

**EMPIRE VILLAGE COUNCIL WORK SESSION
JUNE 8, 2023 @ 7 PM
Empire Township Hall - 10088 W. Front Street**

AGENDA

- A. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**
- B. ROLL CALL**
- C. CHANGES OR ADDITIONS TO THE AGENDA**
- D. ADOPTION OF THE AGENDA**
- E. PUBLIC COMMENTS ON AGENDA ITEMS**
- F. COMMUNICATIONS**
- G. DEPARTMENT HEAD REPORTS**
- H. COUNCIL MEMBER / COMMITTEE REPORTS**
- I. OLD BUSINESS**
 - 1) Approve May 23, 2023, Regular Meeting Minutes
 - 2) Water Quality Educational Flyer (Rademacher)
 - 3) Well House VFD's (Rademacher)
 - 4) Consumers Energy Streetlight Removal (Bacon)
 - 5) Rules of Procedure
 - 6) RAP 2.0 Subgrant Committee Update (Bacon)
 - 7) Purchasing Policy (Dye)
 - 8) Short Term Rentals (Dye)
- J. NEW BUSINESS**
 - 1) Resolution Designating Employee Retirement Plan Trustees (Palmer)
 - 2) Consumers Energy Franchise Renewal (Bacon)
 - 3) Asset Map Task Force (Palmer)
 - 4) Mass Gathering Ordinance Implementation Issues (Bacon)
- K. PUBLIC COMMENT**
- L. COUNCIL MEMBER COMMENT**
- M. ADJOURNMENT**

MAY 23, 2023 – EMPIRE VILLAGE COUNCIL REGULAR MEETING

The Regular meeting was called to order at the Empire Township Hall and the Pledge of Allegiance was led by Palmer at 7:00 p.m. Upon a roll call, Council members Bacon, Chase, Palmer, Rademacher, Walton, and Webb were present. Trustee Dye and Treasurer Acton were excused. Clerk Smith was also present.

CHANGES/ADDITIONS TO AGENDA – Walton removed Purchasing Policy under Old Business. Bacon asked that items under Old and New Business regarding Consumers Energy and Mel Larecy be moved to Correspondence. She also added Beetle Release under New Business. Palmer removed 5-11-23 minutes and Lambkin/Florence paving from Consent Agenda. Presentation was moved up to follow Public Comments on Agenda Items.

ADOPTION OF AGENDA - Motion by Walton, support by Rademacher to approve the agenda as amended. ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

PUBLIC COMMENTS ON AGENDA ITEMS – John Collins commented on the Drainage District Update and the South Bar Lake Association meeting at Lion's Park on July 22nd.

CONSENT AGENDA – Motion by Bacon, support by Rademacher to approve the Consent Agenda including bills totaling \$126,319.15, approval of trailer purchase, and approval of South Bar Lake Beach monitoring. ROLL CALL: Ayes: Bacon, Chase, 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.

PRESENTATION – Steve Christensen, Drain Commissioner – South Bar Lake Drainage District – Christensen reported the existing location, with the addition of a culvert and pump, has been determined to be the most feasible physical and financial location. Engineer Brian Cenci described the physical changes and noted that construction is planned to happen this year. They are planning to finalize the Special Assessments for the winter tax roll this year. The Village portion of the cost would be 10% of the total estimated final cost of approximately 375K. Notice of Review will be available for public comment and an appeal process. This will be the next notice mailed to the public.

COMMUNICATIONS – Emails from John Collins and Mel Larecy were read aloud by Bacon. Her response to Larecy was also read aloud. Bacon read her email to Council reporting on the progress of streetlight removal by Consumers and an email from Steve Lewis on using beetles for control of purple loosestrife.

DEPARTMENT HEAD REPORTS – Palmer reported on letter from Attorney Figura regarding Incompatible Offices and Writings in the Possession of Individual Trustees. DPW and ZA reports were received. Friend described an area adjacent to well house at Shalda Park that may require additional grading, gravel, or asphalt for ADA access. **Motion by Bacon, support by Walton to amend the agenda to add ADA Parking Access under New Business. Upon a voice vote, MOTION PASSED.**

Motion by Walton, support by Rademacher to amend the agenda to add Consider Waiving Mass Gathering Permit Fee for Asparagus Festival. Upon a voice vote, MOTION PASSED.

COUNCIL MEMBER/COMMITTEE REPORTS – Wastewater Update Task Force 5/5/23 minutes were received.

OLD BUSINESS

MINUTES OF 5-11-23 APPROVAL – **Motion by Bacon, support by Rademacher to approve the minutes in the packet and posted online (per OMA) with the addition: Under Performance Assessment add “Palmer stressed that the topic was Performance Assessment, it was never a discussion regarding termination.” Upon a voice vote, MOTION PASSED.** Smith asked for clarification whether the Council will follow the law (OMA) or an internal policy (ROP) regarding minutes. Discussion included whether State Law or an internal policy takes precedence; discussion is ongoing regarding the ROP and whether they should be followed until all changes have been approved by attorney and Council rather than changed piecemeal. **Motion by Rademacher, support by Bacon to follow OMA rather than the ROP where there is a conflict regarding minutes. Upon a voice vote, MOTION PASSED with Palmer and Webb opposed.**

APPROVE BID SERVICE FOR LAMBKIN LANE/FLORENCE STREET CRUSHING AND PAVING PROJECT – Palmer asked for clarification of the portion of Florence St. included in the project. **Motion by Bacon, support by Rademacher to approve the proposal from Gosling Czubak for Lambkin Lane/Florence St. crushing and paving project. ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

PORTA POTTIES – **Motion by Rademacher, support by Bacon to approve 2 handicap porta potties for 4 months, one at Shalda Park and one downtown. ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

APPROVAL OF AUDIT FEE – **Motion by Bacon, support by Rademacher to approve the 3-year contract as proposed: \$10,560, \$10,900, \$11,200. ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

FEMA INTERGOVERNMENTAL AGREEMENT APPROVAL – **Motion by Rademacher, support by Webb to approve the agreement with Leelanau County. Upon a voice vote, MOTION PASSED.**

FEE WAIVAL FOR ASPARAGUS FESTIVAL – **Motion by Walton, support by Webb to waive the \$1500 fee for the Chamber of Commerce’s Asparagus Festival.** There was discussion of the 45-day advance notice requirement for the permit application, which would allow time for a fee waiver request to be processed. Discussion also included the increased fee could help offset associated costs such as a possible ambassador or drain cleaning that may be required after such an event. **Motion by Rademacher, support by Bacon to continue until 9:30 p.m. Upon a voice vote, MOTION PASSED.** There was consensus to add other COC

festivals to the work session. **ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

NEW BUSINESS

SPECIAL COMMITTEE OF THE COUNCIL – DISASTER PREPAREDNESS – Motion by Bacon, support by Rademacher to form a Special Committee of Council with the following charge: 1) Create a list of critical village components that could be affected by a natural disaster 2) Create an order of operations for the DPW and Village office in response to an emergency situation affecting Empire's infrastructure 3) Develop a plan indemnifying individual(s) authorized to act should a disaster occur (natural or manmade) within the Village limits 4) Identify areas of coordination with local agencies. The committee shall have 6 months from the date of inception to complete their work. Upon a voice vote, MOTION PASSED.

EACC – ANCHOR DAY STREET CLOSING – Motion by Walton, support by Bacon to accept the street closings as presented. Upon a voice vote, MOTION PASSED.

POTENTIAL VILLAGE SUBGRANT OPPORTUNITY – Motion by Palmer, support by Walton to form a Special Committee of Council to work on the potential Subgrant Opportunity (RAP 2.0) with tasks to include: work with Empire Associates to flush out the opportunities that exist for the Village, document opportunities available for the Village, prepare estimated costs for each opportunity, create a draft of the grant. Timeline: present opportunities and associated costs for the June 8th work session for Council approval and if approved to complete application for the June 27th regular meeting. Dissolution to be 7-1-23. A public hearing to be held between the work session and the regular meeting. Discussion included possible costs of \$250K-1M with grant to match amount. Upon a voice vote, MOTION PASSED. Palmer appointed Bacon, Dye and Webb to the committee. Motion by Walton, support by Rademacher to approve Palmer's appointments. Upon a voice vote, MOTION PASSED.

BEETLE RELEASE FOR CONTROL OF LOOSESTRIFE – Motion by Bacon, support by Rademacher to purchase 3 pods of beetles to be delivered at a cost of \$1155, to reduce the abundance of purple loosestrife in wetland habitats. It was noted that the cost of at least 2 pods was included in the budget. ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

ADA PARKING ACCESS - Motion by Rademacher, support by Bacon to approve \$3500 to remove and replace the asphalt between wellhouse and ADA parking at Shalda Park. ROLL CALL: Ayes: Bacon, Chase, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

PUBLIC COMMENT – Mel Larecy commented on the questions in his letter.

COUNCIL MEMBER COMMENT – None.

ADJOURNMENT at 9:32 p.m.

Derith Smith Empire Village Clerk

User: DSMITH
DB: Empire

PERIOD ENDING 05/31/2023

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 05/31/2023	ACTIVITY FOR MONTH 05/31/2023	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	1,575.00	0.00	3,425.00	31.50
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	5,792.00	0.00	34,208.00	14.48
101-000-655	FINES & FOREFELTS	5,000.00	0.00	0.00	5,000.00	0.00
101-000-664	INVEST INTEREST	5,000.00	498.05	0.00	4,501.95	9.96
101-000-670	MISC INCOME	2,000.00	900.00	0.00	1,100.00	45.00
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	8,765.05	0.00	817,384.95	
Dept 100 - COUNCIL						
101-100-702	WAGES - COUNCIL	13,000.00	3,195.00	1,015.00	9,805.00	24.58
101-100-715	PR TAX EXP - COUNCIL	950.00	244.43	77.66	705.57	25.73
101-100-910	PROF DEVELOPMENT	2,000.00	700.00	0.00	1,300.00	35.00
Net - Dept 100 - COUNCIL		(15,950.00)	(4,139.43)	(1,092.66)	(11,810.57)	
Dept 215 - CLERK						
101-215-702	WAGES - CLERK	19,500.00	3,966.87	1,322.29	15,533.13	20.34
101-215-703	WAGES - DEPUTY CLERK	32,400.00	7,924.38	2,714.33	24,475.62	24.46
101-215-715	PR TAX EXP - CLERK	4,000.00	909.67	308.80	3,090.33	22.74
101-215-726	SUPPLIES	25.00	0.00	0.00	25.00	0.00
101-215-840	INSURANCE	4,000.00	708.00	236.00	3,292.00	17.70
101-215-874	RETIREMENT	1,800.00	396.20	135.71	1,403.80	22.01
Net - Dept 215 - CLERK		(61,725.00)	(13,905.12)	(4,717.13)	(47,819.88)	
Dept 253 - TREASURER						
101-253-702	WAGES - TREASURER	9,700.00	2,236.86	745.62	7,463.14	23.06
101-253-715	PR TAX EXP - TREASURER	750.00	171.11	57.03	578.89	22.81
101-253-726	SUPPLIES	500.00	0.00	0.00	500.00	0.00
101-253-730	POSTAGE	300.00	126.00	0.00	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)	(2,533.97)	(802.65)	(8,766.03)	
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						
101-265-702	WAGES - ADMINISTRATION	30,000.00	6,620.64	1,890.88	23,379.36	22.07

