

EMPIRE VILLAGE COUNCIL WORK SESSION
April 13, 2023 @ 7 PM
Empire Township Hall - 10088 W. Front Street

AGENDA

A. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. PUBLIC HEARING

- 1) Public Highways, Streets, Alleys, Right-of-way Maintenance and Snow Removal
(Ordinance No. 147)
- 2) Ordinance Addressing Floodplain Management Provisions of the State Construction Code
(Ordinance No. 152)

D. CHANGES OR ADDITIONS TO THE AGENDA

E. ADOPTION OF THE AGENDA

F. PUBLIC COMMENTS ON AGENDA ITEMS

G. COMMUNICATIONS

H. DEPARTMENT HEAD REPORTS

I. COUNCIL MEMBER / COMMITTEE REPORTS

J. OLD BUSINESS

- 1) Approval of Ordinance 147, 152, and Snow Plow Policy (Action Item: Bacon)
- 2) Community Engagement (Palmer)
- 3) Discussion of Charge and Task Force Selection Process for the Wastewater Update Task Force
(Bacon/Palmer)

K. NEW BUSINESS

- 1) Garlic Mustard Dumpster (Action Item: Bacon)
- 2) Rules of Procedure Review (Bacon/Palmer)
- 3) Notify Attorney Regarding the Request from the New Neighborhood Phase 4 Residents (Palmer)
- 4) Septic Inspections at Time of Sale or Transfer of Property Ordinance No. 137 (Rademacher)
- 5) Approval for Ordering a New Pay Machine for Beach Park (Dye)
- 6) Purchasing Policy Update (Dye)
- 7) Review of Wilco Road Drainage Improvement Project Proposal (Bacon)
- 8) Village Email Addresses for Planning Commissioners (Bacon)
- 9) Shalda Park Rules (Dye)

L. PUBLIC COMMENT

M. COUNCIL MEMBER COMMENT

N. ADJOURNMENT

MARCH 28, 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. Upon a roll call, Council members Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Clerk Smith and DPW Superintendent Friend were also present.

CHANGES/ADDITIONS TO AGENDA – Palmer removed the Sidewalk Repair item.

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

PUBLIC COMMENTS ON AGENDA ITEMS – Mary Sharry commented on Front and Union St. crosswalk.

CONSENT AGENDA – Motion by Dye, support by Webb to approve the Consent Agenda including Chamber of Commerce Street Closure Requests, minutes of 3/9/23 Work Session and bills totaling \$8,822.19. **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 totals. Dye questioned the difference in debits and credits between the reports and voided check numbers.

COMMUNICATIONS – Palmer read letters regarding short-term rentals from John Ludlow and appointments to the Wastewater Update Task Force from Terry Bacon. Both will be posted on the website as Handouts.

DEPARTMENT HEAD REPORTS – Palmer reported her thoughts on the community engagement process, her contact with a BP station representative, OMA and FOIA training session, and requested Council input regarding the Rules of Procedure for the next work session. Bob Hall, the new Village Zoning Administrator, was introduced. He spoke briefly on his background and the variety of municipalities where he has worked or is currently engaged. DPW, Street Administrator, Zoning Administrator reports were received and included in the packet. There was discussion of Friend's definition of exceptional snowfall.

COUNCIL MEMBER/COMMITTEE REPORTS – None.

OLD BUSINESS

FRONT AND UNION STREET CROSSWALKS AND FOG LINE QUOTE – Motion by Bacon, support Rademacher to approve the quote from Grand Traverse Sealcoating not to exceed \$1500. Discussion was requested and the length of the fog lines and if they could be adjusted was reviewed. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

APPROVE UPDATES TO SNOWPLOWING ORDINANCE NO. 147 AND SNOWPLOW POLICY – Bacon reviewed the documentation she had provided, and changes were noted.

VC 4/13/23

Motion by Bacon, supported by Rademacher to send this ordinance to Public Hearing. Upon a voice vote, MOTION PASSED.

APPROVE UPDATES TO FEMA ORDINANCE NO. 152 – Motion by Palmer, support by Dye to move this ordinance to Public Hearing. Dye requested discussion and questioned the changes in title. **Upon a voice vote, MOTION PASSED.**

NEW BUSINESS

SIGNAGE FOR SHALDA PARK – Motion by Bacon, support by Rademacher to have the Parks committee look into interpretive signs for Shalda Park, as well as, to discuss with whoever necessary a potential rules sign. Upon a voice vote, MOTION PASSED. **Motion by Bacon, support by Dye that the Village Council move forward on ordering the required Michigan Recreation Passport grant sign at a cost of \$330.** There was discussion of how the sign can be ordered and whether its location has requirements. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

APPROVE UNION AND FLORENCE STREET TAR AND CHIP QUOTE – Motion by Bacon, support by Dye to approve the County proposal to tar and chip Union St. (from Niagara to end) and Florence St. from east to west at a cost not to exceed \$14K. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

COUNTY PUBLIC HEARING REGARDING FEMA MITIGATION PLAN – Palmer requested Council attendance at this meeting. Dye and Walton volunteered. Bacon felt it was a very important meeting for emergency preparedness and was thankful both trustees will attend.

MOVE NORWAY SPRUCE TREES AT SHALDA PARK – Motion by Dye, support by Rademacher to approve moving 8 spruce trees near the tennis court at Shalda Park at a cost not to exceed \$1500. Discussion included whether the trees would thrive near the artesian well, whether the new location would impact the recreation area in the Shalda Park grant **ROLL CALL: Ayes: Dye, Palmer, Rademacher, Walton, Webb. Nays: Bacon, Chase. MOTION PASSED.**

SCHEDULE A PUBLIC HEARING – Motion by Palmer, support by Dye to schedule a Public Hearing on the Snowplowing Ordinance and the FEMA Ordinance #152 at 7:00 p.m. on April 13, 2023. Discussion was requested and the timing for review by FEMA was reviewed. **Upon a voice vote, MOTION PASSED.**

PRESIDENT APPOINTMENT TO THE WASTEWATER STUDY TASK FORCE – Palmer read from notes (not provided as handout). She appointed Marc Oberschulte and stated her reasons for such. Concern was expressed regarding whether a public and transparent process has been used to discuss and define the purpose of the Task Force and the applications for membership. It was noted that the purpose of the Task Force has been changed since it was established and without Council opportunity for input. Transparency regarding applications for membership prior to the required Council approval of any appointments was discussed. Motion by Bacon, support by Dye to move the Wastewater Update Task Force to the April Work

Session. ROLL CALL: Ayes: Bacon, Chase, Dye, Rademacher, Webb. Nays: Palmer, Walton. MOTION PASSED.

PUBLIC COMMENT – None.

COUNCIL MEMBER COMMENT – Bacon noted that the Library sign has been ordered and will be paid for by the Library. Palmer noted that applications for the Wastewater Task Force are located on the website for anyone who would like to apply.

ADJOURNMENT at 8:26 p.m.

Derith Smith Empire Village Clerk

These are draft minutes for approval at the April 13, 2023, Council meeting.

From: Derith Smith
To: Alacia Acton
Subject: Fwd: Senior Housing in Empire
Date: Thursday, April 6, 2023 9:30:39 AM

Derith A. Smith

Empire Village Clerk
11518 S LaCore St., PO Box 253
Empire, MI 49630
231-326-5466

PLEASE NOTE: All correspondence to and from this address is subject to the Michigan Freedom of Information Act (FOIA) and may be disclosed to third parties.

> ----- Original Message -----

> From: Sue Palmer <s.palmer@villageofempire.com>

> To: Derith Smith <clerk@villageofempire.com>

> Date: 03/30/2023 4:16 PM

> Subject: Fwd: Senior Housing in Empire

>

>

> FYI

> > ----- Original Message -----

> > From: Robert Foulkes <rwotf@icloud.com>

> > To: s.palmer@villageofempire.com, m.bacon@villageofempire.com, m.walton@villageofempire.com,
t.rademacher@villageofempire.com, l.chase@villageofempire.com, c.webb@villageofempire.com,
m.dye@villageofempire.com

> > Date: 03/30/2023 1:52 PM

> > Subject: Senior Housing in Empire

> >

> >

> > Hello All -

> >

> > My name is Robert Foulkes. I am one of the planners of the New Neighborhood. The last Phase (5) has not yet opened and I think it is a good idea to look at what the Village needs and what might make that happen. I am emailing the entire list of Village Trustees with the hope that we can share some ideas on a one by one basis if any of you are interested.

> >

> > Hope you have had a good Winter. Please call me at 231-256-9351 if you would like to have a conversation.

> >

> > Yours -

> >

> > Robert Foulkes

VC 4/13/23

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF EMPIRE

VC 4/13/23
Page: 1/3

04/07/2023 10:01 AM

User: DSMITH

DB: Empire

PERIOD ENDING 03/31/2023

GL NUMBER

DESCRIPTION

2023-24
AMENDED BUDGET

YTD BALANCE
03/31/2023

ACTIVITY FOR
MONTH
03/31/2023

AVAILABLE
BALANCE

% BDGT
USED

Fund 101 - GENERAL FUND

Dept 000

| | | | | | | |
|----------------|-----------------------------------|------------|------|------|------------|------|
| 101-000-403 | REAL PROPERTY TAX | 450,000.00 | 0.00 | 0.00 | 450,000.00 | 0.00 |
| 101-000-404 | PERS PROP TAX | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 101-000-476 | LICENSES & PERMITS | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 101-000-528 | FEDERAL GRANT - ARPA NEU FUNDS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101-000-546 | GRANT FUNDING | 150,000.00 | 0.00 | 0.00 | 150,000.00 | 0.00 |
| 101-000-574 | STATE SHARED REV | 40,000.00 | 0.00 | 0.00 | 40,000.00 | 0.00 |
| 101-000-655 | FINES & FOREFEITS | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 101-000-664 | INVEST INTEREST | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 101-000-670 | MISC INCOME | 2,000.00 | 0.00 | 0.00 | 2,000.00 | 0.00 |
| 101-000-671 | PARKING PASS | 150.00 | 0.00 | 0.00 | 150.00 | 0.00 |
| 101-000-672 | BEACH PARKING | 34,000.00 | 0.00 | 0.00 | 34,000.00 | 0.00 |
| 101-000-674 | PRIVATE CONTRIBUTIONS & DONATIONS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101-000-691 | FUND BALANCE CONTRIBUTION | 130,000.00 | 0.00 | 0.00 | 130,000.00 | 0.00 |
| 101-000-693 | REFUNDS & REBATES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Net - Dept 000 | | 826,150.00 | 0.00 | 0.00 | 826,150.00 | |

Dept 100 - COUNCIL

| | | | | | | |
|--------------------------|----------------------|-------------|------------|------------|-------------|------|
| 101-100-702 | WAGES - COUNCIL | 13,000.00 | 1,090.00 | 1,090.00 | 11,910.00 | 8.38 |
| 101-100-715 | PR TAX EXP - COUNCIL | 950.00 | 83.39 | 83.39 | 866.61 | 8.78 |
| 101-100-910 | PROF DEVELOPMENT | 2,000.00 | 0.00 | 0.00 | 2,000.00 | 0.00 |
| Net - Dept 100 - COUNCIL | | (15,950.00) | (1,173.39) | (1,173.39) | (14,776.61) | |

Dept 215 - CLERK

| | | | | | | |
|------------------------|----------------------|-------------|------------|------------|-------------|------|
| 101-215-702 | WAGES - CLERK | 19,500.00 | 1,322.29 | 1,322.29 | 18,177.71 | 6.78 |
| 101-215-703 | WAGES - DEPUTY CLERK | 32,400.00 | 2,677.03 | 2,677.03 | 29,722.97 | 8.26 |
| 101-215-715 | PR TAX EXP - CLERK | 4,000.00 | 305.94 | 305.94 | 3,694.06 | 7.65 |
| 101-215-726 | SUPPLIES | 25.00 | 0.00 | 0.00 | 25.00 | 0.00 |
| 101-215-840 | INSURANCE | 4,000.00 | 236.00 | 236.00 | 3,764.00 | 5.90 |
| 101-215-874 | RETIREMENT | 1,800.00 | 133.84 | 133.84 | 1,666.16 | 7.44 |
| Net - Dept 215 - CLERK | | (61,725.00) | (4,675.10) | (4,675.10) | (57,049.90) | |

Dept 253 - TREASURER

| | | | | | | |
|----------------------------|------------------------|-------------|----------|----------|-------------|-------|
| 101-253-702 | WAGES - TREASURER | 9,700.00 | 745.62 | 745.62 | 8,954.38 | 7.69 |
| 101-253-715 | PR TAX EXP - TREASURER | 750.00 | 57.05 | 57.05 | 692.95 | 7.61 |
| 101-253-726 | SUPPLIES | 500.00 | 0.00 | 0.00 | 500.00 | 0.00 |
| 101-253-730 | POSTAGE | 300.00 | 126.00 | 126.00 | 174.00 | 42.00 |
| 101-253-860 | TRANSPORTATION | 50.00 | 0.00 | 0.00 | 50.00 | 0.00 |
| Net - Dept 253 - TREASURER | | (11,300.00) | (928.67) | (928.67) | (10,371.33) | |

Dept 262 - ELECTIONS

| | | | | | | |
|----------------------------|------------------|----------|------|------|----------|------|
| 101-262-705 | ELECTION WORKERS | 100.00 | 0.00 | 0.00 | 100.00 | 0.00 |
| 101-262-726 | SUPPLIES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Net - Dept 262 - ELECTIONS | | (100.00) | 0.00 | 0.00 | (100.00) | |

| | | | | | | |
|---------------------------|------------------------|-----------|----------|----------|-----------|------|
| Dept 265 - ADMINISTRATION | WAGES - ADMINISTRATION | 30,000.00 | 2,254.60 | 2,254.60 | 27,745.40 | 7.52 |
| 101-265-702 | MAINTENANCE | | | | | |

