

September 22, 2020 EMPIRE VILLAGE COUNCIL REGULAR MEETING

The meeting was called to order at 7:00 p.m. by President Aylsworth who led the Pledge of Allegiance. This meeting was conducted virtually due to health concerns surrounding COVID-19 under the Governor of Michigan's Order 2020-154. Upon a Roll Call, in attendance were Trustees Skrocki, Bacon, Chase, Davis and Rademacher. Treasurer Ronkaitis and Clerk Smith were also present.

AGENDA APPROVAL – Aylsworth added Drainage District to Old Business. Motion by Bacon supported by Rademacher to approve the amended agenda as amended. ROLL CALL: Ayes: Unanimous. MOTION PASSED.

PUBLIC COMMENTS ON AGENDA ITEMS – Meg Walton voiced support for additional testing of South Bar Lake and the CIP. Terry Bacon commented that his letter need not be read aloud. John Collins commented that the South Bar Lake Association supported the testing and recent Water Quality report for South Bar Lake and offered assistance in preparing Drainage District information.

CONSENT AGENDA – Aylsworth asked that the Work Session minutes of 9-10-20 be removed. Motion by Bacon, supported by Rademacher to approve of Regular Meeting minutes of 8-25-20, and Bills totaling \$7,915.80 Skrocki noted the spelling of Franklin Roesner be corrected. ROLL CALL: Ayes: Skrocki, Rademacher, Bacon, Davis, Chase and Aylsworth. MOTION PASSED.

REVIEW OF FINANCIAL STATEMENTS – Reports were received without questions.

PRESENTATIONS – Joe Verlin of Gabridge & Co., the Village audit firm noted that there were some challenges due to the first year with BS&A software conversion and some adjustments to accommodate COVID. He noted the audit went quite smoothly. He reviewed highlights of the audit and invited questions. Bacon asked why beach improvements are classed under Recreation v Community and Economic Development. Verlin stated it was a typical classification per the Treasury Department. Bacon also questioned the Treasury assessment of the Water Bond debt. Verlin commented that Treasury is generally more concerned with debt pension liabilities rather than long-term general liabilities. He stated that in this respect the Village is in comfortable shape. He stated the rule of thumb is debt should not exceed 10% of annualized revenues.

PUBLIC COMMENT ON PRESENTATION – None.

COMMUNICATIONS – Aylsworth read a letter from Sue Palmer (attached in packet) regarding a Planning Commission appointment.

DEPARTMENT HEAD REPORTS – Chris Grobbel asked if there were any questions as his report was submitted for the Work Session of 9-1-20. Skrocki asked if he felt any language needed to be added to the Septic Point of Sale Ordinance. Grobbel stated he did not find any glaring omissions but suggested if any Council member noted any they should be sent to the Planning Commission.

COMMITTEE REPORTS – Aylsworth asked if the street grant had been received. Bacon said it was not granted as noted in the Streets Committee minutes online.

OLD BUSINESS

CAPITAL IMPROVEMENT PLAN – Bacon noted that the Paser Study should be changed to \$35-50K for a Traffic Study. Grobbel described the 319 application as costing \$10K and could be added to the General Fund Study.

MASTER PLAN ADDENDUM – COMMUNITY COASTAL RESILIENCE - **Motion by Bacon supported by Skrocki to approve the Addendum as presented. Roll Call: Ayes: Unanimous. MOTION PASSED.**

DEPUTY CLERK COMPENSATION - **Motion by Skrocki died for lack of support.**

DRAINAGE DISTRICT – Aylsworth appointed a committee of John Collins, Chris Webb, and himself to provide the presentation for the Drainage District hearing. **Motion by Bacon supported by Rademacher to approve the committee. Roll Call: Ayes: Unanimous. MOTION PASSED.**

NEW BUSINESS

CONSIDER SENDING SHORT TERM RENTAL ORDINANCE TO PLANNING COMMISSION - **Motion by Skrocki, supported by Rademacher to send the Short-Term Rental Ordinance to the Planning Commission.** Davis felt it should be added to the next Work Session for further discussion and input from the Council. Bacon agreed that the Council should have further discussion and offer specific input before sending to the Planning Commission. Rademacher commented that he understood the study was to review the Short-Term Rental situation in the Village and is open to further discussion and direction from the Council. Chase expressed support for such rentals and their contribution to the local economy. She has questions about possible caps on the number on rentals and looks forward to further discussion. Skrocki feels that this may be an opportunity to stay out in front of problems rather than writing an ordinance once they have arrived. She is concerned about properties as investments and holding owners accountable. **Roll Call: Ayes: Skrocki, Rademacher, Aylsworth. Nays: Davis, Chase, Bacon. MOTION DEFEATED.**

DNA TESTING FOR SOUTH BAR LAKE - **Motion by Bacon supported by Davis to approve the proposal for additional testing not to exceed \$4,250.** There was discussion of when to conduct the study. Grobbel stated that an additional \$500 would be required to provide E-Coli, DNA, and general testing this fall. Bacon pointed out that Benzie-Leelanau does conduct E-Coli testing weekly throughout the summer and the levels are typically low. There seems no evidence of an immediate need for testing, but she would amend her motion to include this testing this fall, next spring, and fall. There was consensus that testing should start this fall. **Roll Call: Ayes: Unanimous. MOTION PASSED.**

REQUEST TO ADD EMPIRE WATER TESTING INFO TO VILLAGE WEBSITE – **Motion by Bacon, supported by Davis to add both the Water Testing and the Water Quality Report by Dr. Grobbel to the website.** Bacon commented that Skrocki had prompted her development of the simple report describing who does the testing and how often. There was consensus that this

was valuable information for residents and visitors. Aylsworth asked if the test wells would also be included. Bacon said they are included. **Roll Call: Ayes: Unanimous. MOTION PASSED.**

COMMENTS FROM THE AUDIENCE – Terry Bacon thanked the Council for standing up for the Rule of Law and State Statutes at the last regular meeting. He commented further on the notes of public officials, produced while in office, as the property of the Village public records.

BOARD COMMENTS – Bacon commented on the letter read earlier from Sue Palmer (attached in packet) regarding Planning Commission appointments. She expressed concern for the need of a balance of opinions on the Commission. Aylsworth commented on the applications he had received and his discussion with John Lambkin.

ADJOURNMENT at 8:30p.m.

Derith Smith, Empire Village Clerk

These minutes were approved at the October 27, 2020 Regular Council meeting.