PERIOD ENDING 05/31/2023

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 05/31/2023	MONTH 05/31/2023	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL FUND						
101-265-707	BRUSH PILE WAGES	5,000.00	544.68	331.08	4,455.32	10.89
101-265-715	PR TAX EXP - ADMINISTRATION	3,000.00	548.14	169.99	2,451.86	18.27
101-265-726	SUPPLIES	2,000.00	210.43	0.00	1,789.57	10.52
101-265-730	POSTAGE	300.00	63.00	0.00	237.00	21.00
101-265-800	PROFESSIONAL SERVICES	20,300.00	6,000.00	0.00	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	640.00	640.00	2,360.00	21.33
101-265-840	INSURANCE	18,000.00	10,226.00	745.00	7,774.00	56.81
101-265-853	TELEPHONE	400.00	69.98	29.99	330.02	17.50
101-265-854	CABLE INTERNET	1,200.00	319.96	99.99	880.04	26.66
101-265-874	RETIREMENT	1,800.00	172.35	48.42	1,627.65	9.58
101-265-880	BEAUTIFICATION	2,000.00	0.00	0.00	2,000.00	0.00
101-265-900	PRINT & PUB	1,000.00	336.30	210.10	663.70	33.63
101-265-919	WASTE DISPOSAL	1,000.00	0.00	0.00	1,000.00	0.00
101-265-921	ELECTRICITY	2,000.00	415.06	125.43	1,584.94	20.75
101-265-923	HEAT	0.00	0.00	0.00	0.00	0.00
101-265-930	REPAIRS & MAINTENANCE	8,000.00	575.49	525.00	7,424.51	7.19
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	447.00	0.00	3,553.00	11.18
101-265-956	DUES & MISC	600.00	0.00	0.00	600.00	0.00
101-265-957	BANK CHARGES	200.00	40.00	0.00	160.00	20.00
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	6,500.00	6,500.00	32,500.00	16.67
101-265-978	EQUIPMENT RENTAL	18,000.00	913.32	307.98	17,086.68	5.07
101-265-979	BRUSH PILE - EQUIPMENT RENTAL	8,000.00	2,675.95	1,764.99	5,324.05	33.45
101-265-984	SOFTWARE	0.00	0.00	0.00	0.00	0.00
Net - Dept 265 - ADMINISTRATION		(229,250.00)	(37,318.30)	(13,388.85)	(191,931.70)	
Dept 444 - SIDEWALKS						
101-444-930	REPAIRS & MAINTENANCE	17,000.00	0.00	0.00	17,000.00	0.00
101-444-970	CAPITAL OUTLAY SIDEWALKS	0.00	0.00	0.00	0.00	0.00
Net - Dept 444 - SIDEWALKS		(17,000.00)	0.00	0.00	(17,000.00)	
Dept 446 - ALLEYS						
101-446-930	REPAIRS & MAINTENANCE	0.00	0.00	0.00	0.00	0.00
101-446-970	CAPITAL OUTLAY - ALLEYS	29,000.00	0.00	0.00	29,000.00	0.00
Net - Dept 446 - ALLEYS		(29,000.00)	0.00	0.00	(29,000.00)	
Dept 448 - STREET LIGHTING						
101-448-921	STREET LIGHTING	10,000.00	2,395.47	788.81	7,604.53	23.95
Net - Dept 448 - STREET LIGHTING		(10,000.00)	(2,395.47)	(788.81)	(7,604.53)	
Dept 536 - WASTEWATER UPDATE TASK FORCE						
101-536-726	SUPPLIES	0.00	45.14	45.14	(45.14)	100.00

GL NUMBER		DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 05/31/2023	MONTH 05/31/2023	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL FUND							
101-536-815 CONTRACTED SERVICES			20,000.00	0.00	0.00	20,000.00	0.00
Net - Dept 536 - WASTEWATER UPDATE TASK FORCE			(20,000.00)	(45.14)	(45.14)	(19,954.86)	
Dept 721 - PLANNING COMMISSION							
101-721-701 WAGES - PLANNING COMMISSION			4,300.00	935.00	275.00	3,365.00	21.74
101-721-702 WAGES - PLANNING SECY			1,100.00	200.00	100.00	900.00	18.18
101-721-715 PR TAX EXP - COMM PLANNING			400.00	86.83	28.66	313.17	21.71
101-721-726 SUPPLIES			100.00	219.46	0.00	(119.46)	219.46
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	0.00	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)	(1,542.00)	(403.66)	(13,058.00)	
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	2,019.24	673.08	6,730.76	23.08
101-722-715 PR TAX EXP - ZONING			700.00	154.47	51.49	545.53	22.07
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)	(2,173.71)	(724.57)	(7,976.29)	
Dept 751 - PARKS							
101-751-702 WAGES - PARK MAINT			27,000.00	6,918.17	2,898.88	20,081.83	25.62
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	721.29	240.43	3,278.71	18.03
101-751-715 PR TAX EXP - PARK			3,000.00	584.43	240.15	2,415.57	19.48
101-751-726 SUPPLIES			3,500.00	339.32	339.32	3,160.68	9.69
101-751-840 INSURANCE			3,500.00	795.00	265.00	2,705.00	22.71
101-751-853 TELEPHONE			0.00	0.00	0.00	0.00	0.00
101-751-874 RETIREMENT			1,400.00	179.83	81.40	1,220.17	12.85
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	5,849.01	210.89	17,150.99	25.43
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	117,958.35	114,248.35	173,041.65	40.54
101-751-978 EQUIPMENT RENTAL			19,000.00	7,532.09	3,542.28	11,467.91	39.64
Net - Dept 751 - PARKS			(387,200.00)	(140,877.49)	(122,066.70)	(246,322.51)	
Fund 101 - GENERAL FUND:							
TOTAL REVENUES			826,150.00	8,765.05	0.00	817,384.95	1.06
TOTAL EXPENDITURES			806,275.00	204,930.63	144,030.17	601,344.37	25.42
NET OF REVENUES & EXPENDITURES			19,875.00	(196,165.58)	(144,030.17)	216,040.58	987.00

REVENUE AND EXPENDITURE REPORT FOR VILLAGE OF EMPIRE
PERIOD ENDING 05/31/2023

GL NUMBER	DESCRIPTION	2023-24	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDO
		AMENDED BUDGET	05/31/2023	MONTH 05/31/2023	BALANCE	USED

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 05/31/2023	ACTIVITY FOR MONTH 05/31/2023	AVAILABLE BALANCE	% BDGT USED
-----------	-------------	---------------------------	---------------------------	-------------------------------------	----------------------	----------------

Fund 202 - MAJOR STREETS FUND						
Revenues						
202-000-574	STATE SHARED REV	41,000.00	3,866.05	0.00	37,133.95	9.43
202-000-575	STATE WINTER REV	6,500.00	8,328.03	0.00	(1,828.03)	128.12
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	291.98	0.00	108.02	73.00
202-000-691	FUND BALANCE CONTRIBUTION	0.00	0.00	0.00	0.00	0.00

TOTAL REVENUES						
		74,900.00	12,486.06	0.00	62,413.94	16.67
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	360.60	120.20	1,139.40	24.04
202-215-715	PR TAX EXP - CLERK	100.00	27.57	9.19	72.43	27.57
202-463-702	WAGES - ROUTINE MAINTENANCE	6,000.00	493.71	194.29	5,506.29	8.23
202-463-715	PR TAX EXP - ROUTINE MAINTENANCE	500.00	37.80	14.89	462.20	7.56
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	1,146.00	32.00	554.00	67.41
202-463-874	RETIREMENT	250.00	7.59	3.30	242.41	3.04
202-463-978	EQUIPMENT RENTAL	5,500.00	623.93	267.63	4,876.07	11.34
202-478-702	WAGES - WINTER MAINTENANCE	5,000.00	978.89	40.90	4,021.11	19.58
202-478-715	PR TAX EXP - WINTER MAINTENANCE	400.00	74.89	3.14	325.11	18.72
202-478-726	SUPPLIES	4,000.00	0.00	0.00	4,000.00	0.00
202-478-840	INSURANCE	800.00	96.00	32.00	704.00	12.00
202-478-874	RETIREMENT	250.00	17.68	2.04	232.32	7.07
202-478-978	EQUIPMENT RENTAL	8,000.00	1,294.19	60.47	6,705.81	16.18
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	6,097.03	0.00	19,902.97	23.45

TOTAL EXPENDITURES						
		69,525.00	11,255.88	780.05	58,269.12	16.19
Fund 202 - MAJOR STREETS FUND:						
TOTAL REVENUES		74,900.00	12,486.06	0.00	62,413.94	16.67
TOTAL EXPENDITURES		69,525.00	11,255.88	780.05	58,269.12	16.19
NET OF REVENUES & EXPENDITURES		5,375.00	1,230.18	(780.05)	4,144.82	22.89

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	2,717.43	0.00	25,282.57	9.71
203-000-575	STATE WINTER REV	6,000.00	5,158.38	0.00	85.97	85.97
203-000-664	INVEST INTEREST	350.00	323.28	0.00	26.72	92.37
203-000-677	50% TRF FR MAJ ST	26,000.00	6,097.03	0.00	19,902.97	23.45
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	14,296.12	0.00	111,053.88	11.40
Expenditures						
203-000-801	AUDIT FEES	450.00	0.00	0.00	450.00	0.00

User: DSMITH
DB: Empire
PERIOD ENDING 05/31/2023

GL NUMBER	DESCRIPTION	2023-24	YTD BALANCE	MONTH		AVAILABLE BALANCE	% BDGT USED
		AMENDED BUDGET	05/31/2023	05/31/2023			
Fund 203 - LOCAL STREETS FUND							
Expenditures							
203-000-821	ENGINEERING	5,000.00	0.00	0.00	5,000.00	0.00	
203-000-826	LEGAL FEES	0.00	0.00	0.00	0.00	0.00	
203-000-860	TRANSPORTATION	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	
203-215-702	WAGES - LOCAL STREETS CLERK	1,500.00	360.60	120.20	1,139.40	24.04	
203-215-715	PR TAX EXP - CLERK	100.00	27.57	9.19	72.43	27.57	
203-463-702	WAGES - ROUTINE MAINTENANCE	3,500.00	365.80	82.70	3,134.20	10.45	
203-463-715	PR TAX EXP - ROUTINE MAINTENANCE	300.00	27.98	6.32	272.02	9.33	
203-463-726	SUPPLIES	1,000.00	0.00	0.00	1,000.00	0.00	
203-463-787	TRAFFIC CON - ROUTINE	250.00	0.00	0.00	250.00	0.00	
203-463-821	ENGINEERING FEES	5,000.00	0.00	0.00	5,000.00	0.00	
203-463-840	INSURANCE	2,100.00	1,146.00	32.00	954.00	54.57	
203-463-874	RETIREMENT	250.00	7.61	3.07	242.39	3.04	
203-463-978	EQUIPMENT RENTAL	5,500.00	639.70	192.70	4,860.30	11.63	
203-478-702	WAGES - WINTER MAINTENANCE	5,200.00	933.49	61.34	4,266.51	17.95	
203-478-715	PR TAX EXP - WINTER MAINTENANCE	500.00	71.41	4.69	428.59	14.28	
203-478-726	SUPPLIES	4,500.00	0.00	0.00	4,500.00	0.00	
203-478-840	INSURANCE	1,200.00	96.00	32.00	1,104.00	8.00	
203-478-874	RETIREMENT	250.00	20.23	3.07	229.77	8.09	
203-478-978	EQUIPMENT RENTAL	7,000.00	1,280.14	0.00	5,719.86	18.29	
203-901-970	CAPITAL OUTLAY- UNION ST	70,000.00	0.00	0.00	70,000.00	0.00	
TOTAL EXPENDITURES		120,600.00	4,976.53	547.28	115,623.47	4.13	
Fund 203 - LOCAL STREETS FUND:							
TOTAL REVENUES		125,350.00	14,296.12	0.00	111,053.88	11.40	
TOTAL EXPENDITURES		120,600.00	4,976.53	547.28	115,623.47	4.13	
NET OF REVENUES & EXPENDITURES		4,750.00	9,319.59	(547.28)	(4,569.59)	196.20	
Fund 591 - WATER FUND							
Revenues							
591-000-626	SERVICE INSTALLATION	15,000.00	0.00	0.00	15,000.00	0.00	
591-000-642	WATER SALES	155,000.00	28,609.77	0.00	126,390.23	18.46	
591-000-655	LATE PAYMENT FEES	2,000.00	1,450.00	1,475.00	550.00	72.50	
591-000-664	INVEST INTEREST	400.00	389.44	0.00	10.56	97.36	
591-000-665	FIRE SUPPRESSION LEASE	800.00	0.00	0.00	800.00	0.00	
591-000-670	MISC INCOME	200.00	0.00	0.00	200.00	0.00	
591-000-691	FUND BALANCE CONTRIBUTION	140,000.00	0.00	0.00	140,000.00	0.00	
TOTAL REVENUES		313,400.00	30,449.21	1,475.00	282,950.79	9.72	
Expenditures							
591-215-702	WAGES - WATER CLERK	2,200.00	0.00	0.00	2,200.00	0.00	
591-215-703	WAGES - WATER ADMIN	11,000.00	2,561.95	772.48	8,438.05	23.29	
591-215-715	PR TAX EXP - CLERK	1,000.00	196.01	59.10	803.99	19.60	
591-215-874	RETIREMENT	450.00	99.26	29.01	350.74	22.06	
591-556-702	WAGES - WATER MAINTENANCE	19,450.00	4,052.18	1,440.28	15,397.82	20.83	
591-556-715	PR TAX EXP - WATER	1,500.00	309.98	110.17	1,190.02	20.67	
591-556-726	SUPPLIES	2,500.00	(99.00)	0.00	2,599.00	(3.96)	
591-556-730	POSTAGE	600.00	240.00	0.00	360.00	40.00	
591-556-800	PROFESSIONAL SERVICES	800.00	0.00	0.00	800.00	0.00	
591-556-801	AUDIT FEES	800.00	0.00	0.00	800.00	0.00	