PERIOD ENDING 03/31/2023

| GL NUMBER | DESCRIPTION | 2023-24 AMENDED BUDGET | YTD BALANCE 03/31/2023 | ACTIVITY FOR MONTH 03/31/2023 | AVAILABLE BALANCE | % BDGT USED |
|-----------|-------------|---------------------------|---------------------------|-------------------------------------|----------------------|-------------------|
|-----------|-------------|---------------------------|---------------------------|-------------------------------------|----------------------|-------------------|

| | | | | | | |
|-------------------------|----------------------------------|-----------|----------|----------|-----------|-------|
| Fund 101 - GENERAL FUND | | | | | | |
| 101-265-707 | BRUSH PILE WAGES | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 101-265-715 | PR TAX EXP - ADMINISTRATION | 3,000.00 | 172.48 | 172.48 | 2,827.52 | 5.75 |
| 101-265-726 | SUPPLIES | 2,000.00 | 163.75 | 163.75 | 1,836.25 | 8.19 |
| 101-265-730 | POSTAGE | 300.00 | 63.00 | 63.00 | 237.00 | 21.00 |
| 101-265-800 | PROFESSIONAL SERVICES | 20,300.00 | 6,000.00 | 6,000.00 | 14,300.00 | 29.56 |
| 101-265-801 | AUDIT FEES | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 101-265-810 | CONTRACTED SERVICES - OUTLET | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101-265-821 | ENGINEERING FEES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101-265-826 | LEGAL FEES | 3,000.00 | 0.00 | 0.00 | 3,000.00 | 0.00 |
| 101-265-840 | INSURANCE | 18,000.00 | 8,736.00 | 8,736.00 | 9,264.00 | 48.53 |
| 101-265-853 | TELEPHONE | 400.00 | 0.00 | 0.00 | 400.00 | 0.00 |
| 101-265-854 | CABLE INTERNET | 1,200.00 | 129.98 | 129.98 | 1,070.02 | 10.83 |
| 101-265-874 | RETIREMENT | 1,800.00 | 58.06 | 58.06 | 1,741.94 | 3.23 |
| 101-265-880 | BEAUTIFICATION | 2,000.00 | 0.00 | 0.00 | 2,000.00 | 0.00 |
| 101-265-900 | PRINT & PUB | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 |
| 101-265-919 | WASTE DISPOSAL | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 |
| 101-265-921 | ELECTRICITY | 2,000.00 | 153.49 | 153.49 | 1,846.51 | 7.67 |
| 101-265-923 | HEAT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 101-265-930 | REPAIRS & MAINTENANCE | 8,000.00 | 0.00 | 0.00 | 8,000.00 | 0.00 |
| 101-265-931 | STORM SEWER CLEANOUT | 4,200.00 | 0.00 | 0.00 | 4,200.00 | 0.00 |
| 101-265-933 | SOFTWARE MAINTENANCE/SUPPORT | 4,000.00 | 0.00 | 0.00 | 4,000.00 | 0.00 |
| 101-265-956 | DUES & MISC | 600.00 | 0.00 | 0.00 | 600.00 | 0.00 |
| 101-265-957 | BANK CHARGES | 200.00 | 0.00 | 0.00 | 200.00 | 0.00 |
| 101-265-965 | CONTR TO OTHER FUNDS | 25,000.00 | 0.00 | 0.00 | 25,000.00 | 0.00 |
| 101-265-966 | GF CONTR - AIRPORT | 750.00 | 0.00 | 0.00 | 750.00 | 0.00 |
| 101-265-967 | PARKING AT LION'S PARK | 500.00 | 0.00 | 0.00 | 500.00 | 0.00 |
| 101-265-970 | CAPITAL OUTLAY - OFFICE ADDITION | 25,000.00 | 0.00 | 0.00 | 25,000.00 | 0.00 |
| 101-265-971 | SPECIAL PROJECTS - WILCO RD | 39,000.00 | 0.00 | 0.00 | 39,000.00 | 0.00 |
| 101-265-978 | EQUIPMENT RENTAL | 18,000.00 | 350.46 | 350.46 | 17,649.54 | 1.95 |
| 101-265-979 | BRUSH PILE - EQUIPMENT RENTAL | 8,000.00 | 0.00 | 0.00 | 8,000.00 | 0.00 |
| 101-265-984 | SOFTWARE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

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|---------------------------------|--------------|-------------|-------------|--------------|--|
| Net - Dept 265 - ADMINISTRATION | (229,250.00) | (18,081.82) | (18,081.82) | (211,168.18) | |
|---------------------------------|--------------|-------------|-------------|--------------|--|

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|----------------------|--------------------------|-----------|------|------|-----------|
| Dept 444 - SIDEWALKS | | | | | |
| 101-444-930 | REPAIRS & MAINTENANCE | 17,000.00 | 0.00 | 0.00 | 17,000.00 |
| 101-444-970 | CAPITAL OUTLAY SIDEWALKS | 0.00 | 0.00 | 0.00 | 0.00 |

| | | | | | |
|----------------------------|-------------|------|------|-------------|--|
| Net - Dept 444 - SIDEWALKS | (17,000.00) | 0.00 | 0.00 | (17,000.00) | |
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|-------------------|-------------------------|-----------|------|------|------|
| Dept 446 - ALLEYS | | | | | |
| 101-446-930 | REPAIRS & MAINTENANCE | 0.00 | 0.00 | 0.00 | 0.00 |
| 101-446-970 | CAPITAL OUTLAY - ALLEYS | 29,000.00 | 0.00 | 0.00 | 0.00 |

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|-------------------------|-------------|------|------|-------------|--|
| Net - Dept 446 - ALLEYS | (29,000.00) | 0.00 | 0.00 | (29,000.00) | |
|-------------------------|-------------|------|------|-------------|--|

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|----------------------------|-----------------|-----------|--------|--------|----------|
| Dept 448 - STREET LIGHTING | | | | | |
| 101-448-921 | STREET LIGHTING | 10,000.00 | 819.11 | 819.11 | 9,180.89 |
| | | | | | 8.19 |

| | | | | | |
|----------------------------------|-------------|----------|----------|------------|--|
| Net - Dept 448 - STREET LIGHTING | (10,000.00) | (819.11) | (819.11) | (9,180.89) | |
|----------------------------------|-------------|----------|----------|------------|--|

| | | | | | |
|--------------------------------|-----------------------------|----------|--------|--------|----------|
| Dept 721 - PLANNING COMMISSION | | | | | |
| 101-721-701 | WAGES - PLANNING COMMISSION | 4,300.00 | 385.00 | 385.00 | 3,915.00 |
| | | | | | 8.95 |

User: DSMITH
DB: Empire

PERIOD ENDING 03/31/2023

| | | 2023-24 | | ACTIVITY FOR | | AVAILABLE | | % BDGT | |
|--------------------------------------|----------------------------|----------------|---------------------------|---------------------|--------------|-----------|--|--------|--|
| GL NUMBER | DESCRIPTION | AMENDED BUDGET | YTD BALANCE 03/31/2023 | MONTH 03/31/2023 | | BALANCE | | USED | |
| Fund 101 - GENERAL FUND | | | | | | | | | |
| 101-721-702 | WAGES - PLANNING SECY | 1,100.00 | 0.00 | 0.00 | 1,100.00 | 0.00 | | | |
| 101-721-715 | PR TAX EXP - COMM PLANNING | 400.00 | 29.47 | 29.47 | 370.53 | 7.37 | | | |
| 101-721-726 | SUPPLIES | 100.00 | 54.46 | 54.46 | 45.54 | 54.46 | | | |
| 101-721-730 | POSTAGE | 100.00 | 0.00 | 0.00 | 100.00 | 0.00 | | | |
| 101-721-821 | PROFESSIONAL | 6,000.00 | 0.00 | 0.00 | 6,000.00 | 0.00 | | | |
| 101-721-826 | LEGAL FEES | 1,500.00 | 0.00 | 0.00 | 1,500.00 | 0.00 | | | |
| 101-721-860 | TRANSPORTATION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | |
| 101-721-900 | PRINT & PUB | 500.00 | 100.71 | 100.71 | 399.29 | 20.14 | | | |
| 101-721-950 | SEMINARS | 500.00 | 0.00 | 0.00 | 500.00 | 0.00 | | | |
| 101-721-955 | DUES & MISC | 100.00 | 0.00 | 0.00 | 100.00 | 0.00 | | | |
| Net - Dept 721 - PLANNING COMMISSION | | (14,600.00) | (569.64) | (569.64) | (14,030.36) | | | | |
| Dept 722 - ZONING COMMISSION | | | | | | | | | |
| 101-722-701 | WAGES - BOARD OF APPEALS | 400.00 | 0.00 | 0.00 | 400.00 | 0.00 | | | |
| 101-722-702 | WAGES - ZONING ADMIN | 8,750.00 | 673.08 | 673.08 | 8,076.92 | 7.69 | | | |
| 101-722-715 | PR TAX EXP - ZONING | 700.00 | 51.49 | 51.49 | 648.51 | 7.36 | | | |
| 101-722-726 | SUPPLIES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | |
| 101-722-826 | LEGAL FEES | 200.00 | 0.00 | 0.00 | 200.00 | 0.00 | | | |
| 101-722-900 | PRINT & PUB | 100.00 | 0.00 | 0.00 | 100.00 | 0.00 | | | |
| Net - Dept 722 - ZONING COMMISSION | | (10,150.00) | (724.57) | (724.57) | (9,425.43) | | | | |
| Dept 751 - PARKS | | | | | | | | | |
| 101-751-702 | WAGES - PARK MAINT | 27,000.00 | 1,790.24 | 1,790.24 | 25,209.76 | 6.63 | | | |
| 101-751-703 | WAGES - AMBASSADOR | 7,500.00 | 0.00 | 0.00 | 7,500.00 | 0.00 | | | |
| 101-751-704 | WAGES - PARKS CLERK | 4,000.00 | 240.43 | 240.43 | 3,759.57 | 6.01 | | | |
| 101-751-715 | PR TAX EXP - PARK | 3,000.00 | 155.36 | 155.36 | 2,844.64 | 5.18 | | | |
| 101-751-726 | SUPPLIES | 3,500.00 | 0.00 | 0.00 | 3,500.00 | 0.00 | | | |
| 101-751-840 | INSURANCE | 3,500.00 | 265.00 | 265.00 | 3,235.00 | 7.57 | | | |
| 101-751-853 | TELEPHONE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | | |
| 101-751-874 | RETIREMENT | 1,400.00 | 40.38 | 40.38 | 1,359.62 | 2.88 | | | |
| 101-751-919 | WASTE DISPOSAL | 1,800.00 | 0.00 | 0.00 | 1,800.00 | 0.00 | | | |
| 101-751-930 | REPAIRS & MAINTENANCE | 23,000.00 | 0.00 | 0.00 | 23,000.00 | 0.00 | | | |
| 101-751-958 | CREDIT CARD FEES | 2,500.00 | 0.00 | 0.00 | 2,500.00 | 0.00 | | | |
| 101-751-970 | CAPITAL OUTLAY | 291,000.00 | 0.00 | 0.00 | 291,000.00 | 0.00 | | | |
| 101-751-978 | EQUIPMENT RENTAL | 19,000.00 | 1,681.64 | 1,681.64 | 17,318.36 | 8.85 | | | |
| Net - Dept 751 - PARKS | | (387,200.00) | (4,173.05) | (4,173.05) | (383,026.95) | | | | |
| Fund 101 - GENERAL FUND: | | | | | | | | | |
| TOTAL REVENUES | | 826,150.00 | 0.00 | 0.00 | 826,150.00 | 0.00 | | | |
| TOTAL EXPENDITURES | | 786,275.00 | 31,145.35 | 31,145.35 | 755,129.65 | 3.96 | | | |
| NET OF REVENUES & EXPENDITURES | | 39,875.00 | (31,145.35) | (31,145.35) | 71,020.35 | 78.11 | | | |

User: DSMITH

DB: Empire

PERIOD ENDING 03/31/2023

| GL NUMBER | DESCRIPTION | 2023-24 AMENDED BUDGET | YTD BALANCE 03/31/2023 | ACTIVITY FOR MONTH 03/31/2023 | AVAILABLE BALANCE | % BUDGET USED |
|-----------|-------------|---------------------------|---------------------------|-------------------------------------|----------------------|------------------|
|-----------|-------------|---------------------------|---------------------------|-------------------------------------|----------------------|------------------|

| | | | | | | |
|-------------------------------|---------------------------|-----------|------|------|-----------|------|
| Fund 202 - MAJOR STREETS FUND | | | | | | |
| Revenues | | | | | | |
| 202-000-574 | STATE SHARED REV | 41,000.00 | 0.00 | 0.00 | 41,000.00 | 0.00 |
| 202-000-575 | STATE WINTER REV | 6,500.00 | 0.00 | 0.00 | 6,500.00 | 0.00 |
| 202-000-583 | CO ROAD MILEAGE | 27,000.00 | 0.00 | 0.00 | 27,000.00 | 0.00 |
| 202-000-664 | INVEST INTEREST | 400.00 | 0.00 | 0.00 | 400.00 | 0.00 |
| 202-000-691 | FUND BALANCE CONTRIBUTION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | | | | | | |
|----------------|----------------------------------|-----------|----------|--------|-----------|-------|
| TOTAL REVENUES | | | | | | |
| | | 74,900.00 | 0.00 | 0.00 | 74,900.00 | 0.00 |
| Expenditures | | | | | | |
| 202-000-801 | AUDIT FEES | 325.00 | 0.00 | 0.00 | 325.00 | 0.00 |
| 202-000-930 | REPAIRS & MAINTENANCE | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 202-215-702 | WAGES - MAJOR STREETS CLERK | 1,500.00 | 120.20 | 120.20 | 1,379.80 | 8.01 |
| 202-215-715 | PR TAX EXP - CLERK | 100.00 | 9.19 | 9.19 | 90.81 | 9.19 |
| 202-463-702 | WAGES - ROUTINE MAINTENANCE | 6,000.00 | 25.24 | 25.24 | 5,974.76 | 0.42 |
| 202-463-715 | PR TAX EXP - ROUTINE MAINTENANCE | 500.00 | 1.93 | 1.93 | 498.07 | 0.39 |
| 202-463-726 | SUPPLIES | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 |
| 202-463-787 | TRAFFIC CON - ROUTINE | 200.00 | 0.00 | 0.00 | 200.00 | 0.00 |
| 202-463-821 | ENGINEERING FEES | 3,000.00 | 0.00 | 0.00 | 3,000.00 | 0.00 |
| 202-463-840 | INSURANCE | 1,700.00 | 1,082.00 | 0.00 | 618.00 | 63.65 |
| 202-463-874 | RETIREMENT | 250.00 | 1.26 | 1.26 | 248.74 | 0.50 |
| 202-463-978 | EQUIPMENT RENTAL | 5,500.00 | 30.24 | 30.24 | 5,469.76 | 0.55 |
| 202-478-702 | WAGES - WINTER MAINTENANCE | 5,000.00 | 572.80 | 572.80 | 4,427.20 | 11.46 |
| 202-478-715 | PR TAX EXP - WINTER MAINTENANCE | 400.00 | 43.81 | 43.81 | 356.19 | 10.95 |
| 202-478-726 | SUPPLIES | 4,000.00 | 0.00 | 0.00 | 4,000.00 | 0.00 |
| 202-478-840 | INSURANCE | 800.00 | 32.00 | 32.00 | 768.00 | 4.00 |
| 202-478-874 | RETIREMENT | 250.00 | 12.61 | 12.61 | 237.39 | 5.04 |
| 202-478-978 | EQUIPMENT RENTAL | 8,000.00 | 808.40 | 808.40 | 7,191.60 | 10.11 |
| 202-901-970 | CAPITAL OUTLAY | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 202-965-999 | 50% TRF TO LOC ST | 26,000.00 | 0.00 | 0.00 | 26,000.00 | 0.00 |

