

EMPIRE VILLAGE COUNCIL WORK SESSION
July 11, 2024 @ 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) Wade Trim Proposal – Wastewater Economic Impact Analysis (Palmer)
- J. NEW BUSINESS**
 - 1) Parks Committee Recommendations (Dye)
 - 2) Zoning Board of Appeals (ZBA) Appointments (Palmer)
 - 3) Personnel Committee (Walton)
 - 4) Village Office Transition (Palmer)
- K. PUBLIC COMMENT**
- L. COUNCIL MEMBER COMMENT**
- M. ADJOURNMENT**

MINUTES
Parks Committee
July 2, 2024 2:30pm DPW Garage

Meeting Called to Order at 2:30pm.

Committee members present: March Dye, Tom Rademacher. Chris Webb present by phone.

We met to discuss our recommendations for the implementation of the \$2 per hour beach parking fee. While doing this other concerns came up which will be noted.

We recommend that the fee should go into effect on January 1, 2025.

Alacia should change the software for the parking machine anytime after it is removed for the winter and before 1/1/25.

John should obtain stickers to cover the \$1 markings with \$2 markings sometime after the signs are removed for the winter to have them ready for the 2025 season.

Other matters which came up in discussion:

1. The Beach Park Ordinance No. 150 should state the times the beach parking fees are in effect. At present it states that "no person shall" - "Park any motor vehicle, scooter.....in any parking areas without evidence of:
 - i.) An official residential parking pass affixed to the lower or upper drivers.....,or
 - ii.) A displayed receipt of paid parking.

We feel that Section 3(o.) should read : (No person shall do any of the following within the park:) Park any motor vehicle, scooter, motor bike, camper, or boat in any designated parking areas between the hours of 10am and 8pm when the parking machine is present without evidence of:

2. On the 2024 Schedule of Fees under Beach Fines (Ordinance No. 150) the first item is Beach Parking per Hour - \$1. The parking fee is not a fine. This should be removed from the Beach Fines and be put before the Beach Fines as its own Section: Beach Parking per hour - \$1 (\$2 starting on January 1, 2025).

3. There have been people fishing off of the swimming dock while people are swimming in the area. This is dangerous as kids could get hooked. We recommend either having a sign stating no fishing when swimmers present or no fishing at all from the swimming dock.

4. We discussed having a separate Parks Fund like the Local and Major Street Funds. We all agreed this would be a good idea. Then the revenue from the beach parking could be applied to the parks .

Meeting adjourned 3:00pm.

Submitted by March Dye 7/3/24

JUNE 25, 2024 – EMPIRE VILLAGE COUNCIL REGULAR MEETING

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

CHANGES/ADDITIONS TO AGENDA – Rademacher requested the Wade Trim proposal be removed and the Water Rate Study presentation. Bacon removed the sign ordinance.

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

PUBLIC COMMENTS ON AGENDA ITEMS – Carey Ford and Bob Chase commented on the process used by the Short-Term Rental Committee as they were both members. Linda Young commented on the Short-Term Rental petition she and neighbors recently circulated. Barbara Ludlow commented on a Short-Term Rental regulation ordinance. Terry Bacon commented on beach parking, the Short-Term Rental Committee assignment and the regulation ordinance petition. Tina Dunphey commented on the Short-Term Rental regulation, the registration ordinances and the need for a public hearing. Frank Clements read a letter regarding Short-Term Rentals (included as handout).

CONSENT AGENDA – Motion by Dye, support by Walton to approve the Consent Agenda including the 6/13/24 Work Session minutes and bills totaling \$109,869.94. ROLL CALL: Ayes: Bacon, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED. The largest expenses were described.

FINANCIAL REPORTS – Financial reports were received and indicated that the bank balances and the general ledger match by fund.

COMMUNICATIONS – None.

DEPARTMENT HEAD REPORTS – DPW report was received and included in the packet. Reports on water loss and usage were requested. Records of gas pumped from Village tanks compared to billings were discussed as a means of financial control. **Motion by Dye, support by Walton to approve the replacement of Wellhouse #2 & 3 roof for a cost not to exceed \$2K. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

COUNCIL MEMBER/COMMITTEE REPORTS – Bacon reported on several traffic or directional signs and the tar & chip project on a portion of Union St. Dye reported on the status of changing area and parking at Shalda Park for major events.