User: DSMITH

DB: Empire

PERIOD ENDING 05/31/2023

		2023-24		YTD BALANCE		ACTIVITY FOR		AVAILABLE		% BDGT	
		AMENDED BUDGET		05/31/2023		MONTH		BALANCE		USED	
51L NUMBER		DESCRIPTION									
Fund 591 - WATER FUND											
Expenditures											
591-556-804	LABS & TESTING	1,000.00	1,278.75	80.00	(278.75)	127.88					
591-556-821	ENGINEERING FEES	5,000.00	0.00	0.00	5,000.00	0.00					
591-556-840	INSURANCE	4,000.00	2,724.27	78.09	1,275.73	68.11					
591-556-853	TELEPHONE	1,600.00	341.02	106.19	1,258.98	21.31					
591-556-874	RETIREMENT	800.00	116.65	34.10	683.35	14.58					
591-556-921	ELECTRICITY	12,000.00	1,429.68	455.02	10,570.32	11.91					
591-556-923	HEAT	3,600.00	2,119.91	1,057.09	1,480.09	58.89					
591-556-930	REPAIRS & MAINTENANCE	56,000.00	211.89	115.94	55,788.11	0.38					
591-556-933	SOFTWARE MAINTENANCE/SUPPORT	1,000.00	900.00	0.00	100.00	90.00					
591-556-938	METER HOSTING & SOFTWARE	1,400.00	20.47	0.00	1,379.53	1.46					
591-556-956	DUES & MISC	2,600.00	14.90	0.00	2,585.10	0.57					
591-556-957	BANK CHARGES	400.00	25.75	0.00	374.25	6.44					
591-556-959	DEPRECIATION	40,000.00	0.00	0.00	40,000.00	0.00					
591-556-970	CAPITAL OUTLAY	110,000.00	3,125.30	2,024.56	106,874.70	2.84					
591-556-978	EQUIPMENT RENTAL	6,000.00	927.10	287.19	5,072.90	15.45					
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	20,596.07	6,649.22	291,903.93	6.59					
Fund 591 - WATER FUND:											
TOTAL REVENUES		313,400.00	30,449.21	1,475.00	282,950.79	9.72					
TOTAL EXPENDITURES		312,500.00	20,596.07	6,649.22	291,903.93	6.59					
NET OF REVENUES & EXPENDITURES		900.00	9,853.14	(5,174.22)	(8,953.14)	1,094.79					
Fund 661 - EQUIPMENT FUND											
Revenues											
661-000-664	INVEST INTEREST	1,200.00	395.99	0.00	804.01	33.00					
661-000-668	EQUIPMENT RENTAL	70,000.00	15,886.42	6,423.24	54,113.58	22.69					
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	16,282.41	6,423.24	129,917.59	11.14					
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	1,226.16	408.72	3,973.84	23.58					
661-215-715	PR TAX EXP - CLERK	400.00	93.81	31.27	306.19	23.45					
661-557-702	WAGES - EQUIPMENT MAINTENANCE	13,000.00	2,456.06	712.09	10,543.94	18.89					
661-557-715	PR TAX EXP - EQUIPMENT	1,000.00	187.89	54.46	812.11	18.79					
661-557-726	SUPPLIES	2,000.00	674.60	0.00	1,325.40	33.73					
661-557-751	FUEL & OIL	12,000.00	1,101.40	1,101.40	10,898.60	9.18					
661-557-801	AUDIT FEES	600.00	0.00	0.00	600.00	0.00					
661-557-840	INSURANCE	16,000.00	14,471.00	265.00	1,529.00	90.44					
661-557-874	RETIREMENT	600.00	83.82	26.52	516.18	13.97					
661-557-923	HEAT	0.00	0.00	0.00	0.00	0.00					
661-557-925	WATER	250.00	200.00	200.00	50.00	80.00					
661-557-930	REPAIRS & MAINTENANCE	14,000.00	611.90	25.78	13,388.10	4.37					
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					

06/02/2023 12:29 PM

User: DSMITH

DB: Empire

PERIOD ENDING 05/31/2023

GL NUMBER	DESCRIPTION	2023-24 AMENDED BUDGET	YTD BALANCE 05/31/2023	ACTIVITY FOR MONTH 05/31/2023	AVAILABLE BALANCE	% BDGT USED
Fund 661 - EQUIPMENT FUND						
Expenditures						
TOTAL EXPENDITURES		144,050.00	21,106.64	2,825.24	122,943.36	14.65
Fund 661 - EQUIPMENT FUND:						
TOTAL REVENUES		146,200.00	16,282.41	6,423.24	129,917.59	11.14
TOTAL EXPENDITURES		144,050.00	21,106.64	2,825.24	122,943.36	14.65
NET OF REVENUES & EXPENDITURES		2,150.00	(4,824.23)	3,598.00	6,974.23	224.38
TOTAL REVENUES - ALL FUNDS						
TOTAL EXPENDITURES - ALL FUNDS		659,850.00	73,513.80	7,898.24	586,336.20	11.14
NET OF REVENUES & EXPENDITURES		646,675.00	57,935.12	10,801.79	588,739.88	8.96
		13,175.00	15,578.68	(2,903.55)	(2,403.68)	118.24

Prepared: June 1, 2023

Pages: 1

Meeting: June 8, 2023

Attachments: 1

Subject: South Bar Lake educational material cost

Author: Tom Rademacher

Overview:

Cost of purchasing South Bar Lake educational material. The attachment shows the approximate cost of educational material to be sent out. Steve Lewis and myself will collate all materials to be sent out, so there will be no cost for staff to do this.

Estimates for Water Quality Educational Flyers

Sent out as Flyer		Sent out in Envelope	
GL Assoc. Flyers	\$400.00	GL Assoc. Flyers	\$400.00
Stamps	\$252.00	Stamps	\$252.00
Circle Stickers	\$25.00	Circle Stickers	\$0.00
Envelopes	\$0.00	Envelopes	\$68.00
Labels to Cover GLA Name	\$56.00	Labels to Cover GLA Name	\$56.00
Recipient Address Labels	\$15.00	Recipient Address Labels	\$15.00
Insert	<u>\$24.00</u>	Insert	<u>\$24.00</u>
Total	<u><u>\$772.00</u></u>	Total	<u><u>\$815.00</u></u>

*** I may be able to print village logo with return address and recipient address directly onto the envelopes.

Prepared: June 1, 2023

Meeting: June 8, 2023

Subject: Bids for the VFD's for the Generator

Author: Sue Palmer

Overview:

Council approved a budget for purchasing the backup generator and VFD's for Wells 2 and 3. It has been very difficult finding companies to provide bids for both so we are breaking out the purchase by VFD's. John will get bids on the generator once the VFD's are installed. Attached are the VFD Bids

Action to be Taken:

1. Review and discuss the options available provided to the Village.

For May 11, 2023 Work Session



4-3-23

Village of Empire
11518 S Lacore St
Empire, MI, 49630

Quotation for electrical work at wellhouses as follows:

Well House #1

- 1) Supply and install Natural gas generator, Generac RG03824JNAX3
 - a) 38 kw commercial series, liquid cooled
 - b) Block heater
- 2) Supply and install Automatic transfer switch
- 3) Supply and install Generator Pad
- 4) Re-work existing service to code
- 5) Supply install qty 2 Allen Bradley Powerflex 240 v VFD 10 hp 42 amp.
- 6) Integrate with existing controls and chemical pump

Well houses 2 & 3

- 1) Replace starters with Allen Bradley Powerflex VFD
 - a) Qty 1 240/208 v 25 hp 80 amp
 - b) Qty 1 240/208 v 7.5 hp 28 amp
- 2) Integrate with existing controls.

Total all parts, labor permits, and misc. \$ 82,250.00

Adder for Diesel Generator with 24 hr. run-time subbase tank \$ 15,800.00

Note: Natural gas line installation not included.
Diesel fuel not included.

Respectfully submitted

Douglas G Rexroat



QUOTATION

Village of Empire
PO Box 253
Empire, MI 49630

QUOTE # _____ DLC 2023-0522-1

Attn: John Friend

DATE _____ May 22, 2023

REFERENCE _____ Installation of Four VFD's

Provide and Install four (4) New VFD's - One for each well:

Provide (3) three 10 hp 230 Volt VFD's	\$8,803.47
Provide (1) one 25 hp VFD	\$4,887.11
Misc. parts and wire to complete install for all four VFD's	\$1,750.00
Provide (4) New Pressure Transducers	\$1,198.86
Labor, travel and equipment to install program, startup and test all four of the VFD's	\$8,420.00

Note: This proposal assumes that we can complete these installations on the same trip. Additional travel and labor will be charged accordingly.

Total: \$25,059.44

ACCEPTED BY _____

TITLE _____

DATE _____

PEERLESS-MIDWEST, INC.

DC Coulier

DC Coulier, Project Manager



861 Robinwood Ct. | 1207 Maple St.
Traverse City, MI 49686 | Big Rapids, MI 49307
P: (231) 486-6600 | P: (231) 796-5522
F: (231) 735-9787 | F: (231) 796-4985

Thursday, December 29, 2022

Village of Empire
11518 S. LaCore ST.
Empire, MI 49601
PO Box 253

Re: **4 FREQ DRIVES**

Attn: John Friend

Thanks for the opportunity to provide a proposal for the above reference project. This information was gathered from our phone call on 12-28-2022. The deducts at the bottom are only applicable if the programming can be done on the same day.

Included

- Work to be performed during normal business hours. Monday-Friday 7-5.
- Installation and wiring of Allen Bradley drives.
- Programming by certified Allen Bradley technician.

Excluded

- Fusses or fuse holders.
- Line reactors.
- VFD cable.
- VFD output reactors.
- Patching and painting of floors walls or ceilings.
- Utility fees.

1-7.5 HP drive: \$ 10,704.00
2-10 HP drives: \$ 16,094.00
1-25 HP drive: \$ 13,399.00

Total: \$ 40,197.00

Deduct is 2 locations are done at one time: \$ -2,500.00
Deduct if all 3 locations are done at one time: \$ -5,000.00

We appreciate the opportunity to provide this proposal. Please do not hesitate to call with any questions.

Sincerely,

Adam Erickson

Isenhardt Electric LLC
O 231.486.6600
C 231.735.3958

Date Prepared:	June 1, 2023	# of Pages: 10
Meeting Date:	June 8	Meeting Type: Work Session
Subject:	Consumers Energy Light Removal Philips and Reynolds	Author: Maggie Bacon

Overview:

The Village began the process of requesting the removal of two street lights in the Village. Council members may recall this requires completing a variety of steps including the approval of emergency services providers.

Attached is the cost of \$551.00 the removal of the light from Phillips and Reynolds Road. While the phrasing on the document is "installation", this is for the removal of the light only at this location.

I have not yet received the cost for the removal of the light and pole on Michigan Street.

Recommendation:

I recommend approving this expenditure. It should be noted, this was not a budgeted item.



Count on Us

A CMS Energy Company

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., Lansing, MI 48906-4754

May 26, 2023

NOTIFICATION #:
1067013024

VILLAGE OF EMPIRE
PO BOX 253
EMPIRE, MI 49630-0253

REFERENCE: PHILLIP ST AND REYNOLDS ST, EMPIRE

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:

\$ -

Installation Charge:

\$ 551.00

Additional Costs

Total Estimated Cost:

\$ 551.00

Less Prepayment Received:

\$ -

Total Estimated Cost Due:

\$ 551.00

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

Tanya Gilroy at 616-251-0574

Dear New Electric Customer:

Thank you for your request for electric service. In order to expedite your request and meet your schedule, we have developed the following list of items requiring action by you (Customer Responsibilities). These requirements must be met before we can install your service.