| | | | | | | |
|--------------------------------|--|-----------|------------|------------|-----------|-------|
| TOTAL EXPENDITURES | | | | | | |
| | | 69,525.00 | 2,739.68 | 2,739.68 | 66,785.32 | 3.94 |
| Fund 202 - MAJOR STREETS FUND: | | | | | | |
| TOTAL REVENUES | | 74,900.00 | 0.00 | 0.00 | 74,900.00 | 0.00 |
| TOTAL EXPENDITURES | | 69,525.00 | 2,739.68 | 2,739.68 | 66,785.32 | 3.94 |
| NET OF REVENUES & EXPENDITURES | | 5,375.00 | (2,739.68) | (2,739.68) | 8,114.68 | 50.97 |

| | | | | | | |
|-------------------------------|-------------------------------|-----------|------|------|-----------|------|
| Fund 203 - LOCAL STREETS FUND | | | | | | |
| Revenues | | | | | | |
| 203-000-546 | STATE GRANTS - STREETS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 203-000-574 | STATE SHARED REV | 28,000.00 | 0.00 | 0.00 | 28,000.00 | 0.00 |
| 203-000-575 | STATE WINTER REV | 6,000.00 | 0.00 | 0.00 | 6,000.00 | 0.00 |
| 203-000-664 | INVEST INTEREST | 350.00 | 0.00 | 0.00 | 350.00 | 0.00 |
| 203-000-677 | 50% TRF FR MAJ ST | 26,000.00 | 0.00 | 0.00 | 26,000.00 | 0.00 |
| 203-000-691 | FUND BALANCE CONTRIBUTION | 40,000.00 | 0.00 | 0.00 | 40,000.00 | 0.00 |
| 203-000-692 | CONTRIBUTION FROM OTHER FUNDS | 25,000.00 | 0.00 | 0.00 | 25,000.00 | 0.00 |

| | | | | | | |
|----------------|------------|------------|------|------|------------|------|
| TOTAL REVENUES | | | | | | |
| | | 125,350.00 | 0.00 | 0.00 | 125,350.00 | 0.00 |
| Expenditures | | | | | | |
| 203-000-801 | AUDIT FEES | 450.00 | 0.00 | 0.00 | 450.00 | 0.00 |

User: DSMITH
DB: Empire

PERIOD ENDING 03/31/2023

| GL NUMBER | | DESCRIPTION | | 2023-24 AMENDED BUDGET | YTD BALANCE 03/31/2023 | ACTIVITY FOR MONTH 03/31/2023 | AVAILABLE BALANCE | % BUDGET USED |
|--------------------------------|----------------------------------|-------------|------------|---------------------------|---------------------------|-------------------------------------|----------------------|------------------|
| Fund 203 - LOCAL STREETS FUND | | | | | | | | |
| Expenditures | | | | | | | | |
| 203-000-821 | ENGINEERING | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 | | 0.00 |
| 203-000-826 | LEGAL FEES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 |
| 203-000-860 | TRANSPORTATION | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 |
| 203-000-930 | REPAIRS & MAINTENANCE | 7,000.00 | 0.00 | 0.00 | 7,000.00 | 0.00 | | 0.00 |
| 203-215-702 | WAGES - LOCAL STREETS CLERK | 1,500.00 | 120.20 | 120.20 | 1,379.80 | 8.01 | | 8.01 |
| 203-215-715 | PR TAX EXP - CLERK | 100.00 | 9.19 | 9.19 | 90.81 | 9.19 | | 9.19 |
| 203-463-702 | WAGES - ROUTINE MAINTENANCE | 3,500.00 | 0.00 | 0.00 | 3,500.00 | 0.00 | | 0.00 |
| 203-463-715 | PR TAX EXP - ROUTINE MAINTENANCE | 300.00 | 0.00 | 0.00 | 300.00 | 0.00 | | 0.00 |
| 203-463-726 | SUPPLIES | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 | | 0.00 |
| 203-463-787 | TRAFFIC CON - ROUTINE | 250.00 | 0.00 | 0.00 | 250.00 | 0.00 | | 0.00 |
| 203-463-821 | ENGINEERING FEES | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 | | 0.00 |
| 203-463-840 | INSURANCE | 2,100.00 | 1,082.00 | 1,082.00 | 1,018.00 | 51.52 | | 51.52 |
| 203-463-874 | RETIREMENT | 250.00 | 0.00 | 0.00 | 250.00 | 0.00 | | 0.00 |
| 203-463-978 | EQUIPMENT RENTAL | 5,500.00 | 131.56 | 131.56 | 5,368.44 | 2.39 | | 2.39 |
| 203-478-702 | WAGES - WINTER MAINTENANCE | 5,200.00 | 572.80 | 572.80 | 4,627.20 | 11.02 | | 11.02 |
| 203-478-715 | PR TAX EXP - WINTER MAINTENANCE | 500.00 | 43.83 | 43.83 | 456.17 | 8.77 | | 8.77 |
| 203-478-726 | SUPPLIES | 4,500.00 | 0.00 | 0.00 | 4,500.00 | 0.00 | | 0.00 |
| 203-478-840 | INSURANCE | 1,200.00 | 32.00 | 32.00 | 1,168.00 | 2.67 | | 2.67 |
| 203-478-874 | RETIREMENT | 250.00 | 12.62 | 12.62 | 237.38 | 5.05 | | 5.05 |
| 203-478-978 | EQUIPMENT RENTAL | 7,000.00 | 915.29 | 915.29 | 6,084.71 | 13.08 | | 13.08 |
| 203-901-970 | CAPITAL OUTLAY- UNION ST | 70,000.00 | 0.00 | 0.00 | 70,000.00 | 0.00 | | 0.00 |
| TOTAL EXPENDITURES | | 120,600.00 | 2,919.49 | 2,919.49 | 117,680.51 | 2.42 | | 2.42 |
| Fund 203 - LOCAL STREETS FUND: | | | | | | | | |
| TOTAL REVENUES | | 125,350.00 | 0.00 | 0.00 | 125,350.00 | 0.00 | | 0.00 |
| TOTAL EXPENDITURES | | 120,600.00 | 2,919.49 | 2,919.49 | 117,680.51 | 2.42 | | 2.42 |
| NET OF REVENUES & EXPENDITURES | | 4,750.00 | (2,919.49) | (2,919.49) | 7,669.49 | 61.46 | | 61.46 |
| Fund 591 - WATER FUND | | | | | | | | |
| Revenues | | | | | | | | |
| 591-000-626 | SERVICE INSTALLATION | 15,000.00 | 0.00 | 0.00 | 15,000.00 | 0.00 | | 0.00 |
| 591-000-642 | WATER SALES | 155,000.00 | 28,609.77 | 28,609.77 | 126,390.23 | 18.46 | | 18.46 |
| 591-000-655 | LATE PAYMENT FEES | 2,000.00 | 0.00 | 0.00 | 2,000.00 | 0.00 | | 0.00 |
| 591-000-664 | INVEST INTEREST | 400.00 | 0.00 | 0.00 | 400.00 | 0.00 | | 0.00 |
| 591-000-665 | FIRE SUPPRESSION LEASE | 800.00 | 0.00 | 0.00 | 800.00 | 0.00 | | 0.00 |
| 591-000-670 | MISC INCOME | 200.00 | 0.00 | 0.00 | 200.00 | 0.00 | | 0.00 |
| 591-000-691 | FUND BALANCE CONTRIBUTION | 140,000.00 | 0.00 | 0.00 | 140,000.00 | 0.00 | | 0.00 |
| TOTAL REVENUES | | 313,400.00 | 28,609.77 | 28,609.77 | 284,790.23 | 9.13 | | 9.13 |
| Expenditures | | | | | | | | |
| 591-215-702 | WAGES - WATER CLERK | 2,200.00 | 0.00 | 0.00 | 2,200.00 | 0.00 | | 0.00 |
| 591-215-703 | WAGES - WATER ADMIN | 11,000.00 | 830.50 | 830.50 | 10,169.50 | 7.55 | | 7.55 |
| 591-215-715 | PR TAX EXP - CLERK | 1,000.00 | 63.54 | 63.54 | 936.46 | 6.33 | | 6.33 |
| 591-215-874 | RETIREMENT | 450.00 | 31.92 | 31.92 | 418.08 | 7.09 | | 7.09 |
| 591-556-702 | WAGES - WATER MAINTENANCE | 19,450.00 | 1,421.28 | 1,421.28 | 18,028.72 | 7.33 | | 7.33 |
| 591-556-715 | PR TAX EXP - WATER | 1,500.00 | 108.72 | 108.72 | 1,391.28 | 7.22 | | 7.22 |
| 591-556-726 | SUPPLIES | 2,500.00 | 0.00 | 0.00 | 2,500.00 | 0.00 | | 0.00 |
| 591-556-730 | POSTAGE | 600.00 | 240.00 | 240.00 | 360.00 | 40.00 | | 40.00 |
| 591-556-800 | PROFESSIONAL SERVICES | 800.00 | 0.00 | 0.00 | 800.00 | 0.00 | | 0.00 |
| 591-556-801 | AUDIT FEES | 800.00 | 0.00 | 0.00 | 800.00 | 0.00 | | 0.00 |

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF EMPIRE

PERIOD ENDING 03/31/2023

| GL NUMBER | DESCRIPTION | 2023-24 AMENDED BUDGET | YTD BALANCE 03/31/2023 | MONTH 03/31/2023 | AVAILABLE BALANCE | % BDGT USED |
|--------------------------------|-------------------------------|---------------------------|---------------------------|---------------------|----------------------|----------------|
| Fund 591 - WATER FUND | | | | | | |
| Expenditures | | | | | | |
| 591-556-804 | LABS & TESTING | 1,000.00 | 1,198.75 | 1,198.75 | (198.75) | 119.88 |
| 591-556-821 | ENGINEERING FEES | 5,000.00 | 0.00 | 0.00 | 5,000.00 | 0.00 |
| 591-556-840 | INSURANCE | 4,000.00 | 2,568.09 | 2,568.09 | 1,431.91 | 64.20 |
| 591-556-853 | TELEPHONE | 1,600.00 | 129.67 | 129.67 | 1,470.33 | 8.10 |
| 591-556-874 | RETIREMENT | 800.00 | 45.44 | 45.44 | 754.56 | 5.68 |
| 591-556-921 | ELECTRICITY | 12,000.00 | 512.19 | 512.19 | 11,487.81 | 4.27 |
| 591-556-923 | HEAT | 3,600.00 | 581.08 | 581.08 | 3,018.92 | 16.14 |
| 591-556-930 | REPAIRS & MAINTENANCE | 56,000.00 | 0.00 | 0.00 | 56,000.00 | 0.00 |
| 591-556-933 | SOFTWARE MAINTENANCE/SUPPORT | 1,000.00 | 900.00 | 900.00 | 100.00 | 90.00 |
| 591-556-938 | METER HOSTING & SOFTWARE | 1,400.00 | 20.47 | 20.47 | 1,379.53 | 1.46 |
| 591-556-956 | DUES & MISC | 2,600.00 | 14.90 | 14.90 | 2,585.10 | 0.57 |
| 591-556-957 | BANK CHARGES | 400.00 | 0.00 | 0.00 | 400.00 | 0.00 |
| 591-556-959 | DEPRECIATION | 40,000.00 | 0.00 | 0.00 | 40,000.00 | 0.00 |
| 591-556-970 | CAPITAL OUTLAY | 110,000.00 | 0.00 | 0.00 | 110,000.00 | 0.00 |
| 591-556-978 | EQUIPMENT RENTAL | 6,000.00 | 385.51 | 385.51 | 5,614.49 | 6.43 |
| 591-556-991 | DEBT PRINCIPLE/BOND RESERVE | 18,000.00 | 0.00 | 0.00 | 18,000.00 | 0.00 |
| 591-556-995 | DEBT INTEREST | 8,800.00 | 0.00 | 0.00 | 8,800.00 | 0.00 |
| TOTAL EXPENDITURES | | 312,500.00 | 9,052.06 | 9,052.06 | 303,447.94 | 2.90 |
| Fund 591 - WATER FUND: | | | | | | |
| TOTAL REVENUES | | 313,400.00 | 28,609.77 | 28,609.77 | 284,790.23 | 9.13 |
| TOTAL EXPENDITURES | | 312,500.00 | 9,052.06 | 9,052.06 | 303,447.94 | 2.90 |
| NET OF REVENUES & EXPENDITURES | | 900.00 | 19,557.71 | 19,557.71 | (18,657.71) | 2,173.08 |
| Fund 661 - EQUIPMENT FUND | | | | | | |
| Revenues | | | | | | |
| 661-000-664 | INVEST INTEREST | 1,200.00 | 0.00 | 0.00 | 1,200.00 | 0.00 |
| 661-000-668 | EQUIPMENT RENTAL | 70,000.00 | 4,303.10 | 4,303.10 | 65,696.90 | 6.15 |
| 661-000-670 | MISC INCOME | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 661-000-691 | FUND BALANCE CONTRIBUTION | 75,000.00 | 0.00 | 0.00 | 75,000.00 | 0.00 |
| TOTAL REVENUES | | 146,200.00 | 4,303.10 | 4,303.10 | 141,896.90 | 2.94 |
| Expenditures | | | | | | |
| 661-000-968 | DEPRECIATION EXPENSE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 661-215-702 | WAGES - EQUIPMENT CLERK | 5,200.00 | 408.72 | 408.72 | 4,791.28 | 7.86 |
| 661-215-715 | PR TAX EXP - CLERK | 400.00 | 31.27 | 31.27 | 368.73 | 7.82 |
| 661-557-702 | WAGES - EQUIPMENT MAINTENANCE | 13,000.00 | 1,015.48 | 1,015.48 | 11,984.52 | 7.81 |
| 661-557-715 | PR TAX EXP - EQUIPMENT | 1,000.00 | 77.69 | 77.69 | 922.31 | 7.77 |
| 661-557-726 | SUPPLIES | 2,000.00 | 674.60 | 674.60 | 1,325.40 | 33.73 |
| 661-557-751 | FUEL & OIL | 12,000.00 | 0.00 | 0.00 | 12,000.00 | 0.00 |
| 661-557-801 | AUDIT FEES | 600.00 | 0.00 | 0.00 | 600.00 | 0.00 |
| 661-557-840 | INSURANCE | 16,000.00 | 13,941.00 | 13,941.00 | 2,059.00 | 87.13 |
| 661-557-874 | RETIREMENT | 600.00 | 31.55 | 31.55 | 568.45 | 5.26 |
| 661-557-923 | HEAT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 661-557-925 | WATER | 250.00 | 0.00 | 0.00 | 250.00 | 0.00 |
| 661-557-930 | REPAIRS & MAINTENANCE | 14,000.00 | 417.50 | 417.50 | 13,582.50 | 2.98 |
| 661-557-957 | BANK CHARGES | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 661-557-965 | CONTR TO OTHER FUNDS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 661-557-970 | CAPITAL OUTLAY | 79,000.00 | 0.00 | 0.00 | 79,000.00 | 0.00 |