OLD BUSINESS

APPOINTMENT OF WASTEWATER STUDY UPDATE COMMITTEE- Palmer appointed Marc Oberschulte. **Motion by Webb, support by Walton to approve the appointment of Marc Oberschulte to this committee.** Discussion included questions on whether the Council and/or Mr. Oberschulte had changed their mind regarding the economic need for a wastewater system, not an environmental need (letter excerpt read); and whether John Lambkin (retired

waste system operator and committee applicant) had been considered for his expertise and appointment. No answers were offered for discussion. **Upon a voice vote, Bacon opposed, MOTION PASSED.**

SHORT-TERM RENTAL ORDINANCE NEXT STEPS- Motion by Dye, support by Walton to send both the regulation and registration ordinances to an attorney at Mika Meyers with Short-Term Rental experience for a review on their legality and have a lawyer in the firm who is familiar with STRs do the work. There was discussion of whether a professional planner may offer advice not available from an attorney; the opportunity for the entire council and public to offer questions to the attorney; the need for a definition of goals and problems to be addressed. Consultation with a planner after the legal review was suggested as the process is far from complete. **Upon a voice vote, Bacon, Chase, and Rademacher opposed, MOTION PASSED.**

BEACH PARKING FEES-Motion by Dye, support by Walton to double the parking fees to \$2.00/hour. There was discussion of current Park revenues exceeding the expenditures and how that money could be used; what the grant agreement includes; if a legal opinion is required. Clarification from the DNR about free passes for residents vs the payment by public, updates to the fee schedule, and signs were discussed. **ROLL CALL: Ayes: Dye, Palmer, Walton, Webb. Nays: Bacon, Chase, Rademacher. MOTION PASSED. Motion by Walton, support by Dye to send the beach parking fee implementation plan to the Parks Committee for the July Work Session report and voted on at the July Regular Meeting. Upon a voice vote, Bacon, Chase, Rademacher opposed, MOTION PASSED.**

MASS GATHERING FEE- Palmer reviewed the documentation she had provided. Motion by Dye, support by Walton to update the Fee Schedule: the Non-profit fee to \$200 and For-profit Fee of \$300. Discussion included actual costs incurred by the Village and reimbursement for such. **ROLL CALL: Ayes: Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: Bacon. MOTION PASSED.**

FENCE AT RECYCLING- Motion by Bacon, support by Rademacher to authorize the Street Administrator to explore the options for remediation and expected costs for the August Work Session. Discussion included asking the County if they would contribute to the cost of a new fence. **Upon a voice vote, Palmer opposed, MOTION PASSED.**

NEW BUSINESS

NEW VILLAGE OFFICE TAX BILL-UPDATE AND CLARIFICATION- Palmer reviewed the documentation. There was discussion of whether these could be appealed to the July Board of Review; Motion by Bacon, support by Dye that the President speak to the attorney about the tax bill, purchase agreement and our disappointment that this was not caught in the legal review. Upon a voice vote, MOTION PASSED.

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

OFFICE FURNITURE PURCHASE- Motion by Chase, support by Dye to approve a not to exceed amount of \$5K for office furniture for the new office. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

PURCHASE OF TREES FOR CORNER OF WILCE AND UNION- Dye reviewed the documentation provided. **Motion by Dye, support by Walton to purchase 3 trees, with 2 professionally planted, not to exceed \$1500K. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

PUBLIC COMMENT – Ine Hacker commented on fees for non-profit events. Terry Bacon commented on the trees on public or private property, the taxes and purchase agreement, possible proration of legal fees, and legal review of STR ordinances including a cap. Frank Clements commented on additional street issues for the Street Administrator to address with MDOT.

COUNCIL MEMBER COMMENT – Bacon thanked the Beautification Committee for all their work and Chase's friend for her work. Chase thanked her friend, Carrie Hanscom, for her work on the new office landscaping at no cost.

ADJOURNMENT at 9:14 p.m.

Derith Smith Empire Village Clerk

These are draft minutes for approval at the July 11, 2024, Council meeting.

Meeting: July 11, 2024 – Work Session Meeting

Subject: Approve the Wade Trim Proposal

Author: Sue Palmer

Overview:

Council talked about the Wade Trim Proposal presented to the WW Study Update Task Force at the Work Session and agreed to move the decision to the Regular Meeting for a vote. The Task Force made their recommendation to accept the proposal.

Action Requested

I would like a motion to approve the Wade Trim Proposal as received at a cost not to exceed \$12,000, per the Task Force recommendation.

I am also requesting a motion to request that Renovare reach out to Wade Trim regarding how each may or may not enhance their deliverables.

Village of Empire Council Meeting Documentation

Date: July 3, 2024	Type of Meeting: Work Session
Meeting Date: July 11, 2024	
Subject: Parks Committee Recommendations	Author: March Dye

Overview: The Parks Committee met on July 2 to discuss the implementation of the \$2 per hour parking for the beach. At the meeting we found some other items that we felt should also be addressed.

