

**MAY 28, 2019**

**EMPIRE VILLAGE COUNCIL REGULAR MEETING**

President Aylsworth opened the meeting at 7:00 p.m. at the Empire Township Hall and led the Pledge of Allegiance. All council members present. Clerk Smith, Treasurer Ronkaitis and DPW Superintendent Friend were also present.

**MOTION OF REQUIRED COUNCIL ACTION(S) ONLY - None.**

**CHANGES/ADDITIONS TO AGENDA** – Add #4 under New Business - Inter-governmental agreement with Leelanau County for maps and data.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Mary Sharry spoke in support of an Opt-out Medical Marihuana Ordinance.

Sandy Avis commented in support of having a thoughtful, careful process regarding an Opt-out Medical Marihuana Ordinance.

Meg Walton spoke in support of an Opt-out Medical Marihuana Ordinance.

Sandy Mifflin wondered why she was not canvassed about the Opt-out Ordinance.

**CONSENT AGENDA** – Motion by Carpenter, supported by Rademacher to approve the consent agenda including Resolution #3 of 2019 transferring \$1,794.82 of Major Street Funds to Local Street Fund; Pre-Audit bills totaling \$20,428.07, Post-Audit bills totaling \$38,206.22; Village Council minutes of 4-23-19 and 5-9-19. Upon a roll call vote, Ayes: Carpenter, Rademacher, Davis, Skrocki, Stier, Bacon and Aylsworth, Nays: None. Motion passed unanimously.

**REVIEW OF FINANCIAL STATEMENTS**

Carpenter asked Ronkaitis if the Cash Report would be available by funds. Ronkaitis responded that it is still by bank account, but balances are very close to matching the books.

**COMMUNICATIONS**

The following letters were read aloud and are available for viewing at the Village Office:  
Joanne Bear re: the condition of Village sidewalks. Gerry Shiffman re: Medical Marihuana Opt-out Ordinance. Todd Avis re: MM Opt-out Ordinance. Steve Pichan re: MM Opt-out Ordinance. Mary Sharry and Bill Dickenson re: MM Opt-out Ordinance.

**DEPARTMENT HEAD REPORTS**

DPW Superintendent Friend reported on the ongoing street striping; Lake Michigan is now higher than South Bar Lake; Niagara Street project is on schedule.

## **OLD BUSINESS**

Rules of Procedure – Change agenda order – **Motion by Carpenter, supported by Rademacher to place Committee Reports prior to Old Business on the Agenda.** Motion passed unanimously.

Medical Marihuana Opt-out Ordinance – **Motion by Davis, supported by Carpenter to table this item. Roll Call Vote: Ayes: Davis, Rademacher, Carpenter, Skrocki, Stier and Bacon. Nays: Aylsworth.** Motion passed.

Hiring of Ryan Cotton as Grant Writer – **Motion by Skrocki, supported by Stier to hire Ryan Cotton as a Grant Writer.** Aylsworth read Mr. Cotton’s letter and proposal aloud. Discussion centered on the same issues discussed at the work session: CIP updated with priorities, shovel-ready projects that include engineered plans and development of an RFP. **On a voice vote, the nays prevailed. Motion defeated.**

Beach Attendant Policy - **Motion by Carpenter, supported by Rademacher to approve the changes to this policy as recommended by the Parks Committee.** Motion passed unanimously.

**COMMITTEE REPORTS** – Bacon reported on the thorough review of the Master Plan along with changes needed to the included maps by the Planning Commission. She noted that a Streets Committee Meeting will be held as soon as possible to respond to the reported sidewalk issue.

## **NEW BUSINESS**

Planning for Marihuana in Michigan Training Opportunity – Aylsworth read the announcement and encouraged Council and/or Planning Commission Members to attend. Carpenter noted the Power Point presentation shared by Zoning Administrator Grobbel could be explored.

New Neighborhood NOA Road Closure Request – **Motion by Carpenter, supported by Davis to close the road.** Motion passed unanimously. It was noted that the road cones will be picked up during the week and DPW time will not be required on the weekend.

Set Millage Rate for 2019 – **Motion by Carpenter, supported by Rademacher to set the Operational Millage at 6.3063 and the Debt Millage at .36.** Upon a Roll Call Vote, motion passed unanimously.

Data Agreement with Leelanau County – **Motion by Carpenter, supported by Bacon to approve signing the agreement.** Motion passes unanimously on a voice vote.

## QUESTIONS/ COMMENTS FROM THE AUDIENCE

Sue Palmer commented on hiring a grant writer and the PC's work on the CIP.

Mary Sharry asked about the town hall meeting proposed by Amelia Vanderberg and unrelated to the Village Council. She also commented on the MM Opt-out Ordinance.

Meg Walton spoke on the MM Opt-out Ordinance and a spring clean-up service.

Sandy Avis commented on a MM Opt-out Ordinance and her husband's letter.

Marg Dye spoke regarding having a Medical Marihuana Opt-out Ordinance.

Teresa Howes commented on the process of hiring a Grant Writer.

**BOARD COMMENTS** – Davis commented on the burden placed on local government due to the lack of State legislation and the conflict with Federal law regarding the use of marihuana.

Carpenter agreed with the concern over the lack of State legislation. She believes it is important to consider only ordinances that the State of MI will recognize and that is currently unknown regarding the legalization of marihuana.

Stier commented in support of the thoughtful process advocated by Mr. and Mrs. Avis as it has been used on other issues of importance to the village.

Rademacher would like the council to make a well-informed decision that is not based on fear and intimidation.

**ADJOURNMENT** at 8:24 p.m.

Respectfully submitted,

Derith Smith

Empire Village Clerk

*These minutes were approved at the 6-25-19 Regular meeting.*