CUSTOMER RESPONSIBILITIES

- 1) Service Location: A copy of our design document may be included in your customer packet. If included, your service entrance equipment should be located at the spot indicated by an "X" as shown on the design document (Form 2804). Install the meter socket 3½ - 5 feet above final grade of this location.
- 2) Meter Socket: Residential metering equipment furnished free of charge, owned and maintained by Consumers Energy includes: meters and one or two position self-contained meter sockets. Contact the company representative assigned to your notification for locations to pick-up the meter socket. For metering installations that require a three or more position self-contained meter socket, the customer will be required to purchase approved meter sockets from a distributor or supplier of their choice.
- 3) Payment: An invoice may be included in your customer packet. If included, the deposit amount on the invoice must be paid prior to installation of your service. Additional charges may apply and will be billed/or a refund issued upon completion of your service installation.
- 4) Site Conditions: The site must be within three (3) inches of final grade before we can install your service. If you have requested an underground service, you will need to clear a 12-foot wide path that is free of building materials, brush, trees, shrubs, etc, along the proposed service route to avoid delays. Our Forestry Department can provide this service for you at an additional charge. For overhead service, nominal line clearing will be provided at no charge. Any extensive line clearing may require additional charges. After your service is installed, we will backfill and place excavated earth over the trench. You are responsible for the final restoration and ensuring that the grading over the trench is at the required level.
- 5) Staking: To avoid damage, you must mark (stake) your existing private underground facilities such as: well, septic systems, sprinkler system, any underground wires, buried LPG tanks, piping, or other unusual buried facilities. These stakes must be apparent when we arrive to install the service. We cannot reimburse you for damage to facilities that are not properly staked. You do not need to stake the utilities' electric, gas or communication lines.
- 6) Mobile Home or Temporary Service: If you requested service to a mobile home or temporary electric service, you will be required to set your own pole or install a pipe for underground service in accordance with Consumers Energy specifications. Contact the Consumers Energy representative assigned to your notification for additional information.
- 7) Construction Repair: If additional line work is required to reach your location due to site conditions or other unusual circumstances, extra charges may be incurred.
- 8) **ELECTRICAL INSPECTION: YOU ARE RESPONSIBLE FOR ENSURING THAT ALL ELECTRICAL PERMITS AND INSPECTIONS ARE OBTAINED BEFORE ANY SERVICE CONNECTIONS CAN BE MADE. WIRINGS MUST COMPLY WITH LOCAL AND STATE ELECTRICAL CODES. NOTE: CAUTION SHOULD BE USED WHEN WORKING INSIDE FUSE PANEL. PANEL MAY BE ENERGIZED AFTER SERVICE IS CONNECTED**
- 9) Additional Charges: Underground services installed during the months of December through April may be subject to an additional charge. Unusual site conditions may also require an additional charge. These charges will be communicated to you in advance of construction.
- 10) Joint Trenching: Discounts for installation of electric and gas service in the same trench (joint trench) are applied in calculating the gas service contribution.
- 11) Usage Rate: Customers are billed at a general service rate while the structure is under construction. If the structure is a home, then the owner of the home, upon receiving a Certificate of Occupancy, should call 1-800-477-5050 to ensure the gas and/or electric rates are changed to an appropriate rate.

Please keep these procedures in a convenient location to review as we proceed with designing your service and constructing the job. If any of the characteristics of the service request are changed and not communicated to us, you may experience delays and/or additional charges.

If you have any questions regarding these requirements please direct inquiries to:

Tanya Gilroy

at 616-251-0574

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., Lansing, MI 48906-4754

**PLEASE RETURN THE CHECKED DOCUMENTS BELOW TO CONSUMERS
ENERGY IN THE ENVELOPE PROVIDED****TO EXPEDITE SERVICE, RETURN VIA EMAIL TO:****POBoxCEServiceRequest@cmsenergy.com**

<input type="checkbox"/>	AGREEMENT FOR INSTALLATION (Please return all pages of contracts) (Form 93, Form 94 and Form 95 - 2 Page Document Each) (Form 861, Form 862 and Form 230 - 4 Page Document Each)
--------------------------	--

<input checked="" type="checkbox"/>	PAYMENT WITH INVOICE STUB (BOTTOM STUB IS REQUIRED FOR PROCESSING)
-------------------------------------	---

<input type="checkbox"/>	REQUEST FOR ELEVATED CUSTOMER DELIVERY PRESSURE
--------------------------	---

<input checked="" type="checkbox"/>	STANDARD LIGHTING CONTRACT (MUST BE CERTIFIED BY CLERK)
-------------------------------------	--

<input type="checkbox"/>	SIGNED CUSTOMER ATTACHMENT PROGRAM (CAP) CONTRACT (PLEASE ENSURE TO CHECK PAYMENT OPTION ON CONTRACT)
--------------------------	--

<input type="checkbox"/>	GO READY FORM (FORM 1250) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
--------------------------	---

<input type="checkbox"/>	SITE READY PHOTO(S) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
--------------------------	---

<input type="checkbox"/>	OTHER:
--------------------------	--------

NOTIFICATION REFERENCE NUMBERS

ELECTRIC SERVICE NOTIFICATION:	
GAS SERVICE NOTIFICATION:	
ELECTRIC OH DISTRIBUTION NOTIFICATION:	
ELECTRIC UG DISTRIBUTION NOTIFICATION:	
GAS MAIN NOTIFICATION:	
STREETLIGHT NOTIFICATION:	1067013024

VILLAGE OF EMPIRE
PO BOX 253
EMPIRE MI 49630-0253

Invoice Number	9324955026
PO Number	
PO Date	
Bill Date	05/26/23

Account: 3000 2121 1374

PHILLIP ST AND REYNOLDS ST EMPIRE - STREETLIGHTING - NOTIFICATION NUMBER (s): - 1067013024 -

NONENERGY INVOICE

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
Electric Streetlights	1.0 EA	\$551.00	\$551.00
TOTAL DUE:			\$551.00

See Page 2 for Payment Options.

Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

INVOICE QUESTIONS - Contact: Tanya Gilroy -616-251-0574 -

Fold, detach and mail this stub with your check made payable to Consumers Energy. Please write your account number on your check.



CONSUMERS ENERGY
CEM Support Ctr - Lansing RM 122

Account: 3000 2121 1374

Amount Due: \$551.00

Ways to pay your nonenergy bill:



Same-day payment
ConsumersEnergy.com



Same-day payment
866.329.9502



By mail
Check, money order



In person
Cash, check, card



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT(COMPANY-OWNED) FORM 547**

Contract Number: 100000278794

Consumers Energy Company is authorized as of _____ by the Village of EMPIRE, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the Village of EMPIRE, dated 12/1/2010.

Lighting Type: General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 12/1/2010 shall remain in full force and effect.

Notification Number(s): 1067013024

Comments:

Village of EMPIRE

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION # 6 of 2023

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Village of EMPIRE, dated 12/1/2010, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this ☐ commission ☐ council ☐ board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the Village.

STATE OF MICHIGAN
COUNTY OF LEELANAU

I, _____, clerk of the Village of EMPIRE do hereby certify that the foregoing resolution was duly adopted by the

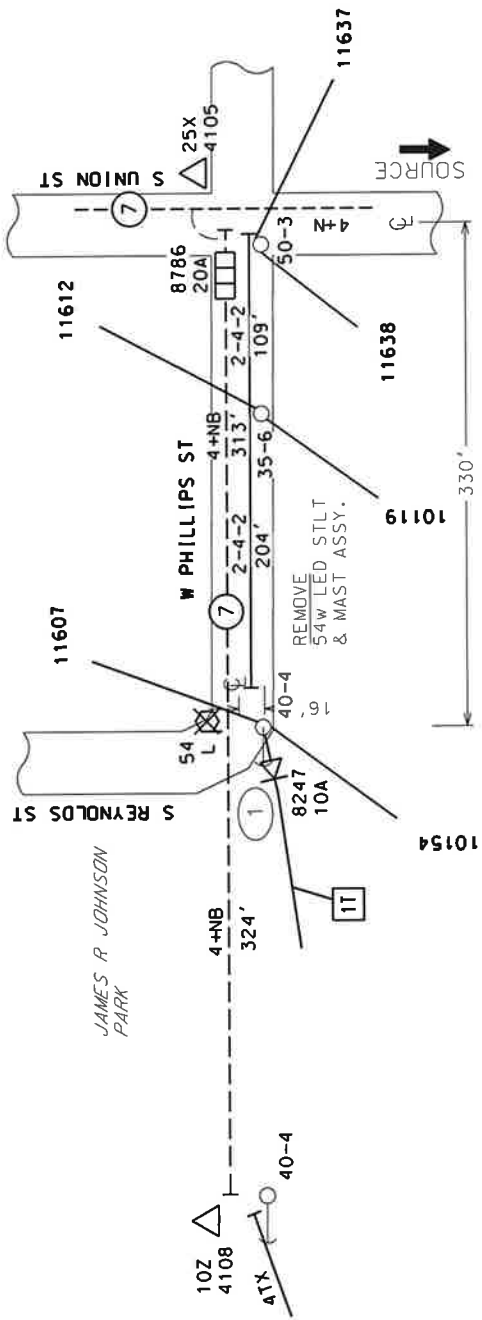
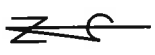
☐ commission ☐ council ☐ board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: Village

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

- (1) 100 watt HPS Cobrahead NA to Remove at location 1;




UNDERGROUND LEGEND

1. Single-phase primary

T. No 1/0 AL stranded cable, 280 mils, 28KV, jacketed.

Ex. 1T = No 1/0 AL stranded cable for 1-phase primary.

SUBSTATION		WD NO.	METER ORDER NUMBER	METER NUMBER	READ	METER LOCATION	JOB PURPOSE: CUSTOMER REQUESTED REMOVAL OF STREETLIGHT	
GLEN LAKE		0533						
CIRCUIT		TKT NO.	TLM NUMBER	# OF RODS	DHMS	PHILLIP ST AND REYNOLDS ST		
ARBOR		02	2815244105			CM NO. 100007276055		
 A CVS Energy Company ELECTRIC		CE STAKING REQ'D		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ORDER TYPE		NOTIFICATION NUMBER	DESTINATION NUMBER
		FORESTRY REQ'D		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ERET		DHL	1067013024
SHEET B		SHEET 1 OF 1	SCALE 1"=80'		LEELANAU		CO	EMPIRE
						UPSTREAM SECTIONALIZING DEVICE: 8786 - 20A		CONSUMERS ENERGY CONTACTS
						LOCATION: CORNER OF W PHILLIPS & S UNION ST.		DEPARTMENT TANYA GILROY COORDINATOR JEN MIDDLEBROOK DESIGNER
								NUMBER 616-251-0514 231-929-6212
								TWP T 28N R 15W SEC. 24



A CMS Energy Company

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., Lansing, MI 48906-4754

June 1, 2023

NOTIFICATION #:
1067089595 1067089595

VILLAGE OF EMPIRE
PO BOX 253
EMPIRE, MI 49630-0253

REFERENCE: MICHIGAN ST, EMPIRE

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:	\$ 3,044.00
Winter Construction Costs:	\$ -
Installation Charge:	\$ -
Additional Costs	
Total Estimated Cost:	\$ 3,044.00
Less Prepayment Received:	\$ -
Total Estimated Cost Due:	\$ 3,044.00

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:
Tanya Gilroy at 616-251-0574

Dear New Electric Customer:

Thank you for your request for electric service. In order to expedite your request and meet your schedule, we have developed the following list of items requiring action by you (Customer Responsibilities). These requirements must be met before we can install your service.