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF EMPIRE

PERIOD ENDING 03/31/2023

04/07/2023 10:14 AM
User: DSMITH
DB: Empire

| GL NUMBER | DESCRIPTION | 2023-24 | | ACTIVITY FOR | | AVAILABLE BALANCE | % BDC USED |
|--------------------------------|-------------|----------------|---------------------------|---------------------|------------|----------------------|---------------|
| | | AMENDED BUDGET | YTD BALANCE 03/31/2023 | MONTH 03/31/2023 | | | |
| Fund 661 - EQUIPMENT FUND | | | | | | | |
| Expenditures | | | | | | | |
| TOTAL EXPENDITURES | | 144,050.00 | 16,597.81 | 16,597.81 | 127,452.19 | 11.52 | |
| | | | | | | | |
| Fund 661 - EQUIPMENT FUND: | | | | | | | |
| TOTAL REVENUES | | 146,200.00 | 4,303.10 | 4,303.10 | 141,896.90 | 2.94 | |
| TOTAL EXPENDITURES | | 144,050.00 | 16,597.81 | 16,597.81 | 127,452.19 | 11.52 | |
| NET OF REVENUES & EXPENDITURES | | 2,150.00 | (12,294.71) | (12,294.71) | 14,444.71 | 571.85 | |
| | | | | | | | |
| TOTAL REVENUES - ALL FUNDS | | 659,850.00 | 32,912.87 | 32,912.87 | 626,937.13 | 4.99 | |
| TOTAL EXPENDITURES - ALL FUNDS | | 646,675.00 | 31,309.04 | 31,309.04 | 615,365.96 | 4.84 | |
| NET OF REVENUES & EXPENDITURES | | 13,175.00 | 1,603.83 | 1,603.83 | 11,571.17 | 12.17 | |

**Village of Empire
Water Committee
March 29, 2023**

Meeting called to order at 1:00 PM.

Members Present: Tom Rademacher, Meg Walton, Linda Chase, John Friend.

- Discussion on the recommendations from the maintenance inspection of the 100,000 gallon concrete reservoir, 10/18/22 and 11/1/22:
 1. Modify the overflow discharge so that a physical air gap of 12 to 24 inches exists. John said by just moving the rocks currently under the outlet an air gap of 12 to 24 inches could be created.
 2. Install a screen at the overflow pipe discharge to meet current EGLE requirements. John will check the door at the discharge end to see if it shuts tightly enough to prevent possible entry of contaminants. If not a screen can be installed.
 3. Replace the existing screen with a 24 mesh screen material to meet current EGLE requirements. John will clean off the screen and if needed replace with a new screen.
 4. Install additional roof vents to meet current EGLE requirements. John said we have 5 years to comply, new lids will have to be fabricated.
 5. Install deflector roof vents to meet current EGLE requirements. John said this has not been cited on previous inspections, he will check with EGLE to see if it needs to be done.
 6. Abrasive blast clean the wet interior piping and repaint with an epoxy enamel paint. Alternate to repainting the piping, replace the piping when it deteriorates. John will consult EGLE to see if this needs to be done.
 7. Drainage around the reservoir should be verified that the water table will not rise creating a problem. Considering the reservoir is located on a hill, a raised water table will not be an issue.

- Discussion on EGLE required lead survey. There are two companies we can get a bid from, may not be able to get three. 205 hookups are questionable for appropriate documentation. 42 randomized will need to be tested, 21 a year will need to be done.
- Discussion on meters and how to possibly address hookups with multiple units.
- Meg Walton wondered if we had a policy for shutting off water. John indicated that Water Service Ordinance 82 provides for shutting off water service due to nonpayment. During his time on the DPW, John said they have only shut off someone's water service once.

Meeting adjourned at 2:00 PM.

Respectfully submitted,
Tom Rademacher
Water Committee Chair

Minutes of Parks Committee
1:pm April 6, 2023
Village Building

Committee Members Present: March Dye (Chair) and Tom Rademacher
Chris Webb excused due to illness.
Also Present: John Friend

Interpretive Sign:

We didn't decide anything concerning the interpretive sign although we now have a better idea of what is required. Dallas sent an email in the morning saying that we had agreed to signage with braille. However, he said that the DNR now recommends a QR Code with a link to an MP3 (audio) file instead of the braille.

When Dave Taghon gets back into town he will fill us in on the history of the park and see what he has in the way of pictures.

Image 360 in Traverse City has said they can make us an 1/8" thick aluminum composite panel sign 3' by 2' which we would mount on two posts. This sign would cost \$312.46. I don't believe this includes help with layout.

Park Rules:

We did come up with some rules for Shalda Park. This is separate from the grant. The money for this sign would come out of parks maintenance.

The suggested rules are:

- Please Pick Up After Dogs
- No Fireworks
- No Overnight Camping
- Quiet Time Between 11pm and 8am
- Please Keep Park Clean

We suggest that this sign be green with white letters to match signs at brush pile.

Meeting Adjourned at 1:30
Submitted by March Dye

**VILLAGE OF EMPIRE
LEELANAU COUNTY, MICHIGAN**

ORDINANCE NO. 152

**ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS OF THE
STATE CONSTRUCTION CODE**

An Ordinance to Designate an enforcing agency to discharge the responsibility of the Village of Empire located in Leelanau County, and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

The Village of Empire ordains:

Section 1. AGENCY DESIGNATED.

Pursuant to the provisions of the state construction code, in accordance with Section 8b (6) of Act 230, of the Public Acts of 1972, as amended, the Construction Codes Authority of the County of Leelanau is hereby designated as the enforcing agency to discharge the responsibility of the Village of Empire under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The County of Leelanau assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.

Section 2. CODE APPENDIX ENFORCED.

Pursuant to the provisions of the state construction code, in accordance with Section 8b (6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this ordinance.

Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Leelanau County, Michigan (All Jurisdictions)" and dated June 7, 2023, and the Flood Insurance Rate Map(s) (FIRMs) listed on the index panel 26089CIND0B dated June 7, 2023 are adopted by reference for the purposes of administration of the Michigan Construction Code and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 4. REPEAL OF PRIOR ORDINANCES.

Ordinance 152 and any other ordinance of the Village of Empire which conflicts with the provisions of this ordinance are hereby repealed.

Section 5. SEVERABILITY.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph, or section of the Ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this Ordinance.

Section 6. SAVINGS CLAUSE.

All proceedings pending and rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

VC 4/13/23

Section 7. EFFECTIVE DATE.

This Ordinance shall take effect upon the later of 30 days after adoption or 30 days after the date of its publication in the manner provided by law.

Section 8. ADOPTION.

This Ordinance was duly adopted by the Village of Empire Council at its regular meeting called and held on the _____ of _____, 2023

Section 8. PUBLICATION.

The Village Clerk shall cause this ordinance to be published in a newspaper of general circulation within the Village of Empire within fifteen (15) days after adoption.

Sue Palmer, President, Village of Empire

Derith Smith, Clerk, Village of Empire

Adoption Date:

Publication Date:

Effective Date:

CERTIFICATION

I, Derith Smith, Clerk, Village of Empire, Leelanau County, Michigan, do hereby certify that the foregoing is a true and complete copy of this Ordinance adopted by the Village of Empire Council at a regular meeting held on _____, 2023. The following members of the Village of Empire Council were present at the meeting:

The Ordinance was adopted by the Empire Village Council with members of the Council voting in favor:

members of the Council voting against:

A copy of the Ordinance or a summary has been published in the Leelanau Enterprise on

_____, 2023.

Derith Smith, Clerk, Village of Empire

**VILLAGE OF EMPIRE
LEELANAU COUNTY, MICHIGAN**

ORDINANCE 147

**PUBLIC HIGHWAYS, STREETS, ALLEYS, RIGHT-OF-WAY
MAINTENANCE AND SNOW REMOVAL ORDINANCE**

AN ORDINANCE TO RESTRICT THE TIME, PLACE AND MANNER OF PARKING OR ABANDONING VEHICLES AND/OR THE PLACING OF OTHER OBJECTS, INCLUDING SNOW, ICE OR SLUSH IN THE PUBLIC RIGHT OF WAY; TO PROVIDE FOR VIOLATIONS AND PENALTIES; AND TO DESIGNATE ENFORCEMENT OFFICIALS.

THE VILLAGE OF EMPIRE HEREBY ORDAINS:

Section 1.

In accordance MCL 257.677a of the Michigan Motor Vehicle Code, a person shall not remove or cause to be removed, snow, ice or slush onto or across a roadway in a manner which obstructs the safety vision of the driver of motor vehicle; or deposit, or cause to be deposited snow, ice or slush on any roadway or highway.

Section 2.

In accordance with this Ordinance no person shall park or abandon any vehicle or other objects or occupy the right-of-way of a public street in any manner which interferes with snow removal or maintenance or which encumbers, obstructs or endangers the use of a public highway, street or alley.

Section 3.

From October 15th through April 15th of each year, no person shall park or abandon any vehicle, trailer or object, or occupy the street right-of-way between the hours of 3:00 a.m. and 8:00 a.m.

Section 4.

No person shall deposit on any public highway, street or alley, sidewalk, or right-of-way thereof, snow or ice which has been removed from private driveways or private property. No person shall place or plow snow toward an intersection thereby causing obstruction of sight for vehicular traffic at the intersection.

Section 5.

No person shall place or deposit on to any public sidewalk, street, alley or right- of-way, snow or ice which has been removed from private driveways or property that will impede pedestrian or vehicle movement.

Section 6.

No person shall place or deposit at any intersection snow, ice or slush which has been removed from private driveways or property that will block or obstruct vision at any intersection of vehicle traffic.

Section 7. Violations and Penalties.

Any person who violates any provision of this Ordinance shall be responsible for a municipal

civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred (\$500.00) Dollars. Each day this Ordinance is violated shall be considered a separate new violation.

Following the issuance of a municipal civil infraction citation, if a person fails to remove the vehicle, trailer, or object after being directed to do so by a police officer, the officer may have such vehicle removed and impounded at the owner's expense.

Section 8. Enforcement Officials.

The Zoning Administrator of the Village of Empire, any member of the Leelanau County Sheriff's Department, and the Department of Public Works Supervisor are hereby designated as the authorized officials to issue municipal civil infraction citations under this ordinance.

Section 9. Separate Enforcement Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may have any vehicle parked within the street or alley right-of-way removed and impounded at the owner's expense. The Village may initiate proceedings in the District Court to abate or eliminate the nuisance or any other violation of this Ordinance.

Section 10. Repeal of Prior Ordinances.

Ordinance 71 and any other ordinance related to snow removal are hereby repealed in their entirety.

Section 11. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 12. Effective Date.

This Ordinance shall become effective thirty (30) days after publication.

Sue Palmer, President, Village of Empire

Derith Smith, Clerk, Village of Empire

Adoption Date:

Publication Date:

Effective Date:

VILLAGE OF EMPIRE
SNOW PLOWING POLICY

To facilitate snow removal after 2" to 3" has fallen, from October 15th until April 15th, vehicles are prohibited from parking on any Village Street between the hours of 3:00 AM and 8:00 AM. Under ordinary snowfall, plowing will begin at between 5:00 AM and 6:00 AM, depending on the severity of the situation. Severity of snowfall is determined by the Department of Public Works (DPW) Superintendent.

If there is exceptional snowfall after 8 AM, a joint decision between the DPW Superintendent, the Street Administrator and/or the Village President will be made to determine if snow removal should be completed during normal working hours on any street.

The Village is not responsible or liable for damage or injury caused by snow from snow removal. The Village may be responsible for physical damage caused by the truck or plow.

See Ordinance No. 147 more snow removal information.

VC 4/13/2023

Policy Approval Date: _____

Engagement Plan Steps

The following steps will help you develop your engagement plan.

