

President Wetherbee called the meeting to order via zoom at 7:00 P.M.

Roll Call:

Council Members Present: President Wetherbee and Trustees: Ager, Cook, Gale, Gremel, McCann, Harper

Absent Members: None

Staff Present: Clerk- Joni Scott, DPW Superintendent- Chris Holton, Community Liaison- Cindy Edmondson

Approval of Meeting Minutes:

The minutes from the November 5, 2020 regular Council meeting were accepted with the following corrections;

1. Liaison report- add that the village could not indemnify Mr. Wizinsky.
2. Correction to Chris Andrus's last name spelling.
3. Correction to Roll Call Vote made by Stoffel.
4. Correct sentence regarding Infrastructure meeting October 2020.

Approval of Agenda (amendments/additions):

None

Correspondence:

Mitten Brewery- support letter for Karl Wizinsky's motion to release ownership of Park Street.
Ross Hammersley- comments regarding Karl Wizinsky's suggestion to release ownership of Park Street.

Public Comment:

Campbell McLeod- Thanked the Council for all the meeting minutes and packet link on the village website. McLeod also commented on the Budget and questioned the need for a salt Barn.

SAW Grant Summary, David Capser and Ben Kladder:

Ben Kladder and David Capser from Fleis and VandenBrink gave a PowerPoint summary on the SAW grant that the village received for stormwater asset management. The Village of Northport was awarded a SAW grant in the amount of \$147,112. The Village's commitment to the grant was \$15,088. The scope of the project includes survey of the existing storm water system, mapping, inspections and televising of approximately 7,500 feet of storm sewer.

Reports:

- A. **Liaison-** Community Liaison corrected her statement earlier that the correspondence from Ross Hammersley was a statement that she was to read.
- B. **Clerk** – Clerk Scott provided a financial report for the month of November.
- C. **Treasurer** – Treasurer Kallie Craker provided a financial report in agreement with the Clerk for the month of November.
- D. **DPW-** Superintendent Chris Holton provided a written report to the Council. Highlights of the report included;
 1. Homewood Cottages Association watermain project is wrapping up.
 2. Marina bubblers are all set and ready for the winter

3. Big Thanks to Scott Cain for the beautiful tree
4. Working on pricing for a new loader and Snowplow truck

D. Employee Relations – None

E. Finance- Finance Chair Jane Gale reported that the committee is reviewing the draft 2021-22 budget and have had communications with Bond Counsel about precurring a bond for the villages Vehicle and Equipment fund.

F. Infrastructure- None

G. Waterfront- Waterfront Chair Tom Gremel reported that the committee is seeking applications for a new Harbor Master and that the deadline is December 11, 2020.

H. Planning Commission: The Planning Commission representative Jane Gale reported that the Planning Commission is looking for new Board members to fill 3 vacant seats. The Planning Commission is also working to develop a means of getting input from the community on short term rentals.

Zoning Administrator Report:

Zoning Administrator Bill Fuller provided a written report of his activities for the month of November

Minutes from the November 17th, 2020 Planning Commission were provided.

I. Parks and Trails: None

Discussion Items:

Park Drive Quitclaim agreement:

Karl Wizinsky continues to be concerned with the liability on Park Drive, which adjoins his property. He has now provided the village with a quitclaim deed for the eastern 16 feet of lot “A”, Village of Northport.

The Mitten Brewery correspondence supports Karl’s action and urged the village to accept the deed stating that “they believe this action will put and end to the longstanding grievances regarding Park Street, and will also enable them to move forward with an extension to their lease at 112 W. Nagonaba”.

Community Liaison Cindy Edmondson read the following statement after speaking with the Village’s Attorney Ross Hammersley;

After speaking to Mr. Hammersley this afternoon his opinion is that the offer of a quitclaim deed from Mr. Wizinsky is premature. The Village has asserted and maintained its position as to the ownership, jurisdiction, and control over the roadway property in dispute for several years, and in order to initiate a process where the Village would consider changing that position, the proponent of that change (Mr. Wizinsky) would ordinarily provide more complete and substantive documentation, such as an attorney opinion letter or an opinion from a Title company to demonstrate that the contrary position is, in fact, the correct one. In this case, if an attorney or title company provided a written opinion evaluating all relevant deeds and property records pertaining to the property and demonstrating that Mr. Wizinsky does in fact have ownership of the disputed roadway to a distance of 10 feet on either side of the middle of the road, that would be instructive and could lead to a meaningful discussion about entertaining a quit claim deed from him as to that property. At present, however, the correspondence received contains only a selected portion of the title history for the property and runs contrary to the more comprehensive documentation the Village has compiled over the years. Ultimately, the Village attorney recommends requesting such documentation from Mr. Wizinsky (if he still wishes to move forward) and waiting for that to be received and analyzed before a motion is considered.

