

## **June 13, 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 7:00 p.m. Upon a roll call members Bacon, Chase, Dye, Palmer, Rademacher, and Walton. Webb was absent and excused. Clerk Smith was present.

**CHANGES/ADDITIONS TO AGENDA-** Rademacher requested that the Wade Trim Proposal be removed. That request was not accepted. Bacon requested that “Motion for Required Action” be added as a category prior to New Business and include five agenda items that will require a motion at this work session. She also requested that the Master Plan/Development Planning be moved to Old Business. These changes were accepted.

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

**PUBLIC COMMENTS ON AGENDA ITEMS** – Terry Bacon commented on the Short Term Rental (STR) Committee report and the Beach Parking Fees. Linda Young delivered a petition and read a letter regarding STRs.

**COMMUNICATIONS** – Palmer read an email from Frank Clements regarding STRs and a resignation from the Zoning Board of Appeals from Rodney Barnes.

**DEPARTMENT HEAD REPORTS** – Palmer reported on the plumbing repairs at the new office; the search for desks and cabinets; installation of a charging station; parking issues during the Asparagus Festival; and the garlic mustard bin. Bacon asked about the tax bill issues regarding the recent Village office property purchase. Palmer stated this has been sent to the attorney. She will provide a copy of what has been sent per Bacon’s request.

**COUNCIL MEMBER/COMMITTEE REPORTS** – Rademacher reported on the Waste Water Update Task Force meeting. Bacon reported on recent Lambkin Lane projects and the unsatisfactory results of the tar and chip project on Union completed last year. Palmer commented on replacing the fence at the recycling center. She has asked Dye to contact the Conservancy about shared costs. Walton feels the area is the responsibility of the County Solid Waste, not the Village. She stated the Village doesn’t own the area and she is uncertain about a contract. Bacon commented that she had attempted to place this issue on the agenda last year, when the contract was reviewed, and it was removed.

### **MOTION FOR REQUIRED ACTION**

**APPROVE MINUTES: Regular Meeting 5/28/24 – Motion by Bacon, supported by Rademacher to approve the minutes as presented. Upon a voice vote, MOTION PASSED.**

**APPOINTMENT FOR VACANCY TO WASTEWATER COMMITTEE-** Palmer reported that Bill Dickinson has resigned and she would appoint Marc Oberschulte. There was discussion of whether an application had been received from Oberschulte for this position. Palmer would like to postpone this appointment until she can check on applications.

**SUNSET THE NEW OFFICE COMMITTEE- Motion by Bacon, support by Dye to disband this committee of Bacon, Palmer and Webb. Upon a voice vote, MOTION PASSED.**

APPOINTMENT OF COUNCIL MEMBERS TO MASTER PLAN AND DEVELOPMENT PLAN WORKING COMMITTEE- Palmer appointed Bacon, Walton and Webb. **Motion by Dye, support by Rademacher to approve the appointments.** There was discussion of Walton as a new member vs the continuity recommended by Renovare. Palmer stated she must step down from this committee. **Upon a voice vote with Bacon opposed, MOTION PASSED.**

TEMPORARY OUTDOOR PERMIT FOR SURF SHOP ANNIVERSARY- **Motion by Dye, support by Walton to approve the closure of LaRue St. from Front St. to Union St. on 6-29-24 from 2pm until 4pm; the use of the Village Open Space on 6-29-24 from 2pm until 10pm; and to waive the \$100 Temporary Outdoor Use Permit fee.** Discussion included the attorney's recommendation on waiving fees. **Upon a voice vote, MOTION DEFEATED.** **Motion by Dye, supported by Bacon to approve the closure of LaRue St. from Front St. to Union St. on 6-29-24 from 2pm until 4pm; the use of the Village Open Space on 6-29-24 from 2pm until 10pm. Upon a voice vote, MOTION PASSED.**

ANCHOR DAYS STREET CLOSURE- **Motion by Dye, support by Rademacher to approve closure of parade route on 7-20-24 from 11:45am to 1:30pm and the closure of Front St. from Union to just past the library from 8:45am to 11pm on 7-20-24. Upon a voice vote, MOTION PASSED.**

## **OLD BUSINESS**

MASS GATHERING APPLICATION FEE – There was discussion of a range of fees charged by other municipalities and the costs incurred by the Village. Costs include DPW time and cleaning of the infiltrator. It was noted that Glen Arbor requires procurement of traffic control from the County Sheriff's department. The recommendation received and paid for from Chris Grobbel included the increased activity contributing to the need for infiltrator cleanout and hiring an ambassador to address traffic and parking issues. Palmer stated this will be placed on the regular meeting agenda to include actual Village costs and the need for traffic control.

REVIEW OF MASTER PLAN UPDATE AND DEVELOPMENT PLANNING- Bacon reviewed the documentation from Renovare and the revised scope of work. All information will be posted as a handout.

WADE TRIM PROPOSAL-SANITARY SEWER SYSTEM ECONOMIC IMPACT ANALYSIS – Palmer asked Paul Skinner to describe the proposal. Discussion included whether Wade Trim could work with Renovare; whether their work was contradictory or complimentary; was the 4K charge a duplicate of fee paid to Renovare. This will be added to the June regular meeting agenda.

SHORT TERM RENTAL UPDATE AND NEXT STEPS- Dye reviewed the 2 ordinances provided by the committee and she felt the committee has completed their task and it is now up to the council. Loss of residential community and noise, trash, fireworks issues and the lack of ordinance enforcement for both residents and STRs were discussed. It was suggested that the registration ordinance, the Good Neighbor policy and a cap on STRs may facilitate the enforcement of existing ordinances. Discussion included allowing a STR by right in all zoning districts prohibits any future control or imposing a cap. There was discussion of issuing licenses and charging fees for STRs as a business. Discussion continued on whether a registration

ordinance was sufficient regulation or an additional regulatory ordinance is needed. A combination of both was discussed in order to address all community concerns. This will be added to the regular meeting agenda for a legal opinion on both ordinances.

BEACH PARKING FEES – Dye reviewed the recommendation. There was discussion of a future need for repaving, the Bolt decision, and the cost for the service. Discussion included whether the current fee covers just the parking costs or includes the use of the beach, bathrooms and playground equipment. This issue will be moved to the regular meeting agenda for a vote.

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

**NEW BUSINESS –**

WATER RATE PRESENTATION- **Motion by Rademacher, support by Chase to have a presentation from Kyle Bond of Michigan Rural Water Association on a rate study conducted for the Village. Upon a voice vote, MOTION PASSED.** It was noted that a public hearing will need to be scheduled in time for the fall water bill if rate changes are approved.

**PUBLIC COMMENT –** Louann Barnes commented on possible conflict of interest regarding STRs. Terry Bacon commented on the commercial lots allowed in the New Neighborhood PUD and that 4 of them are currently STRs, so some recalculation may be needed. He also commented that calculations used on beach parking fees and costs may require a legal opinion.

**COUNCIL MEMBER COMMENT –** None.

**ADJOURNMENT** at 9:21 p.m.

Derith Smith

Empire Village Clerk

*These are draft minutes for approved at the June 25, 2024, Regular Council meeting.*