1. Frame the issue or problem - The first step in developing your community engagement plan is framing the issue or problem in a way that the community can discuss alternatives, solutions and consequences. Take care to not propose a specific solution to the issue or project. (ex. Enhancing your opportunities - rather than youth curfews, retail development strategies - rather than the proposed "big-box" store, waste management options - rather than the proposed landfill, invasive animal management - rather than baiting)
2. Identify your engagement goals - Why do you need or want people to get involved in your project? What do you want to accomplish by getting people involved? You will likely identify a mix of goals to include in your plan. Consider the following question to help you identify your goals:
 - Inform--Do you want to inform people about a project, or help them understand a problem or opportunity? Do you need more information from citizens to make a decision? What are the key things you want stakeholders to understand? What do they need to know to make this effort successful? What information is missing?
 - Consult--Do you want to get public feedback about a project, program or decision? Do you want to stimulate public debate about the issue? What specific types of information do you want from your participants? Is the goal to simply gather input into a pre-developed proposal, or is it general perceptions and values related to the issue you are seeking to address?
 - Involve--Do you want to work directly with citizens throughout the decision-making process, drawing on their knowledge and expertise to make recommendations? If you are expecting stakeholders to make decisions, what specifically do they have the purview over? How will their input be incorporated into the process or outcomes?
 - Collaborate--Do you want to create long-term partnerships among stakeholders (participants and community groups) that will implement the solutions they create? What specific contributions and partnerships do you want from your stakeholders? What can they realistically contribute? What authority are you willing to relinquish if necessary?

- Empower--Do you want the public to take leadership for implementing actions that address the purpose? What specifically do you expect stakeholders to do on their own?
3. Develop Your Engagement Project Team--at this stage it is a good idea to develop a project team or advisory group to help plan and implement your engagement process. The team's responsibilities might include:
 - Selecting tools and designing the process for citizen participation
 - Identifying and recruiting participants
 - Publicizing the effort
 - Developing background information
 - Designing benchmarks and criteria for evaluation
 - Reporting the outcomes of the process
 - Making recommendations based on the outcomes
 4. Identify the face to face tools for engaging citizens and stakeholders - There are a number of face-to-face tools and processes that can be used to engage citizens and stakeholders in your efforts. These tools serve to achieve different engagement goals: Inform, Consult, Involve, Collaborate or Empower. The trick is to select the engagement tool(s) and processes that match your goals and capacity to implement the appropriate strategies. A few of the more commonly used processes are identified in the section Pick the Right Tools.
 5. Participant recruitment and retention - Develop a participant recruitment and retention plan that describes how you will reach, prepare for, and communicate with your target audience.
 6. Plan for evaluation - Identify your evaluation strategy. How will you measure if you've been successful? What constitutes success for the engagement team and the participants?
 7. Communication plan - What is your plan for maintaining open lines of communication between you and those being engaged?



Outreach



Consultation



Involvement



Collaboration



Empower

"We will keep you informed."

"We will acknowledge your concerns, and provide feedback on how public input influenced the decision."

"We will ensure that your concerns and aspirations are directly reflected in the alternatives developed."

"We will ask you to be a key, active, and present player to help us build the right solutions."

"We will implement what you decide."

Depth of community engagement

Wastewater Update Task Force

1. Established by Motion
 - a. On January 24, 2023, the Village Council, a motion was made by Walton, supported by Dye to form a Wastewater Update Task Force. By unanimous vote, approved the creation of a Wastewater Update Task Force.
2. Specify Tasks – Purpose to:
 - a. update on new wastewater treatment systems available for small municipalities
 - b. 3 plausible scenarios available for the Village of Empire and associated costs
 - c. economic benefits Empire might expect from implementing a municipal wastewater system
 - d. financing options available for a wastewater system in the Village of Empire
 - e. recommendations of further action
3. Date of Dissolution
 - a. It will operate for one (1) year from the date of inception.
4. Number of members
 - a. composed of (5) five Village residents.
5. Budget
 - a. Budget not to exceed \$20K

VC 4/13/23

| | | |
|-----------|--|----------------------|
| Prepared: | April 5, 2023 | Pages: |
| Meeting: | April 13, 2023 | Attachments: |
| Subject: | Suggested Changes to the Charge and Appointment process for the Wastewater Report Update Task Force | Author: Maggie Bacon |

Overview:

At the March regular meeting, the Village Council discussed changes that were made to the original charge of the Task Force and agreed (in a 5 to 2 vote) to move the Wastewater Report Update Task Force back to a work session for additional discussion.

BACON'S SUGGESTED CHANGES AND CLARIFICATIONS TO THE CHARGE

The charge has two purposes: 1. Look at new, innovated systems that may have come on the scene since the 2018 study was completed and, 2) More fully investigate the wastewater needs of the business community and impact on the community.

1. Research and Report on new wastewater treatment systems for small municipalities.
2. Identify, if any, (up to three) plausible scenarios and all associated costs for the Village, its residents and property owners to acquire and operate a wastewater **system including an affordability index for each.**
3. Economic advantages and disadvantages that the Village, its residents, property owners and local business owners might expect from acquiring and operating a municipal wastewater system.
4. Financing options (if any) reasonably available for acquiring and operating a wastewater system in the Village of Empire with detailed explanation of each with regard to process and matching dollars required or terms (for a bond).
5. Recommend further action, if any, with respect to acquiring and operating a wastewater system that would address the needs of the business community in the Village of Empire.

The Task Force is required to bring back to the Village Council, within 2 months of their initial meeting, an estimate of costs for this project along with a scope of work for each professional – engineer, economist, health department official. Further, the Task Force must use the professionals - engineer, attorney, etc. (if any) currently working in such a capacity for the Village.

TASK FORCE SELECTION PROCESS

Below is an excerpt from the Michigan Municipal League General Law Village Handbook. This explanation does not run opposite of the Village of Empire's Rules of Procedure (ROP). Rather, it provides guidance and best practice options to both the President and Council in the PROCESS of making (President) appointments and approving (Council) those appointments.

VC 4/13/23 (Bacon)

Section 1: Local Government
Chapter 1: Welcome to Public Service

Appoint Citizen Boards and Commissions

It is important to select the best possible people to serve on village boards and commissions.

- Select people who will have the interest, time, and energy to devote to the responsibilities assigned to that board.
- Look for citizens interested in the welfare of the entire community, rather than those with a narrow interest or an axe to grind.
- Choose people, not on the basis of their particular point of view, but based on whether they have an open mind, are willing to listen, and are not afraid to express themselves.
- Try to reflect the diversity of the community on each board.
- Don't select appointees simply to pay back someone who has done you, or the village, a favor.

RECOMMENDATION:

1. Through discussion, the Village Council finalizing the charge for the Task Force and the selection process for possible adoption at the April 25, 2023 regular meeting of the Village Council.
2. At the Regular Meeting on April 25, 2023, the Council complete the following tasks: a. Rescind the motion made by the previous council to remove the Wastewater Study from the CIP for the next 5 years. b. Rescind the motion made in January 2023 to form a Wastewater Report Update Task Force and c. Consider adoption of a new Wastewater Report Update Task Force and process to be used in forming this Citizen's Task Force.

(Minutes from the January 13, 2023 Village Council meeting

2022-2028 CIP – Discussion of alley maintenance vs alley grind and replace was reviewed. Priorities from the 2022-23 CIP were discussed for inclusion in the next year's budget. Lambkin Lane was moved to the 2024-25 CIP as a grind and replace improvement. **There was discussion of a Wastewater Study. Motion by Bacon, support by Barr to remove a Wastewater Study from the CIP for the next 5 years. ROLL CALL: Ayes: Barr, Bacon, Rademacher, Chase, Davis. Nays: Palmer, Dye. MOTION PASSED.)**

To: Council Members
From: Maggie Bacon
Work session Agenda Request

FOR 2023 Season (MAY-JUNE)

Out of Pocket \$325

May 5, 2022

For several years, residents have talked about growing presence of garlic mustard in the Village. Some on public land, other instances on private land. Garlic Mustard is on the Northwest Michigan Invasive Species Network list as a top priority plant. They offer a program to municipalities and non-profit agencies working to remove garlic mustard.

Here is how it would work: (Thanks to Alacia Acton for doing all the leg work on this!)

1. Village of Empire brings pays bring in a 10-yard dumpster specifically as a garlic mustard drop off. (\$520.00). Recommend it be placed behind the Village Office/Village Garage to limit possible misuse.
2. Residents are given information about identifying and pulling both 1st year and 2nd plants (You Tube Video's and handouts)– no cost to Village other than space on the website. Dumpster is used for plants.
3. Dumpster stays on site for approximately 5 weeks. GFL comes at the 5-week mark to pick up.
4. Northwest Michigan Invasive Species Network will reimburse the Village \$200 toward the cost of the dumpster. Ultimately costing the Village just ~~\$320.00~~ \$325

This is a time sensitive request May to June is the BEST time for this activity. I am requested this be an action item for the work session. The Northwest Michigan Invasive Species Network is also hosting a garlic mustard workbee in Leelanau County (most likely north of here somewhere) that could be promoted!

Thank you.

VC 5/12/22

| | | |
|-----------|--------------------------|----------------------|
| Prepared: | April 5, 2023 | Pages: |
| Meeting: | April 13, 2023 | Attachments: |
| Subject: | Rule of Procedure Review | Author: Maggie Bacon |

Overview:

Section 65.5 of the General Law Village Act requires the council to adopt “rules of its own proceedings”. Further, once adopted by majority vote, the Rules of Procedure should be reexamined regularly. “When the village council meets following the election of trustees, the council’s rules of procedure should be reviewed by the new council, amended as the members desire and adopted as the current rules of procedure.

Recommendation:

As suggested by our Zoning Administrator at the Regular Meeting, reviewing and suggesting revisions of documents may best be done in segments. The Council could start with reviewing the first 5 sections of the ROP. Recommendation for changes should be brought forward as part of the meeting packet for that work session – not presented the night of the meeting.

VC 4/13/2023

Empire Village Council

Rules of Procedure

Introduction: The General Law Village Act requires the Village to adopt rules of its own proceedings. These Rules of Procedure are a tool to assist and enhance the orderly, cooperative conduct of Village business by the Council. As such, the Rules are not intended and shall not be applied as a basis to invalidate good faith action by the Council and/or its members, as long as such action does not violate the laws of the State of Michigan. The absence of a timely objection that a Rule of Procedure is being violated demonstrates good faith in the action taken.

1. Meetings

1.1 Regular and Work Session Meetings

The Regular Meetings of the Council shall be held on the fourth Tuesday and the Work Session meetings shall be held on the second Thursday of each month, unless those days are a holiday. Each February, the Council shall approve by resolution the Regular and Work Session meeting schedule for the following fiscal year of March 1st through February 28th, including any exceptions for holidays. Said schedule shall be posted no later than 10 days following the first meeting in March.

1.2 Special Meetings

A Special Meeting is any meeting of the governing body other than those called for in paragraph 1.1. Upon the request of the President or any three members of the Council, the Clerk/Deputy Clerk shall call a Special Meeting. Every Councilmember will be notified, individually, of a Special Meeting being scheduled, and notice of Special Meetings shall be posted at least 18 hours in advance of the meeting. Special Meeting notices shall contain the date, time, place and purpose of the meeting. No official action shall be transacted at any Special Meeting unless the item has been stated in the notice of the meeting.

1.3 Public Hearings

A Public Hearing is a meeting designed specifically to receive input from the public on a single issue. Public Hearings shall be scheduled, and due notice given in accordance with the provisions of the applicable act or ordinance. Public Hearings that are scheduled as part of a Regular Meeting shall follow the procedures outlined in Section 5, Public Hearings.

1.4 Place of Meeting

All Work Session, Regular and Special Meetings of the Council will be held at the Empire Township Hall, 10088 W. Front Street. A majority of the Council may designate a different place for any Work Session, Regular or Special Meeting. Alternatively, the Clerk/Deputy Clerk, with the consent of the President, may change the meeting to another location. As required by law, a notice of the change shall be prominently posted on the door of the Township Hall, at the Village Office, at the Village kiosk next to the Post Office and at the Glen Lake Community Library. As time and technology allow, such notice will be posted on the Village website with notification of

VC 4/13/2023

the posting sent out via the email blast system sent to those who have specifically requested such notification.

1.5 Time of Meetings

All Work Session and Regular Meetings of the Council will begin at 7:00 p.m., unless the Council, by a majority vote, sets a different starting time. The time of any Special Meeting shall be included in the meeting notice.

1.6 Ending of Meetings

At Work Session and Regular Meetings of the Council, items of business shall be completed by 9:00 p.m. in order to allow time for public comment and an adjournment time of 9:30 p.m. At the appointed hour, Council shall immediately adjourn unless the Council, by majority vote, extends the meeting or members of the public are present and wish to speak as part of the public comment section of the agenda.

2. Public Notice of Meetings

2.1 Work Session and Regular Meeting Schedule

As required by law, the Clerk/Deputy Clerk shall post a notice of Work Session and the Regular Meeting schedule for the fiscal year on the Village website and at the Village of Empire Office. The notice shall indicate the dates, times and places of the Work Session and Regular Meetings scheduled.

As time and technology allow, information about individual meetings will be added to the website. That information may include the agenda, meeting materials and other pertinent documents. Notification of the posting of that information will be sent out via the email blast system to those who have specifically requested such notification.

2.2 Rescheduled Meetings

As required by law, for a rescheduled Work Session, Regular or Special Meeting of the Council, the Clerk/Deputy Clerk shall post a public notice at least 18 hours before the meeting at the Village of Empire Office, at the Village kiosk next to the Post Office and at the Glen Lake Community Library. The notice shall state the date, time, place and purpose of the meeting.

As time and technology allow, information about rescheduled meetings will be added to the website and sent via email blast to those who have specifically requested to receive such notification.

2.3 Emergency Special Meetings

The notice described above in Section 2.2 is not required for an emergency session of Council in the event of a severe and imminent threat to the health, safety, or welfare of the public when two-thirds of the members of the Council determine that delay would be detrimental to the Village's efforts in responding to the threat.

3. Record of Meetings

3.1 Recording Responsibility

The Clerk shall be responsible for maintaining the official record and minutes of each meeting of the Council. The minutes shall include all actions of the Council with respect to motions, including the name of the member who made the motion and the member who supported it. Highlights of discussions will be included. If the vote is a roll call, the minutes shall show who voted "Yes," "No" or "Abstained".

The Clerk shall not be responsible for maintaining a verbatim report of all the discussion or comments of the Council or members of the public made at Council meetings.

In the absence of the Clerk or Deputy Clerk, the Council may appoint one of its own members or another person to temporarily perform this duty.