CUSTOMER RESPONSIBILITIES

- 1) Service Location: A copy of our design document may be included in your customer packet. If included, your service entrance equipment should be located at the spot indicated by an "X" as shown on the design document (Form 2804). Install the meter socket 3½ - 5 feet above final grade of this location.
- 2) Meter Socket: Residential metering equipment furnished free of charge, owned and maintained by Consumers Energy includes: meters and one or two position self-contained meter sockets. Contact the company representative assigned to your notification for locations to pick-up the meter socket. For metering installations that require a three or more position self-contained meter socket, the customer will be required to purchase approved meter sockets from a distributor or supplier of their choice.
- 3) Payment: An invoice may be included in your customer packet. If included, the deposit amount on the invoice must be paid prior to installation of your service. Additional charges may apply and will be billed/or a refund issued upon completion of your service installation.
- 4) Site Conditions: The site must be within three (3) inches of final grade before we can install your service. If you have requested an underground service, you will need to clear a 12-foot wide path that is free of building materials, brush, trees, shrubs, etc, along the proposed service route to avoid delays. Our Forestry Department can provide this service for you at an additional charge. For overhead service, nominal line clearing will be provided at no charge. Any extensive line clearing may require additional charges. After your service is installed, we will backfill and place excavated earth over the trench. You are responsible for the final restoration and ensuring that the grading over the trench is at the required level.
- 5) Staking: To avoid damage, you must mark (stake) your existing private underground facilities such as: well, septic systems, sprinkler system, any underground wires, buried LPG tanks, piping, or other unusual buried facilities. These stakes must be apparent when we arrive to install the service. We cannot reimburse you for damage to facilities that are not properly staked. You do not need to stake the utilities' electric, gas or communication lines.
- 6) Mobile Home or Temporary Service: If you requested service to a mobile home or temporary electric service, you will be required to set your own pole or install a pipe for underground service in accordance with Consumers Energy specifications. Contact the Consumers Energy representative assigned to your notification for additional information.
- 7) Construction Repair: If additional line work is required to reach your location due to site conditions or other unusual circumstances, extra charges may be incurred.
- 8) **ELECTRICAL INSPECTION: YOU ARE RESPONSIBLE FOR ENSURING THAT ALL ELECTRICAL PERMITS AND INSPECTIONS ARE OBTAINED BEFORE ANY SERVICE CONNECTIONS CAN BE MADE. WIRINGS MUST COMPLY WITH LOCAL AND STATE ELECTRICAL CODES. NOTE: CAUTION SHOULD BE USED WHEN WORKING INSIDE FUSE PANEL. PANEL MAY BE ENERGIZED AFTER SERVICE IS**
- 9) Additional Charges: Underground services installed during the months of December through April may be subject to an additional charge. Unusual site conditions may also require an additional charge. These charges will be communicated to you in advance of construction.
- 10) Joint Trenching: Discounts for installation of electric and gas service in the same trench (joint trench) are applied in calculating the gas service contribution.
- 11) Usage Rate: Customers are billed at a general service rate while the structure is under construction. If the structure is a home, then the owner of the home, upon receiving a Certificate of Occupancy, should call 1-800-477-5050 to ensure the gas and/or electric rates are changed to an appropriate rate.

Please keep these procedures in a convenient location to review as we proceed with designing your service and constructing the job. If any of the characteristics of the service request are changed and not communicated to us, you may experience delays and/or additional charges.

If you have any questions regarding these requirements please direct inquiries to:
Tanya Gilroy at 616-251-0574



A CMS Energy Company

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., Lansing, MI 48906-4754

PLEASE RETURN THE CHECKED DOCUMENTS BELOW TO CONSUMERS ENERGY IN THE ENVELOPE PROVIDED	
TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>	
<input type="checkbox"/>	AGREEMENT FOR INSTALLATION (Please return all pages of contracts) (Form 93, Form 94 and Form 95 - 2 Page Document Each) (Form 861, Form 862 and Form 230 - 4 Page Document Each)
<input checked="" type="checkbox"/>	PAYMENT WITH INVOICE STUB (BOTTOM STUB IS REQUIRED FOR PROCESSING)
<input type="checkbox"/>	REQUEST FOR ELEVATED CUSTOMER DELIVERY PRESSURE
<input checked="" type="checkbox"/>	STANDARD LIGHTING CONTRACT (MUST BE CERTIFIED BY CLERK)
<input type="checkbox"/>	SIGNED CUSTOMER ATTACHMENT PROGRAM (CAP) CONTRACT (PLEASE ENSURE TO CHECK PAYMENT OPTION ON CONTRACT)
<input checked="" type="checkbox"/>	GO READY FORM (FORM 1250) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
<input type="checkbox"/>	SITE READY PHOTO(S) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
<input type="checkbox"/>	OTHER:
NOTIFICATION REFERENCE NUMBERS	
ELECTRIC SERVICE NOTIFICATION:	
GAS SERVICE NOTIFICATION:	
ELECTRIC OH DISTRIBUTION NOTIFICATION:	
ELECTRIC UG DISTRIBUTION NOTIFICATION:	
GAS MAIN NOTIFICATION:	
STREETLIGHT NOTIFICATION:	1067089595 1067089595



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT (COMPANY-OWNED) FORM 547**

Contract Number: 100000278794

Consumers Energy Company is authorized as of _____ by the Village of EMPIRE, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the Village of EMPIRE, dated 12/1/2010.

Lighting Type: General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 12/1/2010 shall remain in full force and effect.

Notification Number(s): 1067089595

Comments:

Village of EMPIRE

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Village of EMPIRE, dated 12/1/2010, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this ☐ commission ☐ council ☐ board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the Village.

STATE OF MICHIGAN
COUNTY OF LEELANAU

I, _____, clerk of the Village of EMPIRE do hereby certify that the foregoing resolution was duly adopted by the

☐ commission ☐ council ☐ board of said municipality, at the meeting held on _____.

Dated:

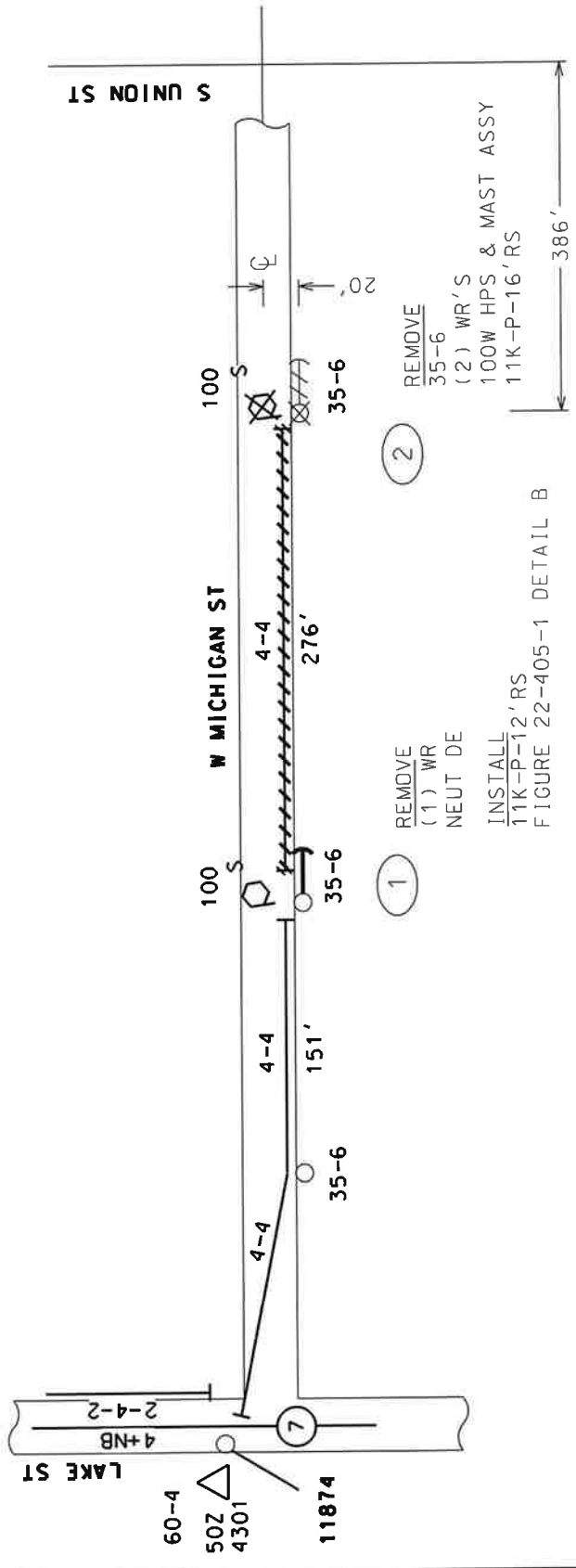
Municipal Customer Type: Village

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

- (1) 100 watt HPS Cobrahead NA to Remove at location 1;



SOURCE



SUBSTATION		WD NO.	METER NUMBER		METER ORDER NUMBER		CONSUMERS ENERGY CONTACTS		
GLEN LAKE		0533					DEPARTMENT	NAME	NUMBER
CIRCUIT		CKT NO.					COORDINATOR	TANYA GILROY	616-251-0574
ARBOR		02					DESIGNER	JEN MIDDLEBROOK	231-944-2188
JOB PURPOSE:			MICHIGAN ST						
CUSTOMER REQUESTED REMOVAL OF STREETLIGHT.			CM NO. 100007275929						
ORDER TYPE			MAT. TYPE	NOTIFICATION NUMBER	DESIGN NUMBER	ORDER NUMBER			
ERET			OHL	1067089595	11520730				
ECNC			OHL	1067157792	11521162				
CE STAKING REQ'D			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
FORESTRY REQ'D			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
TLM NUMBER			# OF RODS	OHMS					
2815244301									
SCALE 1"=100'			LEELANAU		CO		EMP IRE		TWP
SHEET A			SHEET 1 OF 1		SCALE 1"=100'		T 28N R 15W		SEC. 24



Invoice Number	9324981451
PO Number	
PO Date	
Bill Date	06/01/23

\$3,044.00

Ways to pay your nonenergy bill:



Same-day payment
CustomerEnergy.com



Same-day payment
866.330.9503



By mail
Check, money order



In person
Cash, check, card

GO-READY Checklist Natural Gas & Electric Request



Thank you for contacting Consumers Energy for your energy needs. This form is required to schedule your service installation, retirement, or alteration. Consumers Energy will contact you one to two days before our scheduled arrival. If it is deemed that any of the requirements are not met upon our arrival, Consumers Energy reserves the right to reschedule your job.

Please return completed Checklist either (1) by E-mail: poboxceservicerequest@cmsenergy.com (preferred) or (2) by Fax: 517-374-2424.

If neither option is available, you can mail a completed application to Consumers Energy Service Request, Rm. 122, 530 W Willow St, Lansing MI 48906-4754

Notification #: 1067089595

Service Address: MICHIGAN ST, EMPIRE

Please check all requirements on the checklist below before returning this document. Providing accurate information upon completion when submitting your form helps assure construction execution upon crew arrival.

- | | <u>YES</u> | <u>N/A</u> |
|--|--------------------------|--------------------------|
| 1. Has your payment been submitted to Consumers Energy? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Has your gas meter location been clearly marked, and/or your electric meter socket properly installed at the agreed upon location (service installation or alteration)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Has your electric meter been inspected and approved by the local city/township inspector? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Is the site at rough grade? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Is a 12' wide path clear of debris and construction equipment? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Site Ready Photo. Include photo with Checklist. | <input type="checkbox"/> | |

Making Consumers Energy aware of any customer-owned, underground facilities present, by clearly identifying and indicating the facility location reduces the risk of damages. Locate or expose any privately owned underground facilities or buried obstructions including, but not limited to:

- | | <u>YES</u> | <u>N/A</u> | | <u>YES</u> | <u>N/A</u> |
|----------------------------------|--------------------------|--------------------------|---------------------------|--------------------------|--------------------------|
| Septic tank (Existing or future) | <input type="checkbox"/> | <input type="checkbox"/> | Underground yard lighting | <input type="checkbox"/> | <input type="checkbox"/> |
| Drain field (Existing or future) | <input type="checkbox"/> | <input type="checkbox"/> | Sprinkler systems | <input type="checkbox"/> | <input type="checkbox"/> |
| Well (Existing or future) | <input type="checkbox"/> | <input type="checkbox"/> | Electronic dog fences | <input type="checkbox"/> | <input type="checkbox"/> |

Other: _____

These facilities must be marked with stakes, spray paint, or flags. Consumers Energy and/or its agents will not be held responsible for damage that occurs to customer-owned underground facilities that are not properly located and marked before service installation.

After services are installed, excavation will be backfilled. Final restoration is your responsibility.

Thank you for your partnership!

