

November 12, 2020 EMPIRE VILLAGE COUNCIL REGULAR MEETING

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

AGENDA APPROVAL – Skrocki added discussion of Ordinance #137 Point of Sale under Old Business. Aylsworth added Treasurer position under New Business. Motion by Rademacher, supported by Skrocki to approve the agenda as amended. ROLL CALL: Ayes: Skrocki, Chase, Rademacher, Aylsworth. Nays: Bacon, Davis. MOTION PASSED.

PUBLIC COMMENTS ON AGENDA ITEMS – John Collins thanked the Council for addressing a process for maintaining the outlet. Mary Sharry commented on the Point of Sale Ordinance.

CONSENT AGENDA – Motion by Bacon, supported by Rademacher to approve Regular Meeting minutes of 10-27-20 and Bills totaling \$9,296.10. ROLL CALL: Ayes: Skrocki, Rademacher, Bacon, Davis, Chase and Aylsworth. Nays: None. MOTION PASSED.

REVIEW OF FINANCIAL STATEMENTS & TREASURER’S REPORT – Reports were received from Treasurer. Bacon asked about a Cash by Fund report and bank reconciliations. Ronkaitis stated the Cash Fund report is still in process and most of the bank reconciliations have been completed thru October. She noted her term ends November 20th and thanked the Council for the last 12 years. Gratitude and best wishes were expressed by all.

COMMUNICATIONS – None.

DEPARTMENT HEAD REPORTS – None

COMMITTEE REPORTS – None.

OLD BUSINESS

SEASONAL RENTAL ORDINANCE – Aylsworth commented on the font size in the draft and Skrocki said it was a rough draft that could be changed. There was discussion of the 2 draft ordinances and 3 draft registration forms. Chase felt items such as smoke detectors should be left to the owner and insurance. Davis felt a local contact should be required with registration. Bacon felt the difference between the 2 ordinances is whether the Village would like to regulate and permit or simply register STRs. Aylsworth felt the more information provided would be helpful. There was discussion about the time required for permitting v registration. Bacon and Chase favored registration at this point, but not permitting. Davis questioned whether the Village could enforce permitting. Aylsworth felt it was important to look to the future and did not want to see most homes as seasonal rentals rather than occupied by residents. He felt a limit may be needed. Davis questioned whether this could be enforced. Skrocki agreed with Aylsworth that there are few problems today and feels this may change very quickly. Rademacher asked if there was a number recommended for such a limit. The STR report did recommend that current rentals be grandfathered in. Bacon noted there were few waterfront rentals and that many returning rentals have become an important part of the Village. Davis noted that he is surrounded by summer

homes, but it is unaware if any of them are STRs. **Motion by Bacon, support by Rademacher to move the STR process, including a form and ordinance to the December meeting. Upon unanimous voice approval, MOTION PASSED.**

PLANNING COMMISSION REVISED GUIDELINES – The review from Attorney Tim Figura was reviewed and Bacon noted the changes she had made to accommodate those. **Motion by Bacon, supported by Davis to approve the Planning Commission Guidelines and website information. ROLL CALL: Ayes: Skrocki, Chase, Rademacher, Bacon and Davis. Nays: Aylsworth. MOTION PASSED.**

SOUTH BAR LAKE OUTLET WEEKEND SUPPORT PROCEDURE – Aylsworth noted that he had sent this to Figura and has not received a response. **Motion by Bacon, supported by Skrocki to approve the criteria for keeping the outlet open, with the caveat that it can be changed if needed. ROLL CALL: Ayes: Unanimous. MOTION PASSED.**

POINT OF SALE SEPTIC ORDINANCE - **Motion by Bacon, supported by Skrocki that the Village of Empire Point of Sale Ordinance be placed on the December meeting agenda. Upon a unanimous voice vote, MOTION PASSED.** It was noted that it is unfortunate that Leelanau County will not pass a County-wide ordinance.

NEW BUSINESS

BOAT LAUNCH SHORELINE PROTECTION PROPOSAL – Aylsworth noted he had spoken to Engineer Graf and those quotes had been provided. There was discussion of reviewing drawings before going out for bids. **Motion by Bacon, supported by Davis to approve the engineering only for this project not to exceed 3K. ROLL CALL: Ayes: Unanimous. MOTION PASSED.**

TREASURER POSITION: There was discussion of the impact of business being conducted until a new Treasurer is appointed. Checks can be issued; new signatories will be needed, and a Deputy could be appointed. **Motion by Davis, supported by Rademacher to advertise the Treasurer position in the Leelanau Enterprise, Benzie Patriot and TC Record Eagle and note that residency is not required. ROLL CALL: Ayes: Unanimous. MOTION PASSED.**

COMMENTS FROM THE AUDIENCE – John Collins thanked the Council for approving the weekend outlet procedures. March Dye asked about the skills required for the Treasurer position. Sue Palmer thanked Aylsworth, and Ronkaitis for their service. John Collins thanked those leaving the Council for their service. Grobbel apologized for arriving late and commented regarding STRs that a police power ordinance does not allow for grandfathering, unlike a zoning ordinance. He indicated that a designated zone for rentals is never recommended. He feels the Council should be pro-active and not wait for problems to arise. He noted there is currently a movement in Leelanau County of properties being purchased to escape COVID. He encouraged the Village to protect current Village character and feels a registry is a good place to start, followed by Planning Commission input. March Dye asked if the mid-section of the wall was being addressed. Aylsworth noted it has been approved. Diane Aylsworth, as a member of the STR committee, commented that they had always assumed that the issue would go to the Planning Commission.

BOARD COMMENTS – Skrocki asked if the recent demolition may have asbestos that is blowing around and whose responsibility it is to control. Grobbel commented that fugitive dust is generally controlled with water and EGLE may be contacted about air quality issues. Skrocki noted that EGLE is holding a Catalyst Communities to address climate change for free. People that are interested may contact her. She thanked Aylsworth, Rademacher and Ronkaitis for their service. Davis also thanked them and wished them the best in the future. Aylsworth said it was an honor to serve the public in the Village of Empire. He congratulated Dan and wished Maggie, Sue, and Linda good luck, have fun, and don't let the politics interfere with your personal life.

ADJOURNMENT at 8:22 p.m.

Derith Smith, Empire Village Clerk

These minutes were approved at the December 15, 2020 Regular Council meeting.