Recommendations: We recommend that:

1. The \$2 fee should go into effect January 1, 2025;
2. Alacia should change the software to reflect the \$2 per hour fee sometime after the machine is removed for the winter and before it is installed in the spring.
3. John should obtain \$2 stickers to place over the \$1 for all signs to be ready for the 2025 season.

We recommend amending the Beach Park Ordinance 150 to read:
Sec 3(o.) (No person shall...) Park any motor vehicle, scooter, motor bike, camper, or boat in any designated parking areas between the hours of 10am and 8pm when the parking machine is present without evidence of: (resident pass or displayed receipt of paid parking). (As it reads now you have to show a pass even if there is no place to buy one in order to park at beach)

We recommend removing the Beach Parking Fee from the Beach Fines in the Fee Schedule and have the Beach Parking Fee as it's own section.

We recommend changing the wording in the Beach Fines for parking in designated areas to read: "Parking in Designated Parking Area with No Parking Pass or Expired Parking Pass between the hours of 10am and 8pm when parking machine is present"

We would like to discuss having a separate Parks Fund like the Streets Funds in order to better track the spending of the Parking Fees.

We recommend addressing the problem of fishing off of the swimming dock. People have been fishing off of dock when swimmers are present. A Beach Ambassador has asked what to do about this.

Consider ordering two more life rings for beach. There is presently one by boat ramp and one by South Bar swimming beach. Cost per Coast Guard approved Ring Buoy and throw line - \$150 each. This was not discussed in committee meeting but came up later.

BEACH FINES (ORDINANCE NO. 150)	
Beach Parking per Hour	\$ 1.00
Parking in Designated Parking Area with No Parking or Expired Pass	\$ 15.00
Failure to Clean Up Pet Waste	\$ 25.00
Grill, Kindle, or Start a Fire Outside of Provided Receptacles	\$ 25.00
Using Scooters, Motor Bikes, Skateboards, Skates on Beach Wall	\$ 25.00
Driving on Beach or off of Paved Roads	\$ 50.00
Pet without a Leash	\$ 50.00
Noise Disturbance between 11:00 PM and 8:00 AM	\$ 50.00
Parking in Undesignated Parking Spot	\$ 50.00
Boat Trailer Parked in Undesignated Parking Area	\$ 75.00
Park or Store Motor Vehicle, Campers, or Boats Overnight	\$ 75.00
Park any Vehicle Over 22 Feet from July 1st - Labor Day	\$ 100.00
Dumping Garbage or Rubbish	\$ 100.00
Violation of Fireworks Ordinance No. 130	\$ 100.00
Parking in Fire Lane	\$ 100.00
Using Jet Skis in Swimming Area	\$ 100.00
Overnight Camping or Sleeping	\$ 150.00

Meeting: July 11, 2024 – Work Session Meeting

Subject: ZBA Appointment

Author: Sue Palmer

Overview:

The Zoning Board of Appeals (ZBA) is an integral part of our Village. They work with our Zoning Administrator when our public wishes to request a Zoning Appeal. The Village has 2 openings on this Board. One Alternate and one Board Seat.

Action Requested

The President will appoint these positions to fill the vacancies and request a motion for Council to approve these appointments.

Date Prepared:	July 1, 2024	# of Pages: 1
Meeting Date:	July 11, 2024	Meeting Type: Work Session
Subject:	Personnel Committee	Author: Meg Walton, Personnel Committee



Village Council Meeting Documentation

Overview: Personnel Committee would like to review and update the job descriptions for the Clerk, Deputy Clerk, Treasurer, and DPW Superintendent.

Questions: Should the job descriptions be reviewed and updated by the personnel Committee?

Recommendation for Action: Authorize the Committee to contact the appropriate office and DPW personnel to gather data for review and inclusion in the Committee job descriptions for the clerk, deputy clerk, treasurer and DPW superintendent. All updated job descriptions will be presented to the council by August work session.

Meeting: July 11, 2024 – Work Session Meeting

Subject: Village Office Transition

Author: Sue Palmer

Overview:

The Village office should be ready for us to move in. There has been a lot of activity there. The outside is looking great, thanks to Linda's friend. We need to focus on the interior of the building.

Action Requested

Provide an update on the activity in the building. We haven't formally created a transition committee. Is that something we need to do?

These are all listed for discussion purpose only.

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Identify tasks to move in

Prioritize tasks

Assign tasks

Ask for help