

November 9, 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, Treasurer Acton and DPW Superintendent Friend were also present.

CHANGES/ADDITIONS TO AGENDA – Bacon swapped the order of several items under New Business; Palmer removed the ROP until the January Work Session and added approval of minutes to the consent agenda.

ADOPTION OF AGENDA - Motion by Webb, 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 Rademacher to approve the Consent Agenda including bills totaling \$11,922.61 and the minutes of the Regular meeting of 10-24-23. 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.

COMMUNICATIONS – Notice of 4K grant from MI Par Plan towards the cost of the generator and letters from South Bar Lake Association and John and Carol Peterson were read aloud.

DEPARTMENT HEAD REPORTS – Friend reported that leaf removal and winter storage of all equipment has been completed. Wayne Taghon has been hired to assist the DPW as requested until the vacant position is filled. Volunteers are available to assist with installing the Christmas decorations. It was noted that the office will be closed the entire week of the Thanksgiving holiday. Palmer reported the Mr. Foulkes had requested information from the Planning Commission regarding Phase V of the New Neighborhood. Bacon will add to the Planning Commission agenda.

COUNCIL MEMBER/COMMITTEE REPORTS – Minutes from the Asset Mapping Task Force and the Wastewater Task Force were received and read aloud. Streets Administrator Bacon reported that bids for Florence St. and Lambkin Lane have been advertised with construction completed in Spring 2024. Winter Revenue for Streets was clarified. Parks Committee reported that parking fees, repairs and maintenance and capital improvements for the next fiscal year were discussed.

OLD BUSINESS

NEW NEIGHBORHOOD PHASE IV – Motion by Bacon, support by Rademacher to approve Resolution No. 11 of 2023 Accepting Dedication of Roads and Alley in the New Neighborhood to the Public. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

Motion by Bacon, support by Dye to approve authorizing the Village President to sign the Street Dedication and Hold Harmless Agreement regarding New Neighborhood Property Owners Association #4. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

SHORT-TERM RENTAL COMMITTEE REPORT – The report was read aloud. Discussion included motion to accept vs receive a report; whether continued discussion of this “thorny” issue should be pursued; reasons for tourism increase; validity of some statistics included were questioned; upkeep of properties; short-term renters as supporters of Asparagus Festival and Hill Climb; needed changes to the Zoning Ordinance **Motion by Dye, support by Walton to have the Council establish a special committee to be comprised of 2 council members and 2 planning commissioners to draft a registration ordinance and any other forms that may be necessary to implement a Short-Term Rental Ordinance to be completed by February 1, 2024. Upon a voice vote, MOTION PASSED.**

Motion by Webb, support by Dye to appoint Walton and Dye to this Special Committee. Palmer will ask Planning Commissioner Chair Schous to appoint 2 members. **ROLL CALL: Ayes: Dye, Palmer, Walton, Webb. Nays: Bacon, Chase, Rademacher. Nays: Bacon, Chase, Rademacher. MOTION PASSED.**

APPOINTMENT OF PLANNING COMMISSIONER – Palmer appointed Carey Ford to the open Planning Commission seat. Bacon expressed disappointment that Carla Weinheimer was not contacted or considered for this position as she holds skills in community development, which has been noted as a priority for the Council. Palmer stated her reason for not selecting Carla, per our process for selecting pc members, was that we already have representation from the Lake Michigan Drive area. **Motion by Walton, support by Dye to approve this appointment. Upon a voice vote, MOTION PASSED.**

NEW BUSINESS

VILLAGE SERVICE OUTSOURCING – **Motion by Bacon, support by Dye to approve a pilot program for the 2023-34 season for street plowing only per the proposal from Harriger Construction.** Discussion included average number of plows per year, equipment costs and vendor vs internal costs; number of bids required vs local contractors. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None.**

MOTION PASSED. Motion by Bacon, support by Dye to outsource the Brush Pile Cleanup to Harriger Construction from now until December 31, 2023. Discussion included use of brush pile by non-residents; DPW currently requires twice amount of time as Harriger; quantifiable trips needed for comparison or dollar limit imposed; re-evaluation in the next fiscal year. **CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

CIP/PRIORITY DISCUSSION – **Motion by Bacon, support by Rademacher to appoint a 3-person team of council members to expeditiously review and revise the 2022 plan and (unapproved CIP), but not to lose the 2021-26 plan, for Council adoption making sure to incorporate ad-hoc changes made during 2023, and review, revise and/or add to the draft “big project descriptions” and including a recommended timeline.** Discussion included the steps required to create the first plan and those needed to update that plan annually. **Upon a voice vote, MOTION PASSED.**

Motion by Webb, support by Rademacher to appoint Bacon, Rademacher and Dye (Streets, Water, and Parks committee chairs) to this CIP committee. Upon a voice vote, MOTION PASSED.

PURCHASE JOHN DEERE TRACTOR – Motion by Bacon, support by Rademacher to approve the purchase of a John Deere X738 tractor, snow blower attachment and heated cab as quoted and not to exceed \$25K. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

REVIEW ATTORNEY RFP SUBMISSIONS – Motion by Bacon, support by Rademacher to hire Olson & Howard as the Village Attorneys. Discussion included experience in municipal and environmental law; familiarity with community; reasons for change from current legal professionals. **ROLL CALL: Ayes: Bacon, Chase, Rademacher, Webb. Nays: Dye, Palmer, Walton. MOTION PASSED.**

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

REVIEW RISK ASSESSMENT DOCUMENT – Palmer would like the reoccurring recommendations in the reports be addressed as the budget process moves forward. It was noted that any organization using public property should be asked to sign a use/liability agreement (ex: softball league, farmers market, drainage district).

PUBLIC COMMENT – None.

COUNCIL MEMBER COMMENT – None.

ADJOURNMENT at 9:04 p.m.

Derith Smith Empire Village Clerk

These minutes were approved at the December 14, 2023, Council meeting.