Printed Name: _____

Signature: _____

Date: _____

Prepared:	May 31, 2023
Meeting:	June 8, 2023
Subject:	Rules of Procedure
Author:	Sue Palmer

Overview:

Council was charged to review the Rules of Procedure and provide input as to any changes needed. We were to begin at 3.1 and continue through the end of the document. There was confusion by some that we were not going to complete the document, therefore, I have decided to make it clear. Our next Work Session we will complete the Rules of Procedure from 3.3 to the end of the document.

Action to be Taken:

1. Review ROP 3.1 Recording Responsibility and 3.2 Minutes

For May 11, 2023 Work Session

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

Bacon Comments on ROP

Can we just submit grammatical and spacing errors to the Clerk? For example: 2.2 Extra space in Glen_Lake

3.1 Recording Responsibility

The Clerk shall be responsible for maintaining the official record and minutes of each meeting of the Council. **These are the minutes of the business meetings of the Village Council and may be used as such in a court of law.** 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. **This shall include any motions that were withdrawn or not seconded.**

Highlights of the discussion of motions (regular meeting) and general of agenda items (work session) will be included. Points in favor and against a motion (or agenda item) shall be recorded. Council members shall consider this as they speak to the issue at hand (i.e., I am in favor of this for these reasons; I am opposed to this for these reasons).

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

Background:

When the last Village Clerk left office, the Village Council made an error in changing the ROP to require the President to approve a DRAFT minutes.

There is NO basis in law for such a thing. Minutes from that era provide a brief explanation about why this was changed. In essence, the Council made that change because there were concerns about how the minutes were written. It was wrong then and it has put us in this very odd place now.

The Clerk (who has the statutory duty to provide a record of the proceedings of the Council – the minutes) prepares a draft. That draft is presented to the Council. ALL council members (President included) may submit to the Clerk errors in spelling, grammar and accuracy (votes not properly recorded, for example). The minutes come before the Council for approval within

8 days. Once approved, they must be posted as such within 5 days of approval. All of that is Open Meetings Act stuff. All changes to the Clerk's minutes are noted via underline or strikeout.

Explanation of change request:

The ROP needs to be changed - because the President has no statutory duty related to minute approval separate from the Trustees.

Bacon Recommendation

3.2 Minutes

Draft ~~of~~ minutes ~~(synopsis)~~ of each Work Session, Regular and Special Meeting shall be prepared by the Village 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 shall be clearly labeled as such.

Council Members shall be notified, via email, when the draft minutes have been posted; a copy of the draft minutes shall be included in email notification to Council Members. Council Members shall refer all typographical, grammatical or errors of fact (inaccurate motion, vote, misspelled name) for review within 48 hours of ~~said~~ posting.

Approved minutes showing any changes made from the draft shall be posted in place of draft minutes on the Village website, the Village office, the Village kiosk (on Front Street next to the Post Office and the Glen Lake Community Library).

3.4 Public Access to Meeting Materials and Minutes

All minutes ~~and meeting materials~~ shall be available for public inspection at the Village Office during regular business hours. ~~Per the General Law Village Act, 65.5 Section 5 (4) A writing prepared, owned, used, in the possession of, or retained by the council or by the clerk, treasurer, or other officer of the village in the performance of an official function must be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.~~ 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. ~~Said materials shall be provided to the Clerk or recorder upon the adjournment of the 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 the official record of a Council meeting. ~~Members of~~

the public may request a copy of the tape upon completion of DRAFT minutes. The public will be required to provide their own storage device. The tape may be recycled or disposed of once the minutes have been approved. The Village offers no guarantee as to the quality of said recording.

Date Prepared:	June 1, 2023	# of Pages: 1
Meeting Date:	June 8	Meeting Type: Work Session
Subject:	RAP Subgrant Committee Update	Authors: Maggie Bacon, Chris Webb, March Dye

Per the May regular Village Council meeting, the appointed members of the Council to the RAP subgrant committee met on May 25 and May 31. A third meeting is being scheduled for June 5th. As discussed at the regular meeting, the committee will provide an update on the RAP subgrant opportunity at the June work session.

RAP Subgrant Committee Meeting

May 25, 2023

Minutes

The meeting was held in the Village Garage at 10:00 am

Committee Members Present: Maggie Bacon, Chris Webb

Property Owners Present: Jim Bagaloff, John Collins

2 members of the public were present

1. Owners provided a large drawing of the “old hardware” property. In essence, there are three large lots. The barn/livery are located on one lot, the “old hardware store” is on the second lot and the “parking lot” is the location of the third lot. All lots have frontage on Lake Street and extend west to the “hill”.
 2. Owners shared the history of possible buyers and their desire to work with developers who would maintain the character of the Village in their plans.
 3. The RAP grant and requirements was discussed.
 4. Committee members, the owners and members of the audience discussed various ideas about the uses of the property should the grant be awarded: Village Office, public restroom, additional parking, ability to “hold” snow”, and a Village square (public space), affordable housing, retail space, event space (mostly related to the Barn).
 5. It was recommended committee members unfamiliar with the property be provided a tour.
- Next committee meeting scheduled for Wednesday, May 31 at 3:00 pm in the Library.

Submitted by : Maggie Bacon

RAP Subgrant Committee Meeting

May 31, 2023

Minutes

The meeting was held at the Glen Lake Library at 3:00 pm

Committee Members Present: Maggie Bacon, March Dye, Chris Webb

Property Owners Present: Jim Bagaloff, John Collins

1 member of the public was present.

1. Owners provided a possible funding scenario for the grant.
2. Some additional discussion took place about the history of the property, when it was purchased and their desire to work with developers who would maintain the character of the Village in their plans.
3. The RAP grant and requirements was discussed. It was suggested that the Village write the grant for placemaking/public spaces portion as a stand-alone grant be considered.
4. Copies of sections of the Master Plan that might be useful for the grant were distributed.
5. The owners and the one member of the public left. Committee members who toured the property reviewed their thoughts.
6. The Committee and owners agreed to meet on Monday, June 5 at 10:00 am at the library.

Submitted by: Maggie Bacon

Prepared:	June 1, 2023	Pages: 2
Meeting:	June 8, 2023	Attachments:
Subject:	Purchasing Policy	Author: March Dye

Overview:

At the May 11th work session I was asked to check with Derith on any requirements from Treasury concerning our purchasing policy. She replied that "There is no longer a state law requiring bids". However, she went on to question "is it fiscally responsible to not get bids?" She also pointed out that the way the policy is written there is no requirement for quotes for purchases under \$20,000.

The State of Michigan suggests that "each local unit should adopt a purchasing policy to address the following aspects:

- * Purpose - In general, the purpose of a purchasing policy is to encourage the efficient purchasing of appropriate goods or services at appropriate prices;
- * Authority to Commit the Local Unit - The policy should expressly state which employees have the authority to purchase goods and services;
- * Approval Process - The policy should define a process to purchase goods and services. - - - Based on the types of service and dollar limitations, the policy should direct: (1) when competitiveness must be introduced (documented oral quotes, sealed bid, etc.); and (2) when additional approval is required (department head, supervisor, city manager, or governing body);
- * Circumvention of Dollar Thresholds - The policy should expressly state that separating the work of vendors into smaller invoices is a violation of the dollar threshold rules;
- * Grant Requirements - Purchases to be reimbursed from grants are often required to follow additional purchasing requirements, and the purchasing policy should adopt these requirements, at least indirectly (by reference);"

Recommendations:

Considering the above information, I would like to submit the following purchasing policy for consideration.

Village of Empire Purchasing Policy

The purpose of this Purchasing Policy is to encourage the efficient purchasing of appropriate goods or services at appropriate prices.

- * Purchases under \$200 require only Department Head or Supervisor's approval accompanied by a receipt for the purchase.
- * Purchases of **non-budgeted** items above \$201.00 require at least one quote and Council approval.
- * Purchases of **budgeted** items, from \$0.00 to \$1000.00 require a least one quote, Supervisor's approval and the Village President to sign off.
- * Purchases of **budgeted** items, from \$1001.00 to \$10,000.00 require two quotes if possible and Council approval.
- * Purchases of **budgeted** items over \$10,001.00 require two quotes and Council approval. In extenuating circumstances Council may wave the second quote by majority vote. Council may request sealed bids.

Note:

- (1) Separating the work of vendors into smaller invoices is a violation of the dollar threshold rules.
- (2) Purchases to be reimbursed from grants are subject to the requirements of the grant.
- (3) It shall be the job of the Clerk/Council to determine that all quotes are comparable.

(Example Provided by Auditor, Gabridge & Co.)

Section 2 – Procurement Policies & Procedures

Petty Cash Purchases – Limited Use

Purchases of \$100.00 or less may be made by authorized department personnel by use of the Petty Cash Fund. Authorized staff may be reimbursed by the Village for items purchased for Village use after presenting the appropriate documentation. Use of this fund is meant solely for incidentals and should not be misconstrued as a mechanism to circumvent normal purchasing procedures. Funds without activity over the course of one fiscal year are considered inactive and shall be terminated. Required petty cash procedures and forms are available on the County's Intranet.

Purchases Less Than \$1,000.00

For efficiency purposes, purchases less than \$1,000 may be made directly with a vendor by authorized department personnel without entering a purchase requisition. Preference should be given to vendors with the best price and those who will invoice the County. All invoices must be submitted promptly with the general ledger code to the accounts payable department for processing. Use of credit cards should be the chosen method only if all other options are not available. For the credit card policy and cardholder agreement procedures, refer to Exhibit 2 - Village Credit Card Policy and Cardholder Agreement.

Purchases \$1,000.00 to \$2,999.99

Procurements costing \$1,000.00 or greater will require purchase orders. The requesting department will initiate the purchase requisition through the County's financial software and is responsible for the accuracy and adequacy of information supporting the request. All department heads should designate one or more employees to enter requisitions for their department. The requisition should include any applicable shipping or delivery charges.

The requesting department should submit purchase requisitions and await approval, via an issued purchase order, before placing an order or requesting service.

Purchase requests within this cost threshold not in accordance with the most current approved budget may also require review and approval by the finance director. If practical, though not required, the requesting department may attain multiple informal quotes. The requesting department should provide the purchase order number to the selected vendor and request the vendor includes this number on the invoice.

See the following for assistance with purchases costing \$1,000.00 or greater:

Purchases \$3,000.00 to \$24,999.99

Competition is critical to public procurement, and it is essential that requesting departments develop specifications for the goods or services needed to ensure that a sufficient number of quality competitive quotes will be received. The requesting department must obtain at least three (3) informal written quotes, or informal requests for quotation (RFQs). The use of a bid from a cooperative bidding site may fulfill the requirement of attaining three quotes.

Sole-source procurements are defined as those in which only one vendor meets the needs for the unique goods or services. The finance department makes sole-source form determinations. The

requesting department may be required to provide documentation showing that a good faith review was conducted to otherwise exhaust the viability of other potentially available sources. Upon sole-source vendor approval, the requesting department will attach to the purchase requisition the completed and approved Exhibit 1 - Village Sole-source Justification Form.

The requesting department should enter the requisition into the County's financial software and attach all relevant documentation including vendor responses within the "bid" section. Planned use of a vendor or contractor over the course of the fiscal year expected to cost \$3,000.00 to \$24,999.99 may require vendor selection based upon three informal quotes as well. Both the Village administrator or designee and the finance department will review the purchase requisition, and, if approved, the finance department will subsequently issue a purchase order for the vendor to proceed. Requesting departments must send purchase order to the awarded vendor.

Purchases \$25,000.00 or More

Unless the purchase qualifies as a used vehicle, an emergency* or a legacy** item, as deemed by the Village administrator, procurement requires formal competitive vendor solicitations. This includes when the planned use of a vendor or contractor over the course of the fiscal year is expected to cost \$25,000 or more. The use of a bid from a cooperative bidding site may fulfill the requirement of attaining three quotes. Authorization to procure requires final approval by the Village administrator after consultation with the Chair or Vice-Chair of the board of commissioners and the finance department. Requests for proposals (RFPs), requests for bids (RFBs), or invitations for bid (IFBs) are completed by the requesting departments in collaboration with the finance department. The Village will post public notices of formal vendor solicitations designating the timing for the opening and closing of the acceptance of responses. Formal solicitations may require the opening of the responses to be public with at least one (1) other person as a witness.

