

JULY 9, 2020 EMPIRE VILLAGE COUNCIL WORK SESSION

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 2020-129. In attendance were Trustees Davis, Bacon, Avis, Rademacher, Chase and Skrocki. Treasurer Ronkaitis and Clerk Smith were also present.

MOTION OF REQUIRED COUNCIL ACTIONS – None.

CHANGES/ADDITIONS TO AGENDA – Rademacher added #4 New Business – Beach Access. Avis added #5 New Business, Draining of pond. Chase added #6 New Business – Access to Lake MI Dr. via Village Streets

APPROVAL OF AGENDA – **Motion by Avis, supported by Rademacher to approve the agenda with additions. MOTION PASSED upon a unanimous voice vote.**

PUBLIC COMMENT ON AGENDA ITEMS – Mary Sharry wondered why the Planning Commission membership would be reduced. Sue Palmer commented on Planning Commission membership and the loss of members. She also commented on fireworks allowed on public property.

DEPARTMENT HEAD REPORTS – None.

TREASURER UPDATE- Ronkaitis informed the Council that her records and the books now match at the end of the last fiscal year.

PERSONNEL COMMITTEE- Avis reviewed the minutes of the recent committee meeting.

COMMITTEE REPORTS – Bacon informed Council that the Planning Commission will be holding a special meeting on July 22nd to prioritize the CIP. She also explained that amendments to site plan review and nonconformities of the Zoning Ordinance have been completed and will be sent on to Council shortly.

OLD BUSINESS –

LEGAL OPINION OF PLANNING COMMISSION ORDINANCE #117- Aylsworth stated that he had said he would take this question to the Attorney and it had been emailed by the Clerk. He stated this had not been voted on and wondered about following simple rules. **Motion by Davis, supported by Rademacher to table this discussion. Upon a voice vote, the MOTION PASSED.**

BEACH PARKING PROCEDURES- Skrocki introduced and Bacon reviewed the details of the procedures related to resident and visitors parking, and the safety of parking stickers on small golf cart windshields. There was discussion of the type of violations being ticketed and what rules (MI or Village) can be enforced. The large number of tickets already issued was noted and Aylsworth stated that he will be having a conversation with a new beach ambassador.

BEACH PARK ORDINANCE #150 AND FINE SCHEDULE- Skrocki reviewed the small changes (fireworks and length of vehicles parking). Banning smoking and the posting of rules and

finer were also discussed. Defining the swim area was discussed as related to the enforcement rules related to jet skis. Aylsworth reviewed the requirement of 500' from swimmers. There was consensus that this ordinance and the posting of rules and fines be placed on the next Regular Meeting Agenda.

THANK YOU SIGN FOR POST OFFICE WORKERS- There was discussion about sending a letter to the Post Office or posting in the newspaper. Avis volunteered to compose a formal resolution thanking postal workers for consideration at the Regular meeting.

GRANT WRITING OPPORTUNITY UPDATE- Avis reviewed the recent meeting he attended with Chris Nelson and Ryan Cotton. The next step will be reviewing the updated CIP in the next several weeks. Rademacher asked whether the Focus Group session will be open to the public. Avis answered no, it would be defined by Cotton. Chase asked if the contract had been signed and what the anticipated "reasonable expenses" might total. Avis felt this expense might total a couple of hundred dollars. Aylsworth stated he had signed the contract.

NEW BUSINESS –

RE-ESTABLISH PURPOSE OF WORK SESSION – There was discussion of moving agenda items if the meeting extends longer than 2 hours. Most felt this could be accomplished and were willing to support this concept.

VILLAGE AT M-22 FUTURE DEVELOPMENT PLAN – Bacon wondered if the developer or the real estate agent for this project might offer an update to the Council and public. Aylsworth offered to contact them and see if this might be arranged.

SEPTIC INSPECTIONS AT TIME OF SALES-ORDINANCE #137 – Skrocki reviewed the Ordinances provided earlier from Empire Township. She feels the Village ordinance is lacking language that adequately protects water quality and feels the standards in the Township's ordinance should be added. Aylsworth agreed and felt the Health Department had pointed this out. Davis felt that when drafting the Ordinance, the Council did not want to come between a Buyer and Seller. Rademacher provided history on Health Department inspections that had upset residents and ultimately were discontinued. There was discussion of whether sample ordinances had been examined when this was drafted. Bacon offered to review some ordinances and include language that might address the concerns. It was suggested that Zoning Administrator Grobbel be consulted for input.

BEACH ACCESS – Rademacher noted that access to the beach this year is limited by rocks and sandbags. He wondered if the Council should consider stairways. There was discussion of how soon the beach height may change and if stairs would need to be removed or shortened, fixed or not. Aylsworth noted that some of the biggest waves happen in August. Chase described large flat rocks that could be placed as steps. Aylsworth noted that these exist at the beach and are not being utilized. Skrocki volunteered to speak with Friend about getting quotes for possible stairways that may offer safer access.

DRAINING THE POND – Rademacher attended the recent meeting with EGLE, several residents, Drain Commissioner Christensen, MDOT, Chris Grobbel, and Permit Applicant (Roger Send, M-

22 Development, LLC). He described the plan of draining the pond about 2.5 ft. over a period of 3 months. Skrocki questioned why they wanted to drain the pond. Rademacher stated that they felt the water table is 3 ft. higher than typical and may have an impact on the water table throughout the Village. Avis questioned the authority of the Village on this private property. There was the discussion of the history of beaver dams being blown up to facilitate the draining of the pond. Currently such dams are not active and there is some water draining slowly. There was discussion of the potential impact on the outlet as the water level of South Bar Lake may increase. A valve on the outflow was discussed as a method of control. Avis asked if the Council was comfortable with DPW Superintendent Friend representing the Village. Bacon feels Friend is the right person but would like Friend to report consistently to the Council. There was discussion of whether the developer or Village would be paying for Friend's time. Increased property tax revenue from this new development was discussed as an offset to such costs. Plowing of new streets was identified as a Council decision.

ACCESS TO LAKE MI DR. VIA VILLAGE STREETS – Chase asked for details on how this might be happening. Whether there be staging for the rocks, impact of weight on newly paved streets and the size of trucks were issues discussed. There was concern about possible damage to asphalt and who might be responsible for the cost of repair if needed.

STORM HILL PERMIT – Chase wondered how this permit might impact the Village beach. There was discussion of how the steel wall at the Village beach effected the launch and lighthouse. Access to the property was questioned: Would it be from Village or Storm Hill property? There was discussion of asking the Village engineer to provide an opinion on potential impact. Aylsworth stated he would ask Martin Graf to come to the next meeting to discuss the permit and let the Council know if he was not available.

QUESTIONS/COMMENTS FROM AUDIENCE – Val Dalton commented on the regulation of the pond drainage as this would happen near her property. She also felt that the “reporting” from Friend on this process should be specifically defined. She was pleased to hear that control using a valve system was being considered.

BOARD COMMENTS – Avis commented on the Short-term Rental Committee and offered to make a brief presentation to the Council for formal adoption. Aylsworth suggested this be added to the next Work Session.

ADJOURNMENT at 8:31 p.m.

Derith Smith, Empire Village Clerk

These minutes were approved at the July 21, 2020 Regular Council meeting.