3.2 Minutes

Draft of minutes (synopsis) of each Work Session, Regular and Special Meeting shall be prepared by the Clerk, approved by the President and posted in three public places in the Village (Village Office, Village kiosk [on Front Street next to the Post Office], and at the Glen Lake Community Library) within 8 business days following the meeting to which they refer. Draft minutes (synopsis) shall be clearly labeled as such.

Council Members shall be notified, via email, when the draft minutes (synopsis) have been posted; a copy of the draft minutes (synopsis) will be included in the email notification to Council Members. Council Members shall refer all typographical, grammatical or corrections of the draft minutes (synopsis) in writing to the Clerk for review within 48 hours of posting.

Approved minutes showing corrections shall be posted in place of draft minutes (synopsis) on the Village website and available in hard copy at the Village Office and the Glen Lake Community Library within five business days following the meeting at which they were approved by Council. Approved minutes shall be clearly labeled as such.

3.3 Communications

All written (physical or electronic) communication received by the Council or an individual Council Member from a member of the public shall be provided to the Clerk. Acknowledgement of the receipt of each communication, its author and subject shall be announced when discussing "Communications" at the Regular Meeting of the Council. The communication or a summary shall be read at that time, unless waived by the author or if no member of council asks that it be read or summarized.

3.4 Public Access to Meeting Materials and Minutes

All minutes and meeting materials, except for those deemed privileged or confidential, shall be available for public inspection at the Village Office during regular business hours. Council

Members shall turn into the Clerk for proper filing, any personal notes, writings, drawings, etc. when said items are used in a meeting or referred to in a meeting.

3.5 Taping of Meetings and Disposition of Tapes

Council meetings are taped solely for assisting the Clerk/Deputy Clerk in preparing the minutes of the meetings. Tape recordings are not to be considered the official record of a Council meeting and may be recycled or disposed of 6 months after the Council approves the written minutes.

4. Closed Meetings

4.1 Purpose and Procedure

A roll call vote and purpose for calling a closed meeting must be recorded in the minutes of a Work Session, Regular or Special Meeting. Upon a 2/3 roll call vote of the total number of members of the Council (not just the members present), the Council may call a closed meeting for any of the following reasons:

- A.** To consider the purchase or lease of real property.
- B.** To consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the Council.
- C.** To review contents of an application for employment or appointment, but only when the candidate requests confidentiality. However, an interview must be conducted in an open meeting.
- D.** To consider material specifically exempt from discussion or disclosure by state or federal statute.

Upon a simple majority roll call vote of the total number of members of Council (not just the members present), the meeting may go into a closed session for the following reasons:

- A.** To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, but only when the named person requests a closed session.
- B.** For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

4.2 Minutes of Closed Meetings

The Clerk/Deputy Clerk shall take a separate set of minutes at the closed session. These minutes and any audiotape of the closed session will be retained by the Clerk, and shall **not** be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes, the audio tape and any attachments may be

destroyed one year and one day after approval of the minutes of the Regular or Special Meeting at which the closed session was approved.

5. Public Hearings

The Chair begins each Public Hearing by calling the meeting to order, taking the roll and explaining the purpose of the hearing and the rules of public conduct. Following the briefing, the Chair opens the hearing to receive written and oral comments. Section 6.14 applies to the length of each person's comments and rules regarding written comment.

After all persons have had the opportunity to speak, the Chair shall call the hearing adjourned. No action may be taken by the Council during a public hearing, but the matter may be placed on the Regular Meeting agenda or Special Meeting notice for possible action.

6. Conduct of Meeting

6.1 Agenda, Agenda Documentation for Work Session, Regular or Special Meetings

Only the Village President and the Council Members may introduce an agenda item and vote on matters brought for action¹. Upon review of the requests submitted, the Village President sets the agenda.

The President shall have the authority:

- a) to request additional documentation for agenda items,
- b) to move items to future meetings to ensure smooth, productive meetings and,
- c) may opt to deny an agenda item coming before the Council that has been decided upon within the previous 6 months.

The Council shall have the ability to overrule the President's decision about the agenda during the discussion of Changes and Additions to the Agenda.

The President, in consultation with Council Members, Department Heads or the Village Office Personnel, shall ensure the wording for each agenda item provides a clear description of expected discussion and/or action, so the public is aware of the issue being discussed and what action the Council may take during that discussion.

6.1.1 Amending Approved Agenda

After an agenda has been adopted by the Council, no change can be made except by a two-thirds vote of the members present or unanimous consent.

6.1.2 Presentations

Presentations may be added to a Work Session or Regular Meeting if approved by council at a prior meeting. Presentations shall follow the communications agenda and be followed by

¹ MML GLVA Handbook Section 2; Chapter 6 (<https://www.mml.org/resources/publications/ebooks/glv.htm>)

public comment on presentations to allow the public to respond to the presentation. Presenters and those providing public comment are expected to address their remarks to the meeting Chair.

6.2 Regular Meeting Agendas – Deadline for Submission

All Council Members and staff shall submit agenda items to the Village Office by **noon on** the Tuesday preceding each Regular Meeting for inclusion on the agenda. This would pertain to any item from the public that may require consideration and/or action by the Village Council. This does not include letters of public comment.

6.3 Regular Meeting Agenda/ Consent Agenda

The Village President may use a consent agenda to allow the Council to act on numerous administrative or non-controversial items at one time. Non-controversial items include approval of minutes, payment of bills, approval of recognition resolutions, etc. Any member of the Council may request an item be removed from the consent agenda and placed on the Regular Meeting agenda for discussion.

An agenda shall be prepared for each Regular council meeting with the following order of business as applicable:²

- Call to Order and Pledge of Allegiance
- Taking of the Roll
- Public Hearings
- Changes or Additions to the Agenda
- Adoption of Agenda
- Public Comment on Agenda Items
- Consent Agenda
- Review of Financial Statements
- Communications
- Presentations (as approved)
- Public Comment on Presentations
- Department Head Reports³
- Council Member/Committee Reports
- Old Business
- New Business
- Public Comment
- Council Members Comment
- Adjournment

² All items may not be included on each agenda. For example, if no Public Hearing is scheduled for a specific meeting, that item will not appear on an agenda.

³ For the purposes of the agenda, Department Heads are: DPW Superintendent, Zoning Administrator, Street Administrator and Clerk

6.4 Work Session Meeting Purpose

Work Sessions are primarily study sessions that take place prior to the Regular Meeting. Motions may be made on time sensitive items that need to be addressed before a Regular Meeting.

6.5 Work Session Meeting Agendas– Deadline for Submission

All Council Members and staff shall have agenda items submitted to the Village Office by **noon** on the Thursday preceding each Work Session meeting for inclusion on the agenda.

6.6 Work Session Agenda

An agenda shall be prepared for each Work Session meeting with the following order of business as applicable:

- Call to Order and Pledge of Allegiance
- Taking of the Roll
- Changes or Additions to the Agenda
- Adoption of Agenda
- Public Comments on Agenda Items
- Communications
- Presentations (as approved)
- Public Comment on Presentations
- Department Head Reports⁴
- Council Member/Committee Reports
- Old Business
- New Business
- Public Comment
- Council Member Comment
- Adjournment

6.7 Agenda and Meeting Material Distribution

Agendas and meeting materials shall be distributed to Council, electronically or in person, and posted no later than the Friday preceding the Regular Meeting and no later than the Monday preceding the Work Session meeting. All materials shall be dated. Documents in draft form (e.g., budgets, financials, ordinances, etc.) shall be labeled as such, with a version number and last date they were changed.

6.8 Special Meeting Agenda

The agenda of a Special Meeting will consist only of the matters so stated in the notice of the meeting.

6.9 Chair

The President shall moderate and chair all meetings of Council. In the absence of the President, the President Pro Tempore shall assume the duties of the Chair. If both the President and

⁴ For the purposes of the agenda, Department Heads are DPW Superintendent, Zoning Administrator, Street Administrator and Clerk

President Pro Tempore are absent, the longest serving member of Council will assume the role of Chair.

6.10 Quorum

Four members of the Council shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, a lesser number may adjourn a meeting to a later time or date, providing appropriate public notice.

6.11 Attendance at Council Meetings

Election to the Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in Council activities and represent the residents of the Village. Attendance at Council meetings is critical to fulfilling this responsibility.

No member of the Council may be absent from a Regular or Work Session meeting without first notifying the Village Office, President or Clerk. Members who are unable to attend a Special Meeting shall inform the person planning the meeting, so it can be ensured that a quorum will be present at the meeting.

6.12 Council Civility⁵

Regardless of the actual relationships among Council Members outside of Council meetings, the general atmosphere of any Council meeting should be relaxed, friendly, efficient, and dignified. Sarcasm, innuendoes, exclamations, and name calling are not appropriate. This does not mean misinterpretations, distortions, and challenges should be left unanswered. They should be answered. However, they should address the facts rather than the qualities, or lack of them, of the person being addressed. No performance issues of any officer or staff member shall be discussed unless the issue is properly noticed on the agenda and the officer or staff member has been given proper notice and the option to request a closed session.

6.13 Council Discussion

- (a) During Council discussion and debate, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member.
- (b) Council Members shall refrain from introducing a new topic or issue during discussion of the question at hand. As the public has not been properly noticed of this new topic or issue, no discussion or action may occur.
- (c) No member shall be recognized to speak a second time until all members wishing to speak a first time have been recognized.
- (d) Speakers should maintain a professional demeanor.
- (e) If Council Members have a question for a Department Head (or anyone else) during Council discussion of an agenda item (other than Department Head reports), the President shall decide, after all Council Members have had an opportunity to speak, if the Department Head will be recognized to answer any questions raised by Council.

⁵ p. 3 MML Handbook, Section 1, Chapter 1 (<https://www.mml.org/resources/publications/ebooks/glv.htm>)

6.14 Public Comment

A person may address the Council at the time it is considering public comments and may address the Council, at the discretion of the Chair, during Council's consideration of an item of business. Members of the public at a meeting shall not speak unless recognized by the Chair; when addressing the Council, the speaker may state their name for the public record. Comments should be confined to the question at hand and addressed to the Council in a courteous tone. A person shall limit their remarks to 3 minutes unless prior arrangements have been made. Communications of greater length shall be submitted in writing. The Chair or a designated Council Member may maintain the official time and notify the speakers when their time is up. It shall not be the practice of Council to respond directly to questions during these portions of the meeting, unless directed to do so by the Chair. The opportunity for Council Members to respond may occur during the business portions of the meeting or during the Council Comment section of the meeting.

6.15 Disorderly Conduct at Meetings

The Chair may call to order any person who is being disorderly. Disorderly conduct includes, for example, speaking when not recognized by the Chair, disrupting the proceeding by speaking off topic, by speaking longer than the allotted time, or by using vulgar language.

If a person is called out of order, they shall be seated and not be permitted to continue to speak at the same meeting except by special leave of the Chair or the Council. A person who continues to disregard being called out of order is deemed to have committed a breach of peace. A person who commits a breach of peace at a meeting may be excluded from the meeting, but a person may not be excluded from a meeting for any other reason.

7. Parliamentary Procedure

The rules of parliamentary procedure, as contained in the edition of Robert's Rules of Order currently available in the Village office, shall be used as a guide by the Council in all cases to which they are applied, unless they are in conflict with these Rules, the General Law Village Act or the laws of the State of Michigan. Robert's Rules shall be read and applied in a practical and common-sense fashion as a means for the Council to proceed in an orderly and cooperative manner. No technical violation of Robert's Rules shall invalidate any good faith action taken by the Council that otherwise is not in violation of the laws of the State of Michigan.

7.1 Motions, Resolutions, and Ordinances

All action taken by the Council shall be by motion, resolution, or ordinance and shall be publicly set forth in the official record (minutes) of Council.

7.2 Non-debatable Motions

A motion to adjourn, recess, lay on the table or to vote immediately shall be voted upon without further debate.

8. Voting

8.1 Duty to Vote

Council Members present at a Council meeting shall vote on every matter before the body. Voting by proxy or by telephone is not permitted.

8.2 Conflict of Interest and Abstention from Voting

No Council Member shall vote or participate in the discussion of a question, issue or decision where the Council Member has knowledge that the outcome of the question, issue or decision will provide a direct or indirect financial benefit to the Council Member, a member of his or her immediate family or a business with which he or she is associated, if different from any financial benefit shared by the general public. In such an event, the Council Member shall abstain and shall state on the record, or in writing for inclusion in the record, the facts which create the conflict.

Where no conflict exists as a matter of law, but a Council Member is concerned that facts exist which may create the appearance of a conflict, the Council Member may participate in discussion and shall vote on the matter; but before doing so the Council Member shall make a disclosure on the record, or in writing for inclusion in the record, the facts which create the appearance of a conflict.

Unless otherwise prohibited by law, if all sitting members of the Council are present at a meeting and one or more members must abstain because of a conflict of interest and such abstention(s) result in the inability of the Council to act, then the member(s) with the conflict may be permitted to vote. In such an event, in addition to stating on the record, or in writing for inclusion in the record, the facts which create the conflict, the Council Member shall vote his or her conscience disregarding his or her personal interest and shall state the facts in support of his or her vote on the record.

If a question arises as to whether or not a conflict exists, the Council may postpone the matter to seek legal opinion regarding the existence of a conflict or may by a simple majority vote of the remaining members determine whether a conflict exists using the guidelines set forth above.

8.3 Roll Call Votes

Roll call votes shall be taken when required by law, at the request of any member of Council or when the Chair cannot determine the results of a voice vote.

9. Appointments

The President, subject to the approval of a majority of the Council, will make appointments, unless the General Law Village Act, a federal law or an ordinance defines a different appointment procedure.

Boards, commissions and committees operating under the jurisdiction of the Village Council may make recommendations to the Council regarding appointments, but the President or Council shall not be bound by the recommendations.

9.1 President Pro Tempore Appointment

Per MCL 65.3, ACT III 1895, on November 20th of each year, or as soon after that date as possible, Council shall make President pro tempore appointment.

10. Committees

10.1 Standing Committees of Council

The Village shall have the following Standing Committees:

Parks
Personnel
Water
Streets, Sidewalks and Equipment
Airport

Committee members, as with all other appointments, shall be appointed by the President and are subject to the approval of the Council. Standing Committee members shall be Council Members. Committee members shall serve for a term of one year and may be re-appointed. The President will designate a Chair for each Committee.