Trustee Ager didn’t see any problem with taking action on the quitclaim deed. Trustee Harper suggested that the village Council could adopt a resolution of “Good Faith” to work with Mr. Wizinsky and come to a solution on Park Drive.

Trustee Harper **Moved, Supported by** Trustee Cook to act in Good Faith and take prudent steps towards resolving concerns over Park Drive. **Discussion:** Street Administrator Chris Holton was not in support of accepting a quitclaim deed for Park Drive, stating that “the village has been maintaining the road for over 70 years and clearly owns the road”. Furthermore, Holton said that

Mr. Wizinsky should be more concerned with the safety and liability of the picnic tables situated out in the street for patrons of the Mitten Brewery.

Trustee McCann stated that Mr. Wizinsky should be able to provide the village with the legal documentation supporting his claim of ownership as per Ross Hammersley's statement.

Roll Call Vote: Yeas (6) Nays (1) Trustee McCann **Motion Carried.**

Committee Meetings:

President Wetherbee provided the Council with Committee assignments as follows;

Parks and Trails

Chris McCann - Chair
Susan Ager
Steve Wetherbee

Infrastructure

Hugh Cook - Chair
Will Harper
Steve Wetherbee

Waterfront

Tom Gremel - Chair
Hugh Cook
Will Harper

Employee Relations

Steve Wetherbee - Chair
Jane Gale
Susan Ager

Finance

Jane Gale - Chair
Tom Gremel
Chris McCann

NLTUA

Tom Gremel

Wetherbee asked the Employee Relations Committee to schedule a meeting for Monday December 7, 2020 at 2pm.

Action Items:

Approve Marina C Dock Project Bids:

The Finance Committee reviewed the bids for the C Dock Emergency Repairs project, and agreed with the engineer's recommendation for awarding the bids as follows;

Trustee Cook **Moved, Supported by** Trustee Ager to accept the bid from 45th Parallel Marine in the amount of \$197,788, for the C Dock Emergency Project and grant.

Roll Call Vote: Yeas (7) Nays (0) **Motion Carried.**

Trustee Gale **Moved, Supported by** Trustee McCann to accept the bid from Advantage Electric in the amount of \$214,450, for the C Dock Emergency Project and grant.

Roll Call Vote: Yeas (7) Nays (0) **Motion Carried.**

Nealis Electrical Engineering Agreement:

Bo Reinhardt from Nealis Engineering provided a quote of \$9,500 for the design of B and D dock electrical.

Trustee Cook **Moved, Supported by** Trustee Gale to accept the proposal from Nealis Engineering in the amount of \$9,500. **Roll Call Vote:** Yeas (7) Nays (0) **Motion Carried.**

Drinking Water Asset Management:

Fleis and VandenBrink Engineering provided a PSA to assist with applying for an Asset Management grant for the village's municipal water system in the amount of \$500.

Trustee Harper **Moved, Supported by** Trustee Gremel to approve the PSA agreement with Fleis and VandenBrink Engineering in the amount of \$500.

Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

Payment of Bills:

Trustee Ager **Moved, Supported by** Trustee Harper to approve payment of the bills for the month of November when funds become available in the amount of \$123,642.78

Roll Call Vote: Yeas (7) Nays (0) Absent (0) Motion Carried

Public Comments:

Ben Kladder, Fleis and VandenBrink Engineering- explained the Asset Management grant proposal.

Campbell McLeod- commented about the kiosk and the potential interest from the Leelanau Township Board and asked questions over performance bonds for the marina project.

Council Comments:

Hugh Cook- asked about Committee Assignments.

Will Harper-confirmed that he will continue as President Pro-tempore, and suggested scheduling a Village/Township Board meeting. Harper also mentioned the removal of solar panels at the Depot building owned by Jay and Diane Homan.

Adjournment:

Trustee Harper Moved, Supported by Trustee Ager to adjourn the meeting.

Roll Call Vote: Yeas (7) Nays (0) Absent (0) Motion Carried

The meeting was moved to adjourn at 8:55 pm

Several Citizens attended via phone.

**Joni I. Scott, Village of Northport
Clerk**