment under New Business. Palmer removed Planning Commission Appointment from New Business.

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

PUBLIC COMMENT ON AGENDA ITEMS – None.

CONSENT AGENDA – Motion by Dye, support by Bacon to approve the Consent Agenda including minutes of the 10/12/2023 Work Session and bills totaling \$22,752.08. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

FINANCIAL REPORTS – Financial reports were received from the Treasurer and Clerk. Totals from each indicate that the general ledger matches the bank statements. There was discussion of an explanation of when Winter Streets Revenue is received at a future work session.

COMMUNICATIONS – None.

PRESENTATION – Palmer presented a Resolution of Appreciation to Carol and John Peterson thanking them for their years of dedication to the monitoring and reporting of water quality at South Bar Lake.

DEPARTMENT HEAD REPORTS – Written reports from DPW Superintendent Friend and Zoning Administrator Hall were received. Friend reviewed several items and answered questions regarding needed repairs for the launch ramp, parts delivered and mowing completed for the ribbon-cutting at Shalda Park. Palmer read a portion of ZA Hall's report regarding an electric charging station at the old schoolhouse property and training opportunities.

COUNCIL MEMBER/COMMITTEE REPORTS – The Short-Term Rental Committee report was read aloud. Dye reported on a recent volunteer effort in creating a path connecting Shalda Park and the adjacent Leelanau Conservancy property. A tulip tree was donated and planted by the sit-up station. Dye also read a report from the Sleeping Bear Gateway Council. Rod Barnes reported on the progress of the Citizens Community Asset Task Force and distributed a preliminary list they have produced.

OLD BUSINESS

FRONT LOADER PURCHASE – Bacon reviewed the documentation on warranties and trade-in options. **Motion by Bacon, support by Rademacher to approve the purchase of the John**

Deere front loader for \$105,150.22. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

FEASABILITY STUDY FOR NEW/RENOVATED OFFICE SPACE - Motion by Bacon, support by Rademacher to approve contract with Renovare for a total of 70K with 35k out of the current budget to be amended if needed. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

SHALDA PARK - Motion by Bacon, support by Chase to ratify the decision to have the DPW personnel remove barbed-wire fence located on private property #005-018-014-11 and to file the consent from the property owner with the Clerk along with the minutes of this meeting. This would address an OMA violation and an action contrary to Council motions to have public discussion before action is taken. Upon a voice vote, MOTION PASSED.

NEW BUSINESS

PARKS COMMITTEE REQUESTS – Motion by Dye, support by Walton to have the committee gather information on an increase in fees for Beach Parking, playground equipment for Shalda Park (open ended to take advantage of discounts and deals) and permission to explore the feasibility and the costs involved in building a boardwalk connecting Lions Park to Lake Michigan Beach Park. Discussion included defining the priorities on the CIP, Chase would like the Boardwalk removed, permission for any fee increase be discussed with MI Natural Resources Trust Fund per Bacon, Walton felt planning documents would be needed for potential grants, and Webb felt a discussion of projects was needed before any action was taken. ROLL CALL: Ayes: Dye, Palmer, Walton, Webb. Nays: Bacon, Chase, Rademacher. MOTION PASSED.

DISASTER PREPAREDNESS COMMITTEE EXTENSION – Motion by Walton, support by Rademacher to extend the deadline for this committee to complete their assignment and issue their report until January 2024. Upon voice vote, MOTION PASSED.

PART-TIME HELP FOR DPW - Motion by Chase, support by Bacon to hire temporary part-time assistance for the DPW until the vacant position is filled, not to exceed 5K, at the hourly rate paid to the last DPW Technician. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

LEGAL COUNSEL INSURANCE COMPANY ASSIGNMENT - Motion by Bacon, support by Rademacher to have the FOIA Coordinator notify the law firm Mika Meyers and Mr. Tim Figura that the Village insurance company, Tokio Marine, will assign their counsel for the Village, the President and the office of the President to represent all 3, unless coverage is rejected, and to ensure that no taxpayer dollars will be spent on outside counsel regarding the FOIA complaint. Upon a voice vote, MOTION PASSED.

Motion by Bacon, support by Rademacher to have the President provide the Council a record of questions submitted to Mr. Figura regarding the FOIA request since its filing and including their dates, per ROP #11. Upon a voice vote, MOTION PASSED.

PUBLIC COMMENT – Jason Miesner, Superintendent of Glen Lake Schools, provided literature and answered questions regarding their millage request.

COUNCIL MEMBER COMMENT – Bacon commented that while it may appear that there is a lot of legal bureaucracy that seems unnecessary to get things done, unlike businesses the act of governing ensures equal opportunity if those laws are consistently followed. While mistakes will be made, those laws ensure the public of equality of opportunity, access, and voice to all.

ADJOURNMENT at 8:22 p.m.

Derith Smith Empire Village Clerk

These minutes were approved at the November 12, 2023, Council meeting.