10.2 Special Committees of Council

Special Committees may be established for a specific period of time by the President or by an approved motion or resolution of the Council, which specifies the task of the Special Committee and the date of its dissolution.

10.3 Public Notice of Committee Meetings

All Council appointed Committees (Standing, Special and Citizen's Task Force) shall be conducted in accordance with the Open Meetings Act and are subject to these Rules of Procedure and other applicable laws of the State.

10.4 Committee Authority

Committee Chairs shall:

- a. Work with the Clerk/Deputy Clerk to properly notice the meeting to the public, and
- b. Make sure minutes are taken and provided to the Village Office for posting on the website, and
- c. Preside over the meeting.

Neither the Chair of a Committee nor any member of the Committee shall have any authority to take any action on behalf of the Village Council, unless instructed by the Council. A Committee may only make reports and recommendations to the Council on matters referred to it.

10.5 Citizens Task Forces

Citizen task forces may be established by a motion or resolution of the Council which specifies the task to be accomplished and the date of the Task Force's dissolution. Members of such committees will be appointed by the Village President subject to approval by a majority vote of the Council. Vacancies will be filled by majority vote of the Village Council in the same way appointments are made.

11. Authorization for Contacting Village Professional Service Providers

Only the Village President and/or his or her designee shall contact vendors on behalf of the Village. This includes, but is not limited to, legal counsel, engineering staff, and other contracted and professional services. In addition, a report including any charges for services rendered, shall be provided to the Council either via Village email or at the next Village Council meeting.

All responses from the Village Attorney on issues of law or procedure shall be in writing and provided to the Village Council and the Village Office for filing.

The Street Administrator and the Water Commissioner (in the case of an emergency) shall be authorized to contact professional service providers in fulfilling their statutory duties without prior approval of the Council.

All Council Members who have been authorized to contact a professional service provider will provide a report (verbally or in writing) to the Council on the discussion including any request for additional information or action needed to move forward. Any and all electronic or written documentation related to those discussions – including bids, quotes or authorizations – will be made available to the Village Office and the Council.

Authorization for payment to professional service providers or the Village Attorney shall not be approved unless procedures outlined in this section are followed.

12. Amendment of Council Rules of Procedure

These rules were adopted by resolution of the Village Council pursuant to the authority of the General Law Village Act. None of these rules may supersede the General Law Village Act or the laws of the State of Michigan. The Council may alter or amend its rules at any time by a majority vote of its members after notice has been given of the proposed alteration or amendment.

Adopted: November 20, 2001

Last Amended: January 24, 2023

Notify Attorney Regarding the Request from the New Neighborhood Phase 4 Residents

** I am going to be talking to our attorney regarding the NN Phase 4 resident request to begin maintenance of the roadways and alleys in the Phase 4 Agreement. The Mediation Agreement can not be found in the office or in the records from the residents the NN Phase 4. This Agreement is referred to in the Consent Judgement. Figura Law may have a copy of this Agreement. I will also ask our attorney to write a letter to confirm the Village acceptance of the Phase 4 request.

Section 5.2

PERMIT REVOCATION PROCEDURE

The revocation of a permit shall be taken pursuant to notice to the permit holder by the mailing of the notice of revocation via first class mail to the permit holder at the mailing address of the permit holder as provided in the application for the permit or by personal service on the permit holder. The Health Officer may, but is not required to post the notice of revocation on the premises. When the permit has been issued to more than one (1) person, then service by first class mail or personal service may be to any person named in the permit.

The notice of revocation shall contain the reasons for the revocation and notice that the permit holder has the right to request a meeting with the Health Officer. The request for the meeting shall be in writing and shall be made within thirty (30) days of the date of the mailing of the notice of revocation. After the meeting, the Health Officer may continue the revocation, rescind the revocation or impose such conditions of the reinstatement of the permit as are necessary to require compliance with this Code. If the permit holder is not satisfied with the decision of the Health Officer after the meeting, then the permit holder may appeal the Health Officer's decision to the Board of Appeals. A meeting with the Health Officer, as described in this section is a mandatory prerequisite for the Board of Health's Appeal Board to have jurisdiction to hear an appeal related to the notice of revocation.



CHAPTER VI – TIME OF TRANSFER EVALUATION OF ON-SITE WATER AND SEWAGE DISPOSAL SYSTEMS

Section 6.1

PURPOSE

The purpose of Chapter VI and its provisions is to protect public health and to prevent or minimize degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water well systems through the regulation of the transfer of the property or premises.

Section 6.2

EVALUATION

- a. Except as provided in subsection 6.2(b) below, an owner of premises or a dwelling shall not sell, convey, assign nor transfer ownership of, or exclusive rights in, any dwelling and/or habitable building or premises unless and until the owner or the owner's designated agent has requested a Health Officer to evaluate the existing on-site water well system and/or the existing on-site sewage disposal system and unless and until such evaluation by the Health Officer has been conducted and the results thereof have been reduced to

writing and furnished to any prospective purchaser or transferee and the seller or transferor as part of the said transaction on a form established by the Health Department.

- b. The following are exempt from the requirement for the evaluation of an existing on-site sewage disposal system and/or water well, excluding water quality compliance sampling for on-site water wells with no water quality standard results for samples collected by the Health Department and analyzed by a State of Michigan certified laboratory within six (6) months prior to the proposed transfer:
 1. A transfer of premises that has had an on-site sewage disposal system and/or water well installed and approved by the Health Department within thirty-six (36) months prior to the proposed transfer pursuant to a permit issued by the Health Department for the on-site sewage disposal system and/or water well.
 2. A transfer of premises where written evidence exists that the on-site sewage disposal system and/or water well on the premises has been inspected by a Health Officer as required by these regulations within thirty-six (36) months prior to the proposed transfer and has been found to be in compliance with this Code.

Section 6.3

EVALUATION DETERMINATION

The evaluation shall consist of a determination that the sewage disposal system and/or water well system are in substantial conformance with the standards of this Code. In making this determination, the following criteria shall be considered:

- a. Vertical isolation distance between the high ground-water table and the point of sewage discharge;
- b. Isolation distance from surface waters or wetlands, as defined by federal or state law and this Code;
- c. Isolation distance between water well and sewage system;
- d. The on-site conditions of the property, including but not limited to soil types, groundwater elevation, flow and direction;
- e. Whether the sewage system meets the construction and design criteria (size and capacity) as required by federal or state law and this Code;
- f. Lot size and useable area for on-site sewage disposal;
- g. Operational condition of existing sewage system and/or water well;
- h. Whether the water well meets the construction standards as defined by state law and this Code;
- i. Compliance with bacteria and nitrate water quality standards as a minimum with other water quality parameters as required by the health department.

Section 6.4

INSPECTION NOTIFICATION

If, upon notice of transfer and inspection, it is determined that there is not substantial conformance or that there is an endangerment of water well systems, groundwater or surface water or public health, then the septic system or water supply shall be subject to enforcement as provided in the Code. The Health Officer shall provide a copy of such written determination to the owner and/or purchaser or transferee of the property within thirty (30) days from the date that the inspection of the premises is completed and all relevant information to make the determination has been received by the Health Department.

Section 6.5

CORRECTIVE ACTION

- a. Upon receipt by an owner, purchaser or transferee of written notice, as set forth in Section 6.4, the owner, purchaser or transferee shall, within thirty (30) days, submit a proposed corrective action that will remediate, abate or prevent any such substantial nonconformance or endangerment. The Health Department shall review the proposed corrective action. All necessary corrective action shall be completed within one hundred twenty (120) days of Health Department approval. Upon approval by the Health Department of the completed corrective action, the system shall be deemed to be in substantial conformance with this Code.
- b. Before the completion or closing of any real estate transaction for the transfer of premises having a system provided for in Section 6.4, the owner, purchaser or transferee shall notify the Health Department that the premises and its sewage system and/or water well either: (1) are in substantial conformance with this Code as defined in Section 6.3; or (2) submit to the Health Department proof of the following: (a) written contract to cause the sewage system and/or water well to be brought into conformance; (b) deposit of a surety or performance bond or cash guaranteeing performance of such contract in an amount equal to one and one-half times the estimated cost provided for in such contract; (c) covenant that the performance called for by such contract shall be completed within one hundred and fifty (150) days of transfer of the premises.

Section 6.6

ENFORCEMENT

In the event that the Health Officer is not notified as required by Section 6.5, or in the event an owner, transferee or purchaser does not comply with the requirements of Section 6.5, then it shall be deemed to be a violation of this Code and subject to enforcement and penalties as specified herein. The Health Officer or his/her duly authorized representative may also record an Affidavit Concerning Status of Sewage Disposal System and/or Water Well with the Register of Deeds office in the County where the premises are located setting

forth the fact that it may not be in substantial conformance with this Code as defined in Section 6.3.

Section 6.7 DETERMINATION HEARINGS AND APPEALS

Any owner, transferee, purchaser or person aggrieved by the determination required by this Chapter, shall have the right to a hearing and appeal as provided in Chapter IX of this Code.

CHAPTER VII – HOUSING

Section 7.1 COMPLAINTS CONCERNING PUBLIC HEALTH NUISANCES

All complaints concerning alleged public health nuisances shall be submitted to the Health Officer. Such complaints shall include specific details regarding the situation, including the nature and location of the alleged nuisance condition, the date and time of the occurrence, the person responsible, the names of the witnesses, and the name and address of the complainant. The Health Officer may require such complaints to be submitted in writing and signed.

Section 7.2 VACATION ORDER

Whenever it is determined by the Health Officer that a dwelling is unfit for human habitation, the Health Officer may issue an order requiring all persons living in the dwelling to vacate it within not fewer than 10 days nor more than 30 days. The order shall mention the specific reasons upon which such determination is based. The Health Officer may post a notice on such premises declaring that they are unfit for habitation, and it shall be unlawful for any person to move into, reside in, or offer for rent, lease, or transfer, a dwelling which has been declared by the Health Officer to be unfit for human habitation until such dwelling has been brought within the requirements of this Code. After the dwelling has been vacated, it must be secured against unauthorized entry by the property owner. It shall be unlawful for any person to remove, deface, or destroy any posted notice declaring the premises unfit for human habitation.

Section 7.3 PUBLIC HEALTH NUISANCE

Whenever a sewage disposal facility or part thereof, a water supply or part thereof, or a dwelling is in violation of the Code or otherwise is determined unfit for human habitation, then such dwelling, structure, excavation, alteration,

**VILLAGE OF EMPIRE
ORDINANCE NO. 137**

AN ORDINANCE REQUIRING SEPTIC INSPECTIONS AT TIME OF SALE OR TRANSFER OF PROPERTY

WHEREAS, the Village of Empire desires to promote the health and safety of the residents, visitors, and other community members by preventing failing or poorly maintained onsite sewage disposal systems (OSDS); and

WHEREAS, the Village of Empire desires to protect water quality and promote a quality environment in the wetlands, streams, lakes and beaches by reducing contaminated runoff from a failed or poorly maintained OSDS; and

WHEREAS, the Village of Empire desires to ensure that OSDS are properly operated, routinely inspected and maintained; and

WHEREAS, such OSDS are under the jurisdiction of the Benzie-Leelanau District Health Department (BLDHD); and

WHEREAS, the Village of Empire shall require an inspection of all OSDS at the time a property is sold or title transferred; and

NOW, THEREFORE, THE VILLAGE OF EMPIRE ORDAINS:

Section 1. Definitions.

As used in this Ordinance:

"Community Septic System" – A septic system designed to meet the Michigan Department of Environment, Great Lakes and Energy (EGLE) requirements.

"Failure" or "Failed System" may include-the following:

- the backup of septic effluent into a structure;
- the discharge of septic effluent onto the ground surface;
- septic effluent flow into or the connection of an OSDS to a storm drain;
- liquid level in the septic tank is above the top of the outlet pipe;
- the structural defect of a septic tank which is likely to impair its proper operation;
- the discharge of septic effluent from an OSDS into any body of water
- insufficient isolation from groundwater per BLDHD standards; or
- discharge through a drywell regardless of its operation state.

"NAWT" – National Association of Wastewater Technicians

"On-site Sewage Disposal System" or "OSDS" means sewage treatment and disposal facilities as that term is defined by the BLDHD in its Environmental Health Regulations and as those regulations may be amended in the future; but shall not mean any community wastewater treatment system serving more than one parcel which is subject to regulation pursuant to Part 31 of Michigan's Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, and the rules promulgated thereunder, being Part 22, Groundwater Quality, of the Michigan Administrative Code; nor systems issued a National Pollution Discharge Elimination System (NPDES) permit pursuant to Part 31 and/or the federal Clean Water Act.

"Owner" means any person who has fee simple or equitable title to any premises.

"Person" means any individual, firm, partnership, party, corporation, company, society, association, or other legal entity.

"Premises" means any tract of land, or portion thereof, or combination of tracts of land under single or common ownership, operation, or control, which contains (a) any type of structure that is, was, or will be occupied or inhabited either permanently or transiently, and (b) which is served by an OSDS.

Section 2. Inspection Required at Point of Sale or Title Transfer.

There shall be no sale, title transfer or conveyance of a premises until the following conditions are met:

1. The owner has requested the BLDHD or a licensed NAWT certified technician to evaluate any existing OSDS; or BLDHD has provided a written waiver of such evaluation.
2. The owner has furnished the results of such evaluation in writing to any prospective purchaser or transferee of the premises or the building on the premises. The evaluation shall bear the signature of acknowledgement from both buyer/transferee and seller and a copy shall be filed with the Village and BLDHD.
 - a.) The owner shall notify the Village of Empire within 14 days of a signed sales agreement or title transfer.
 - b.) The seller files an evaluation report by BLDHD or NAWT and,
 - c.) The BLDHD determines, based upon such report, that the OSDS is acceptable, or any necessary remediation is completed, or assured and accepted.
3. If, as a result of the inspection, the OSDS is found by BLDHD or NAWT, to be a failed or failing system via the required inspection, the inspector and/or the owner of the premises or building on the premises, shall provide those findings to the BLDHD and the purchaser or transferee of the premises or the building within 72 hours. The following requirement shall be met:

- a) A written contract providing for the OSDS to be brought into conformance with the provisions of any regulations required by the BLDHD by a date acceptable to the BLDHD or within one hundred and fifty (150) days from the date title to the premises or the building is transferred.
- b) If, after reviewing the inspection, the BLDHD determines that the OSDS is a failed or failing system, then the property owner shall be subject to enforcement as provided in the Ordinance as per BLDHD regulations.