*examples: unforeseen development of dangerous conditions which may vitally affect the safety, health, property or welfare of the public; a breakdown of essential machinery or equipment requiring immediate maintenance, repair, or replacement

**a specialized item, such as software or equipment, that is essential to the continuity of operations at Village and is solely provided by one vendor

With the assistance of the finance department, the Village administrator and/or the assistant Village administrator, the department head requestor is responsible for the evaluation of vendor responses and for selecting the winning vendor. Requesting departments must send the purchase order to the vendor.

For purchase requests which cost \$150,000.00 or more, the same procedures of the previous cost threshold apply, with the added requirement for the requesting department, with assistance from the finance and accounting department, to obtain an independent cost estimate (ICE).

The Village must use value engineering clauses in solicitations for construction projects \$150,000 or more. Value engineering clauses encourage the contractor to identify potential changes to the solicitation which may enhance its efficiency, reliability, serviceability, or economy of operation, accelerate the construction schedule, reduce cost of construction, or otherwise enhance the system benefits to the County.

Prepared:	May 31,2023	Pages: 2
Meeting:	June 8, 2023	Attachments:
Subject:	Short-Term Rentals	Author: March Dye

Overview:

On July 23, 2019 a "Seasonal Housing Committee was created by the Empire Village Council to examine the usage of housing in the Village of Empire and evaluate the relationship of short-term rentals to the community as a whole.

The committee was given four tasks to accomplish. They were tasked with defining short-term, long-term and seasonal homes with the Village. They were also asked to create a housing inventory of the various types of homes and to plot those locations on a map. Additionally, they were to research and review ordinances and required management practices within other similar communities and to provide examples of specific procedures utilized by management companies and private renters alike within these communities. As a summation of these findings, the committee is asked to produce a report to the Village Council including an executive summary, maps and documentation."

The committee consisted of 6 community members who worked very hard at this task and did provide a final report that was given to the Council on March 24, 2020. This report can be downloaded by going to the March 24, 2020 meeting on the Village website and looking under handouts. Its a huge report!

The committee did come up with 3 recommendation:

1. Create an Ordinance that safeguards the Short-term rental business, while promoting the development and balance of permanent housing needs in Empire.
2. Set a short-term Rental Cap while grandfathering in existing rentals.
3. Make zoning changes that would automatically control the growth of short-term rentals.

* The report was once again presented to council on September 10, 2020. Licensing and fees were noted for a future discussion.

* At the October 8, 2020 meeting a registration form was proposed.

* At the January 14, 2021 meeting the Council decided an ordinance was not needed at this time. A subcommittee was formed to draft a registration form.

* At the March 23, 2021 meeting the form was presented, a motion was made to draft a cover letter for the form. The motion died for lack of support.

Questions:

1. What is the current impact of short-term rentals on our community? Positive or negative?
2. What is the updated status of short-term rentals? Increase or Decrease?
3. What are best practices for short-term rentals from other communities similar to Empire? Lessons learned?
4. How does the community view short-term rentals?
5. What can we do going forward?

Recommendations:

Create a committee to update the 2020 report and make suggestions for moving forward.

Prepared:	June 1, 2023
Meeting:	June 8, 2023
Subject:	Resolution #10 – Designating Employee Retirement Plan Trustees
Author:	Sue Palmer

Overview:

This Resolution #10 of 2021 was last updated on October 26, 2021.

Action to be Taken:

Council to update the Resolution #5 of 2023 by assigning new Trustees effective June 22, 2023.

For May 11, 2023 Work Session

WS June 8, 2023

RESOLUTION NO. 10 OF 2021

VILLAGE OF EMPIRE

RESOLUTION DESIGNATING EMPLOYEE RETIREMENT PLAN TRUSTEES

WHEREAS the Village of Empire has the power to amend the Plan;

RESOLVED, by the Council of the Village of Empire that:

1. Effective October 26, 2021, Susan Carpenter and Cilley Plumstead be removed as trustees of the Village of Empire Employees Retirement Plan.
2. Effective October 26, 2021, Daniel Davis and Maggie Bacon be added as trustees of the Village of Empire Employees Retirement Plan.

Barr moved that Resolution No. 10 of 2021, a resolution designating trustees for the Village of Empire Employee Retirement Plan. 2nd by Rademacher

Voting for:

Voting against:

The resolution is declared adopted.

Daniel M. Davis

Daniel M. Davis, Village President

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution No. 10 of 2021 which was adopted by the Village Council for the Village of Empire at a regular meeting held on October 26th, 2021.

Derith A. Smith

Derith A. Smith, Village Clerk

RESOLUTION NO. 05 OF 2023

VILLAGE OF EMPIRE

RESOLUTION DESIGNATING EMPLOYEE RETIREMENT PLAN TRUSTEES

WHEREAS the Village of Empire has the power to amend the Plan;

RESOLVED, by the Council of the Village of Empire that:

1. Effective June 22, 2023, Daniel Davis and Maggie Bacon be removed as trustees of the Village of Empire Employees Retirement Plan.
2. Effective June 22, 2023, _____ and _____ be added as trustees of the Village of Empire Employees Retirement Plan.

_____ moved that Resolution No. 05 of 2023, a resolution designating trustees for the Village of Empire Employee Retirement Plan. 2nd by _____.

Voting for:

Voting against:

The resolution is declared adopted.

Sue Palmer, Village President

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution No. 5 of 2023 which was adopted by the Village Council for the Village of Empire at a regular meeting held on June 22nd, 2023.

Derith A. Smith, Village Clerk

Date Prepared:	June 1, 2023	# of Pages: 7
Meeting Date:	June 8	Meeting Type: Work Session
Subject:	Consumers Energy Franchise	Authors: Maggie Bacon

Overview:

The Consumers Energy Franchise for the Village of Empire expires on October 29, 2023. This Franchise Agreement allows Consumers Energy to provide service to the Village (residents, businesses, governmental units, etc.). Consumers Energy has provided the Village with a new Franchise agreement that would extend the Consumers Energy Franchise with the Village of Empire until 2053.

Attached is Ordinance 66 (the current Franchise Agreement). Also attached is a proposed Franchise Ordinance.

Consumers Energy offered nothing specific in terms of timeline for enactment. Their guidance was:

1. Village Council properly enact the Franchise a few months prior to expiration
2. Provide the enacted Franchise Ordinance to Consumers

If the Village Council wants to continue its relationship with Consumers Energy, the Clerk has recommended replacing Ordinance #66 in its entirety with the new proposed version. The Clerk also recommended such approval no later than the August regular meeting to allow for the required posting and publications deadlines.

Considerations:

Is there a benefit to looking into Cherryland Electric Cooperative? Several Leelanau County Townships appear to be customers. Is it possible to get more streamlined billing from Consumers? Can Consumers offer the Village service improvements such as the dimmer system being piloted in Northport?

CONSUMERS POWER COMPANY ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, for a period of thirty years.

THE VILLAGE OF EMPIRE ORDAINS:

SECTION 1. GRANT, TERM. The Village of Empire, Leelanau County, Michigan, hereby grants the right, power and authority to the Consumers Power Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances, for the purpose of transmitting, transforming and distributing electricity on, under, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the Village of Empire, Leelanau County, Michigan, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair and shall be restored to the same good order and condition as when such work was commenced. All towers, masts, poles and other supports shall be set and all wires shall be suspended or buried in a careful and proper manner so as not to injure persons or property. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the highway authorities of the Village.

SECTION 4. HOLD HARMLESS. Said Grantee shall at all times keep and save the Village free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures hereby authorized. In case any action is commenced against the Village on account of the permission herein granted, said Grantee shall, upon notice, defend the Village and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

SECTION 5. RATES. Said Grantee shall be entitled to charge the inhabitants of said Village for electric energy furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate electric rates and rules regulating such service in said Village, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said Village, acting by its Village Council, or by said Grantee.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive.

SECTION 7. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

SECTION 8. MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to electric service in said Village.

SECTION 9. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of an electric ordinance adopted by the township board on November 5, 1963 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, for a period of thirty years.

and amendments, if any, to such ordinance whereby an electric franchise was granted to Consumers Power Company.

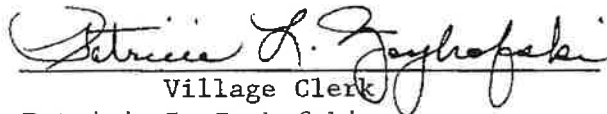
SECTION 10. EFFECTIVE DATE. This ordinance shall take effect upon the day after the date of publication thereof, provided, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Village Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Village and said Grantee.

We hereby certify that the foregoing ordinance was duly enacted by the Village Council of the Village of Empire, Leelanau County, Michigan, on the 19 day of October, 1993.



Village President
David Taghon

Attest:



Village Clerk
Patricia L. Zoyhowski

Possible Franchise Enactment Schedule
REVOCABLE ELECTRIC FRANCHISE
VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN

Must enact Franchise pursuant to rules within your Charter

ORDINANCE NO. _____

CONSUMERS ENERGY COMPANY ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right and authority to construct, maintain and commercially use electric lines and related facilities including but not limited to towers, masts, poles, crossarms, guys, wires and transformers on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local electric business in the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, for a period of thirty years.

THE VILLAGE OF EMPIRE ORDAINS:

SECTION 1. GRANT and TERM. The VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, hereby grants to Consumers Energy Company, its successors and assigns, hereinafter called "Consumers" the right and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, wires and transformers on, under, along, and across public places including but not limited to highways, streets, alleys, bridges, and waterways, and to conduct a local electric business in the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONDITIONS. No public place used by Consumers shall be obstructed longer than necessary during construction or repair, and shall be restored to the same order and condition as when work was commenced. All of Consumers' electric lines and related facilities shall be placed as not to unnecessarily interfere with the public's use of public places. Consumers shall have the right to trim or remove trees if necessary in the conducting of such business.

SECTION 3. HOLD HARMLESS. Consumers shall save the Village free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the lines and related facilities hereby authorized. In case any action is commenced against the Village on account of the permission herein given, Consumers shall, upon notice, defend the Village and its representatives and hold them harmless from all loss, costs and damage arising out of such negligent construction and maintenance.

SECTION 4. EXTENSIONS. Consumers shall construct and extend its electric distribution system within said Village, and shall furnish electric service to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 5. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive.

SECTION 6. RATES and CONDITIONS. Consumers shall be entitled to provide electric service to the inhabitants of the Village at the rates and pursuant to the conditions as approved by the Michigan Public Service Commission. Such rates and conditions shall be subject to review and change upon petition to the Michigan Public Service Commission.

SECTION 7. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by either party. Upon revocation this ordinance shall be considered repealed and of no effect past, present or future.

SECTION 8. MICHIGAN PUBLIC SERVICE COMMISSION JURISDICTION. Consumers remains subject to the reasonable rules and regulations of the Michigan Public Service Commission applicable to electric service in the Village and those rules and regulations preempt any term of any ordinance of the Village to the contrary.

SECTION 9. REPEALER. This ordinance, when enacted, shall repeal and supersede the provisions of any previous Consumers' electric franchise ordinance adopted by the Village including any amendments.

SECTION 10. EFFECTIVE DATE. This ordinance shall take effect on _____.

We certify that the foregoing Franchise Ordinance was duly enacted by the Village Council of the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, on the _____ day of _____, 20__.

Sue Palmer, President

Attest:

I, _____, Clerk of the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, DO HEREBY CERTIFY that the ordinance granting Consumers Energy Company, an electric franchise, was properly adopted by the Village Council of the VILLAGE OF EMPIRE, LEELANAU COUNTY, MICHIGAN, and that all proceedings were regular and in accordance with all legal requirements.

Derith Smith, Village Clerk

Dated: _____, 20__

Prepared:	June 1, 2023
Meeting:	June 8, 2023
Subject:	Asset Map Task Force
Author:	Sue Palmer

Overview:

At our last work session, the council approved to get applications for the Asset Mapping Task Force. I don't believe that it was sent out or advertised. I think the council needs to revisit our Community Engagement task.

Action to be Taken:

1. Request that Council revisit our goals for this Community Engagement task.

For May 11, 2023 Work Session

Date Prepared:	June 1, 2023	# of Pages: 8
Meeting Date:	June 8	Meeting Type: Work Session
Subject:	Mass Gathering Ordinance	Author: Maggie Bacon

Overview:

As discussed at the May regular meeting, some confusion exists about the new Mass Gathering Application/Permit process. Attached is the full Ordinance.

