

March 26, 2024 – 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, Dye, Palmer, Palmer, Walton, and Webb were present. Clerk Smith was also present.

CHANGES/ADDITIONS TO AGENDA – Bacon moved the Purchase of Computer to the April Work Session.

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

PUBLIC COMMENTS ON AGENDA ITEMS – Ed Peplinski commented on decisions made at the 3-14-26 meeting that were not posted on the agenda providing opportunity for public comment. Jun Heider also commented on these decisions made regarding purchase of real property. Steve Stepanek agreed with previous comments.

CONSENT AGENDA – Motion by Dye, support by Rademacher to approve the Consent Agenda including minutes of the 3/14/2024 Work Session and bills totaling \$154,954.79. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

FINANCIAL REPORTS – Financial reports, including Revenue/Expenditures through February and Cash by Fund, from the Treasurer and Clerk were received. Totals from each indicate that the general ledger and the bank statements agree.

COMMUNICATIONS – Letters from Pamela Murray, Erik Deboer, Todd Avis and Barbara Ludlow regarding Short Term Rentals were read aloud. Additional letters regarding STRs were also received from Roy Sonnema & Debra DeWitt, and Cheryl Clark. All are posted on the Village website.

PRESENTATION – RENOVARE - Brad Lonberger, with Place Strategies, presented a slide show outlining the four properties that were studied and reviewed the pros and cons of each. Steve Stepanek, Ed Peplinski, Jun Heider and John Collins commented.

Motion by Bacon, supported by Rademacher to modify the agenda to allow discussion of the New Village Office at this time. ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.

In response to many of the questions, Palmer described the purchase agreement at a price of \$480K, a property appraisal of \$480-485K and to reconsider the motion to not conduct a Phase 1 Environmental Assessment. **Motion by Dye, support by Webb to reconsider the motion to have a Phase I Environmental Study per the proposal from Otwell Mawby for \$2100.** There was discussion of components in a Phase 1: historical records are reviewed, and no soil testing is conducted. **ROLL CALL: Ayes: Bacon, Dye, Palmer, Rademacher, Walton, Webb. Nays: Chase. MOTION PASSED.**

Palmer reviewed the inspection report. The seller has agreed to correct the HVAC repair item identified, but not the maintenance items. There was discussion of these items and the charge for two large tables will be waived by sellers. There was discussion of approximately \$16K that has

been spent and would be lost if purchase is not made. Bacon described the years lengthy process of searching for new office or community center and the discovery that some grant opportunities require a formal plan such as the one Renovare has conducted. The Field Trip property (current purchase agreement in place) discussions began in Dec. 2023 when put on the market. The other properties being discussed included land acquisition more than a million dollars with construction costs as an addition. Less than \$500K as a turn-key option seemed appropriate and a purchase agreement was drawn up by the attorney. Jun Heider commented on grants and inspection report. Carey Ford commented on how a buyer is represented. Terry Bacon commented on the environmental assessment and the liability protection offered. Laurie Taghon commented on the environmental assessment as protection. Palmer asked if she should request more time to conduct due diligence. There was discussion of a realtor representing the Village interests and the implications of introducing such at this point. Wendy Peplinski commented on square footage costs and possible grants. **Motion by Rademacher, support by Webb to extend the meeting past 9:00 p.m. Upon voice vote, MOTION PASSED. Motion by Chase, support by Bacon to hire a realtor to represent the Village interests. Upon a voice vote, MOTION PASSED.** Carey Ford pointed out that this action may void the current purchase agreement.

DEPARTMENT HEAD REPORTS – The report from the DPW was reviewed and included in packet. Palmer commented on the ACH payments available and the drainage district project.

COUNCIL MEMBER / COMMITTEE REPORTS – STR committee met earlier this day and next meeting will be held 4/9/24.

OLD BUSINESS

NEW VILLAGE OFFICE UPDATE – Moved to earlier portion of agenda.

APPOINT ZBA ALTERNATES – Palmer appointed Wayne Taghon and Tom Islieb to 3-year terms until 3/2027. **Motion by Dye, support by Bacon to approve the appointments. Upon a voice vote, MOTION PASSED.**

NEW BUSINESS

PURCHASE A COMPUTER FOR VILLAGE COUNCIL – Moved to April Work Session.

EXTENDED WARRANTY FOR JOHN DEERE TRACTOR LOADER – **Motion by Dye, support by Rademacher to approve the Power Train and Hydraulics Extended Warranty for \$2500.** There was discussion of the comprehensive warranty vs this one recommended by salesperson. **ROLL CALL: Ayes: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb. Nays: None. MOTION PASSED.**

VILLAGE COUNCIL REPRESENTATIVE FOR FIRST RESPONDERS' APPRECIATION EVENT – Donna Haiderer requested a Village representative in an email read by Palmer. Linda Chase volunteered to be this representative.

PUBLIC COMMENT – Tina Dunphey asked if a Public Hearing on the Short-Term Rental ordinance will be held. Eric DeBoer commented on the purchase of property for rental or residence.

COUNCIL MEMBER COMMENT – Bacon commented that it would be prudent to have a public hearing on a topic of great public interest whether required by law or not. Walton clarified the council authority to make decisions and committees to make only recommendations.

ADJOURNMENT at 9:25 p.m.

Derith Smith Empire Village Clerk

These minutes were approved at the April 11, 2024, Council meeting.