Section 3. Exemptions.

Notwithstanding the provisions of Section 2, above, in the event of a sale, conveyance, assignment or transfer ownership of, or exclusive rights in a premises or an occupied building on the premises, any OSDS on said premises is not subject to a required inspection at the time of point of sale in the following instances:

1. The purchaser provides a notarized letter committing to remove the structure and related OSDS entirely within two-hundred and seventy (270) days of the letter's date. Such letter to also expressly (a) consent to the BLDHD inspecting the OSDS (if it is not removed), at the convenience of the BLDHD, after the stated time: and (b) acknowledge that a failure to remove the OSDS within that time will constitute a violation, by the purchaser, of the Ordinance.
2. The system has passed an inspection by the BLDHD or a NAWT Certified Technician within the previous one (1) year.
3. A Community Septic System has passed an inspection by the BLDHD or a State of Michigan Certified Community Sanitary System Operator within the previous three (3) years.

Section 4. Evaluation Standards.

It is the intent of this Ordinance to ensure that all OSDS are working properly. In that regard, the evaluation shall consist of a determination that the sewage disposal system conforms with the standards of the BLDHD and its requirements. In making this determination, the following criteria shall be considered:

1. The vertical isolation distance between the high groundwater table and the point of septic effluent discharge;
2. Soils indicate a seasonal high-water table or inadequate soil conditions within the zone between the ground surface and saturation or the water table.
3. The isolation distance from surface waters or wetlands, as defined by federal or state law or regulations;

4. The isolation distance between a water well and the sewage disposal system;
5. The on-site conditions of the property, including, but not limited to, soil types, groundwater elevation; and
6. The operational condition of the existing OSDS.

Section 5. Duty of Owner regarding Documentation.

The owner of the premises or the owner of the building on the premises shall provide the BLDHD and the Village of Empire all information relative to the required point of sale OSDS inspection.

Section 6. Authorized Local Officials.

The Village Zoning Administrator and/or the designee are hereby authorized to enforce this ordinance and to issue municipal civil infraction citations or municipal civil infraction violation notices for violations of this ordinance and notify BLDHD of such infraction.

Section 7. Repeal of Prior Ordinances.

Ordinance No. 137 and any other ordinance of the Village of Empire which conflicts with the provisions of this ordinance are hereby repealed.

Section 8. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph, or section of this Ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this Ordinance.

Section 9. Savings Clause.

All proceedings pending and rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 10. Effective Date.

This Ordinance shall take effect upon the later of 30 days after adoption or 30 days after the date of its publication in the manner provided by law.

Section 11. Adoption.

This Ordinance was duly adopted by the Village of Empire Council at its regular meeting called and held on the 11th day of November 2021.

Section 12. Publication.

The Village Clerk shall cause this Ordinance or summary of this Ordinance to be published in a newspaper of general circulation within Village of Empire within fifteen (15) days after adoption.


Daniel Davis, President, Village of Empire



Derith Smith, Clerk, Village of Empire

Adoption date: November 11, 2021
Publication date: November 28, 2021
Effective date: November 28, 2021

CERTIFICATION

I, Derith Smith, the Clerk for Village of Empire, Leelanau County, Michigan, do hereby certify that the foregoing is a true and complete copy of this Ordinance adopted by the Village of Empire Council at a regular meeting held on November 11, 2021. The following members of the Village of Empire Council were present at the meeting: Bacon, Barr, Chase, Davis, Dye, Palmer and Rademacher.

The Ordinance was adopted by the Village of Empire Council with 7 members of the Council voting in favor (Bacon, Barr, Chase, Davis, Dye, Palmer and Rademacher) and 0 voting against. A copy of the Ordinance or a summary thereof was published in the Traverse City Record Eagle on November 28, 2021.


Derith Smith, Clerk, Village of Empire

Approval for ordering new Pay Parking Machine for Beach Park

The DPW would like permission to order the new Pay Parking Machine for the Beach for an amount not to exceed ~~\$16,000~~. The bid is for ~~\$15,000~~ but this allows some leeway for taxes or shipping. ^{15,000} ^{14,375}

I would like to put this on the agenda for a vote at the April 25th Regular Meeting.

March Dye

rc 4/13/23



Traffic & Safety Control Systems, Inc.

February 21, 2023

Village of Empire
10115 Front St.
Empire, MI 49630
Mr. John Friend
231-326-5466

Subject: LUKE II Pay Station

Pursuant to your request, Traffic and Safety is pleased to provide the following quotation for (1) Digital Payment Technologies LUKE II Multi Space Meters. Included in the pricing below is shipping, installation, system programming and set-up, 1 year warranty (parts / labor / software).

Equipment List:

(1) DPT LUKE II pay station featuring:

*Credit Card Acceptance, Solar Panel, Wireless Cellular Communication, Coin, and Bill

(1) Set of GREEN Pay Station Keys

(1) Roll Thermal Paper

(1) Verizon or At&t Cellular Modem

| | |
|---|---------------------|
| Equipment | \$ 13,100.00 |
| Installation / Programming / 12 mo Warranty | \$ 825.00 |
| Shipping | \$ 450.00 |
| TOTAL | \$ 14,375.00 |

*Add 6% Sales Tax to Equipment, if applicable (\$786.00)

Installation to include the following:

1. Mount all control equipment.
2. Pull necessary control wires and terminate all wires.
3. Final tune-in and checkout of control systems.
4. One-year warranty covering all parts necessary to repair or replace defective parts due to normal wear and tear. Acts of God, vandalism, or misuse is not covered.
5. Training will consist of (4) hours either on the job site or at our shop. All hours in excess of this amount will be invoiced at \$95.00 per hour.

Notes:

1. Others shall bring all power to the equipment locations. It shall be a system that meets NEC standards. This includes all power to the power panels in the booths.
2. Monthly carrier fees are not included - applicable if machine is equipped with a cellular modem. Monthly manufacturer cloud service fees do apply and will be quoted separately.
3. All conduits for power and control wiring shall be provided and installed by others.

48584 Downing · Wixom, MI 48393-3501 · (248) 348-0570 · FAX (248) 348-6505
www.trafficandsafety.com

VC 4/13/23



Traffic & Safety Control Systems, Inc.

4. All concrete islands and/or mounting pads shall be provided and installed by others. This includes concrete filled protective barrier posts.
5. Others shall do site preparation according to layout drawings supplied by Traffic & Safety if applicable.
6. Terms are 50% down upon order. 50% due on project completion. Net 10 days, F.O.B. Wixom, MI, 6% sales tax will be added if applicable. A 1-1/2% per month finance charge will be added to all invoices older than 30 days.
7. Training is specifically noted and included in the cost of installation. All additional hours will be invoiced as a separate item.
8. Monthly cloud services fees (IRIS) is estimated at \$55.00 per month per pay station.

Please let me know if I may be of further service to you. I look forward to hearing from you in the near future.

Tom Neff
Traffic and Safety
248-756-7027

Signature

Date

*I, the above signee, authorize Traffic and Safety to proceed with the above quote. I agree to all terms and costs listed.

Current
PURCHASING POLICY

Purchases under \$100.00 require only Department head or immediate Supervisors approval.

Department Heads/Supervisors may make budgeted purchases from \$0.00 to \$500.00 without council's approval and without multiple quotes.

Purchases of budgeted items, from \$501.00 to \$10,000.00 require Supervisor's approval, multiple quotes (minimum of two) and Village President to sign off.

Expenditures of budgeted items, from \$10,001.00 and above require sealed bids. If the lowest bid is not accepted the rationale and reasons for acceptance of a higher bid must be presented to council for final decision and consideration.

At the regular meeting of the Village Council held in the Empire Town Hall, on April 24, 2007 a motion made by Sue Michener and supported by Nat Gray to adopt the following purchase policy.

Yeas: Gray, Diller, Payment, Michener, Walter and President Carpenter.

Nays: Baja

Motion passes.

Amended 8-28-2007

03/11/2021 VCWS

Purchasing Policy - Updated

The current Purchasing Policy was amended in 2007 and has not been updated since. It is time to update this policy. Following is a suggestion only.

Purchasing Policy

Purchases under \$500.00 require only Department Head or Supervisors approval (raised from \$100.00)

Purchases of **budgeted items**, from \$501.00 to \$2,000.00 require Supervisor's approval and Village President to sign off.

Purchases of **budgeted items**, from \$2,001.00 to \$17,000.00 require council approval.

Purchases of **budgeted items**, from \$17,001.00 to \$50,000 require a minimum of two bids and council approval.

Purchases of **budgeted items** over \$50,001.00 require at least two sealed bids. The council will make final approval. If the lowest bid is **not** accepted, the rationale and reasons for acceptance of a higher bid must be presented to council for final decision and consideration.



Grobbel Environmental & Planning Associates

PO Box 58

Lake Leelanau

Michigan

49653

February 22, 2023

Village Council, c/o Maggie Bacon
Village of Empire, Street Committee
11518 S. LaCore St.
Empire, MI 49630-0253

RE: Proposal for Stormwater/Sediment Control Planning In Conjunction with Gosling Czubak, Engineering, Wilco Rd., Village of Empire, Leelanau County, Michigan.

Dear Empire Village Council,

Per the request of Maggie Bacon, Streets Committee, Grobbel Environmental & Planning Associates is pleased to provide this proposal for environmental consulting services in conjunction with Martin Graf, P.E., Gosling Czubak Engineering for innovative stormwater control planning for Wilco Road in local, state and federal agency requirements.

This proposal is based on standard rates for contracting the professional services of Grobbel Environmental and Planning Associates, as outlined in Attachment A. This contract shall **not exceed the amount of \$13,300.00**. *If you wish Grobbel Environmental & Planning Associates to undertake this work, please complete the enclosed authorization form and return it with a \$6,500 down-payment/retainer to us via email - also please keep a copy for your files.*

If you have any questions regarding this estimate, please contact me at 231-499-7165 or grobbelenvironmental@gmail.com.

Sincerely,

Grobbel Environmental & Planning Associates

Christopher P. Grobbel, Ph.D.
Sr. Project Manager

cc Martin Graf, PE, Gosling Czubak Engineering

enclosures

VC 4/13/23

ATTACHMENT A

PROPOSAL FOR

**Stormwater/Sediment Control Planning
in Conjunction with Gosling Czubak, Engineering
Wilco Rd., Village of Empire, Leelanau County, Michigan.**

1) Innovative Stormwater Management Planning - Wilco Road -

Work cooperatively/collaboratively with Gosling Czubak Engineering develop, detailed innovative stormwater management plans for Wilco Rd. Liaise with Leelanau County Administrator, Empire Township, Leelanau Road Commission, Village of Empire and National Park Service regarding plan development, easements/maintenance agreement development; provide collaborative innovative stormwater collection, treatment and disposal design; public and governmental agency outreach; site visits; and identification of permit and other agency requirements.

| | |
|---|-------------|
| Professional consulting services, equipment & lab costs | \$13,300.00 |
|---|-------------|

| | |
|------------------------------------|---------------------------|
| GRAND TOTAL (not to exceed) | <u>\$13,300.00</u> |
|------------------------------------|---------------------------|



CONTRACT FOR SERVICES

From: Martin A. Graf, P.E.

Prepared For

Maggie Bacon
Village of Empire
11518 Lacore St
Empire, Michigan 49630

Project Name and Location

Wilco Rd Drainage Improvements
Empire, Michigan 49630

Gosling Czubak Engineering Sciences, Inc. (GCES) and Village of Empire (CLIENT) agree that GCES will perform the professional services described in the Proposed Scope of Work, subject to GCES's Terms and Conditions, attached.

Proposed Scope of Work

Gosling Czubak will provide the professional services described below:

Provide survey and design services for the Wilco Rd Drainage Improvement Project.

- Perform a topographic survey of Wilco Rd/Lake Street from Empire Bluff Trailhead to Michigan St.
- Prepare a base map of the project from the topographic survey.
- Evaluate existing storm water drainage patterns.
- Calculate storm water run-off quantities.
- Prepare conceptual storm water and soil erosion control plan.
- Meet with Village, Road Commission, National Park Representatives, and other project participants.
- Prepare project drawings including a title sheet, site plans, typical sections, and construction details.
- Prepare budgetary construction cost estimate.
- Coordinate work with Grobbel Environmental & Planning

Proposed Fee

The total fee to provide these services is \$ 27,200

Approval

Village of Empire

By: _____

Signature: _____

Title: _____

Date: _____

Gosling Czubak Engineering Sciences, Inc.

Martin A. Graf, P.E.

Principal-in-Charge

Martin A. Graf Mar 21 2023 2:58 PM

| | | |
|-----------|---|----------------------|
| Prepared: | April 5, 2023 | Pages: |
| Meeting: | April 13, 2023 | Attachments: |
| Subject: | Village Emails for Planning Commissioners | Author: Maggie Bacon |

Overview:

After our OMA/FOIA meeting with Tim Figura, I asked the Planning Commissioners about the Village providing them with Village emails.

Recommendation:

Two members of the Commission, Margaret Ellibee and Steve Stepanek requested Village email addresses. The remaining members are aware of the law with regard to the Clerk and (a lawyer) being able to ask for access to their personal accounts. At the same time, those members felt their system for syncing their devices were in place and an additional email would be an added burden.

Questions:

- 1.. Will PC member not using the Village email system be a burden for the Clerk?
2. Does the Council want to force members of the Commission to use the Village email? Is there a statute or law in place for this?

VC 4/13/23

Discussion of rules for Shalda Park

At the parks committee meeting on April 6th we came up with the following rules as suggestions for Shalda Park.

No Motor Vehicles on Walking Path
Please Pick Up After Dogs
No Overnight Camping
Quiet Time Between 11 pm and 8 am
Please Keep Park Clean

We suggest that the sign be green with white letters to match the signs at the brush piles.

This will come out of park maintenance, not out of the grant, since it is a park sign.

VC 4/13/23