A few important section of the Ordinance are:

Under 2.2 Application for Permit

“No less than ninety (90) days before the proposed mass gathering, except as provided for in Section 2.6, the sponsor(s) of the mass gathering shall submit in writing an application for a mass gathering permit to the Village’s Enforcement Officer on such forms and in such manner as the Village prescribes.”.

Under 2.3 Application Fee

Each applicant for a mass gathering permit shall be accompanied by a non-refundable fee in an amount established from time to time by the Village Council as established in the Village Fee Schedule.

Under 2.4 Action on Application

“If the proposed mass gathering proposes to use Village owned property, the Village Council must review and approve the proposed use(s) of Village-owned property at the next regular Village Council meeting and before the Village Enforcement Officer can make a final decision on any administratively complete application.”

Opportunities for Confusion:

Given new people in key positions in the Village administrative structure faced with a brand new mass gathering ordinance, the areas of confusion are understandable. To clarify:

1. Clarify with the Zoning Administrator, that the Village Council approval of Street Closures does not constitute Village Council approval of the Mass Gathering Application.
2. Every sponsor is required to apply “no less than 90 days” before the event. This is required because the Village needs assurance from every sponsor a detailed written statement indicating how they will provide for: police and fire protection, medical support, food and water supplies, sanitation facilities, (see Section 2.2 for application requirements).
3. The 90-day requirement is also in place so that the Village Office may secure staffing for a Village Ambassador as necessary.

Recommendation:

1. The Village Office work with the Zoning Administrator on a check list to be used in approving Mass Gathering permits. This check list will be reviewed by the Council before final implementation.
2. The Village Council needs to provide the office and ZA the process sponsors may use to request a waiver on the permit fee. Any waiver must be based on identified criteria.
3. The Village Council, as a whole, approves or deny's permits when proposed mass gathering proposes to use Village owned property.

**VILLAGE OF EMPIRE
LEELANAU COUNTY, MICHIGAN**

MASS GATHERING ORDINANCE NO. 119 AS AMENDED

A) Village of Empire Mass Gathering Ordinance No. 119, is deleted and replaced by:

AN ORDINANCE TO PROVIDE A PERMITTING PROCEDURE FOR MASS GATHERINGS TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROPER PLANNING FOR AND USE OF VILLAGE SERVICES AND PERSONNEL. THE VILLAGE OF EMPIRE ORDAINS:

Section 1. Definitions

The following terms, as used in this Ordinance, are hereby defined to mean:

1. **Permittee** shall mean any person to whom an approval is issued pursuant to this Ordinance.
2. **Person** shall mean any natural person, partnership, corporation, Limited Liability Company, association, organization or other legal entity.
3. **Mass Gathering** shall mean an organized outdoor event of three-hundred fifty (350) people or more held at a single location on either public or private land within the Village; provided, however, a mass gathering shall not include an event sponsored by the Village itself, and/or garage/yard sales held at private property, churches, or civic organizations occurring entirely upon the grounds of said private property
4. , church or organization.
5. **Sketch Plan** shall mean a composite drawing on a Village Map that identifies the specific locations of each required amenity and layout of the specific site which includes all requirements of an application.
6. **Sponsor** shall mean any person who organizes, promotes, conducts or causes to be organized, promoted or conducted, a mass gathering.
7. **Village** shall mean the Village of Empire.

Section 2. Permit Requirements.

2.1 Necessary of Permit and Notification.

A permittee shall not sponsor, maintain, conduct, promote or permit a mass gathering event in the Village without first obtaining a permit from the Village for such mass gathering. In addition, a person shall not sponsor, maintain, conduct, promote or permit an organized outdoor even of any size in conjunction with or on the same date and at the same location as a mass gathering without first being included in the application of and being included on the approved permit for the mass gathering.

2.2 Application for Permit.

No less than ninety (90) days before the proposed mass gathering, except as provided for in Section 2.6, the sponsor(s) of the mass gathering shall submit in writing an application for a mass gathering permit to the Village's Enforcement Officer on such forms and in such manner as the Village prescribes.

For the application to be considered by the Village of Empire, the application shall be determined by the Village Enforcement Officer to be administratively complete and shall contain:

1. The name(s), address(es) and telephone number(s) of the proposed mass gathering sponsor(s);
2. The date(s), hours, location, and duration of a mass gathering, and the proposed use(s) of any Village-owned property, if any;
3. A description of the kind, character and type of mass gathering proposed;
4. A written statement from the property owner consenting to the use of the property for the proposed mass gathering;
5. An estimate of the maximum number of people expected to attend the proposed mass gathering;
6. A detailed written statement that indicates how the sponsor(s) will provide for the following:
 - a. Police and fire protection;
 - b. Medical facilities and services, including emergency vehicles and equipment;
 - c. Food and water supply facilities;
 - d. Sanitation facilities;
 - e. Vehicle access and parking facilities;
 - f. Cleanup and waste disposal;
 - g. Noise control; and
 - h. Insurance and bonding arrangements.
7. A sketch plan shall be included with the application which shows at a minimum, areas of staging, parking (i.e., public and private), sanitation facilities, emergency corridors and first-aid stations, ingress and egress locations, traffic control, pedestrian crossing areas, waste disposal, food service (if any), and water facilities and resources.
8. The applicant shall attach a letter from all required entities that they have received a copy of the application and that the applicant/application complies with their requirements.
9. The names and mobile phone numbers(s) of the on-site event coordinator representing the applicant/application organization.
10. Plan for traffic control, if deemed necessary by the Village Enforcement Officer, including the number, location(s) and traffic control goal(s) for on-site traffic control volunteers provided by the applicant.

11. A mass gathering event that is planned to also occur within additional adjoining jurisdictions, e.g., Empire Township, the applicant shall provide proof of notification of the planned event to those jurisdictions.

2.3 Application Fee.

Each application for a mass gathering permit shall be accompanied by a non-refundable fee in an amount established from time to time by the Village Council as established in the Village Fee Schedule.

2.4 Action on Application.

After receiving an application for a mass gathering permit, the Village Enforcement Officer or his/her appointee, shall review the information contained in the application, and if necessary, investigate and determine the impact of the proposed mass gathering, using the following criteria:

1. Suitability of the site for the proposed mass gathering,
2. Length of the mass gathering, the number of people anticipated to attend,
3. Conflict with other uses of the site,
4. Information received from the County Sheriff, County Emergency Medical Resources and Township Fire Department relating to increased demands,
5. Plans to provide adequate food, water facilities and sanitation facilities,
6. Disposal of solid waste and garbage,
7. Impact on traffic patterns, vehicle parking to and within the site, and applicant's ability to provide controls, and
8. Impact on pedestrian routes to and within the site and the applicant's ability to provide controls.

Prior to granting the permit, the Village Enforcement Officer may at their discretion, seek guidance from the Village Council with regard to the terms and conditions necessary for the issuance of a permit.

If the proposed mass gathering proposes to use Village-owned property, the Village Council must review and approve the proposed use(s) of Village-owned property at the next regular Village Council meeting and before the Village Enforcement Officer can make a final decision on any administratively complete application.

Within thirty (30) days after receiving an application for a mass gathering permit, the Village Enforcement Officer shall either:

1. Approve or conditionally approve the application and issue the mass gathering permit;
2. Deny the mass gathering permit for failure to comply with this Ordinance; or
3. Deny for lack of the provision of a complete application by the Applicant.

If the application is denied, the Village Clerk shall send written notice of the denial, including the reasons for the denial to the sponsor(s) by certified mail within five (5) days of the denial decision.

The Village Enforcement Officer may attach any conditions to the issuance of such a permit which, at his or her sole discretion, deems necessary to protect the public health, safety and welfare.

2.4.1 Village Ambassador.

The Village Council may engage and compensate Village Ambassador(s) to ensure on-site, the commencement and completion of permitted mass gathering events in conformance with this ordinance. The Village Enforcement Officer shall provide the permittee with the name and contact information for an event assigned Village Ambassador(s).

If the proposed mass gathering event is planned that would overlap with another mass gathering event within the Village, the permittee of the second mass gathering may be asked to demonstrate how the proposed mass gathering event will be compatible with the first permitted mass gathering event(s). The review of such permit applications will be on a first-come, first-served basis. The Village Enforcement Officer shall determine mass gathering events compatibility for simultaneous events by the criteria outlined in Section 2.2 of this Ordinance.

2.5 Requirement for Applicant's Reimbursement to the Village.

1. Additional Cost Determination

After the event, the Village Enforcement Officer will, in consultation with the Village DPW and Clerk, review and determine if additional costs – in services or personnel – were incurred by the Village due to the event. The permittee shall be responsible for reimbursing the Village for those additional costs. Since most events are held on weekends, overtime rates will apply.

Those additional costs shall not include any Village regularly scheduled activities or personnel schedules that would normally be scheduled on the specific dates(s).

2. Reimbursement Requirement for Village Employees

Determination for Village staff hours shall be based on the Village's actual cost to have the lowest paid departmental employee(s) in ascending order for the specific task on duty during the event. Reimbursement shall be based on all costs associated to the specific employee including, but not limited to, regular or overtime pay, fringe benefit reimbursement and insurances.

3. Reimbursement Requirement for Village Equipment or Supplies

Reimbursement to the Village for equipment, vehicles or supplies and services such as refuse disposal cost and vehicles shall be based on actual cost of equipment or services, or vehicle cost based on the State of Michigan's Schedule of Equipment Cost, as amended, and as updated by the State of Michigan Treasury at the time of the event.

4. Reimbursement Payment to the Village

All cost reimbursements due to the Village must be paid in full within thirty (30) days after the final date of the event. The Village shall use any legal means necessary to collect any unpaid cost reimbursements. Non-payment of reimbursement cost may jeopardize any

future events scheduled for the permittee and can be grounds for denial of future applications.

The Village Enforcement Officer may require the applicant to post a two thousand-dollar (\$2,000.00) performance bond or cash security deposit as a condition of granting the permit if, in said officer's sole discretion, such performance bond or cash security deposit is necessary to ensure the Village will be reimbursed for its costs as provided for in this Ordinance.

2.6 Exemption from Other Ordinances.

It is the express intent of the Village that all mass gatherings held within the Village shall be governed by this Ordinance and shall therefore be exempt from the provisions of similar Empire Township or Leelanau County ordinances not specifically adopted by the Village Council. The Village Enforcement Officer may accept or reject any review, decision, determination or recommendation by Leelanau County or its officers for any event held or to be held within the Village limits.

Section 3. Village Enforcement Officer.

Unless and until a different person is assigned the authority and duties of the Village Enforcement Officer under this Ordinance, all of said authority and duties shall be performed by the Village's Zoning Administrator who shall serve as the Village Enforcement Officer during such time.

Section 4. Appeals Process.

An aggrieved applicant may appeal any decision of the Village Enforcement Officer to the Village Council. All such appeals shall be filed and heard prior to the event's occurrence. No appeal of the costs imposed by this Ordinance shall be considered for any event after the event's occurrence. The Village Council's decision shall be final for the purposes of this Ordinance.

Section 5. Violations.

5.1 Municipal Civil Infractions.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction and shall be subject to the penalties and sanctions set forth in the Municipal Civil Infractions Ordinance of the Village of Empire as such ordinance may be amended from time to time. Each day this Ordinance is violated, it shall be considered as a separate violation.

5.2 Enforcement Officials.

The officers of the Leelanau County Sheriff's Department and the Village Enforcement Officer provided for in this Ordinance are hereby designated as the authorized Village officials to issue municipal civil infraction citations directing alleged violations of this Ordinance to appear in court.

5.3 Nuisance *Per Se*.

A violation of this Ordinance is hereby declared to be a *nuisance per se* and is declared to be offensive to the public health, safety and welfare.

5.4 Civil Remedies.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance *per se* or any other violation of this Ordinance.

B) 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.

C) Effective Date

The provisions of this Ordinance are ordered to take effect thirty (30) days after publication (as the full text or as a summary thereof) in a newspaper of general circulation in the Village of Empire.

D) Adoption

This Ordinance was duly adopted by the Village of Empire Council at its regular meeting called and held on the 10th day of November 2022.

Section 6. 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 thirty (30) days after adoption.



Dan Davis, President, Village of Empire



Derith Smith, Clerk, Village of Empire

Adoption Date: November 10, 2022

Publication Date: November 23, 2022

Effective Date: December 23, 2022

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 10, 2022. 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 23, 2022.


Derith Smith, Clerk, Village of Empire