

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

**Roll Call:**

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

Absent Members: None

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

**Approval of Meeting Minutes:**

Trustee Cook Moved, Supported by Trustee Ager to approve the October 7, 2021 regular meeting minutes. Discussion: Trustee Gale wanted to include the discussion that the Council would like to know more about the mural including dimensions and placement. Trustee Harper asked for verification that the Finance Committee would be providing a one-page cost sheet. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

Trustee Gremel Moved, Supported by Trustee Ager to approve the October 13, 2021 Special meeting minutes as presented. (Not provided in packet)

**Approval of Agenda (amendments/additions):**

Trustee Ager- asked for the discussion on Road End Signs to be moved to an action item. President Wetherbee- asked to move the Trail Art Proposal by Northport Public School teacher Jen Evans to be moved up on the agenda before going in to a closed session.

**Correspondence:**

**Brian Kimmerly-** request to have the streetlight turned back on.

**Craig Pepple-** request to access easement at Soccer field. (Infrastructure Committee will review)

**Jenny Evans-** Thanked the Village Council for a successful Haunted Halloween trail.

**Public Comment:**

**Gerald Schatz-** commented on the history of the 7<sup>th</sup> Street village property and its environmental impact to the Bay. Schatz suggested the need for more research.

**Campbell McLeod-** commented on the history of the 7<sup>th</sup> Street village property and suggested that the proposed development of the property would be a miss-use. McLeod suggested making the property available for affordable housing.

**Jane Packard-** would like to see more input from the public for the proposed 7<sup>th</sup> Street development.

**Anne Harper-** commented on the timeline for the 7<sup>th</sup> Street development project suggesting that the process was flawed. Harper would like to see the property used for something else.

**Zoning Violation at 225 E. Fifth Street:**

\*Trustee Ager Moved Supported by Trustee Gale to enter in to a closed session deliberation meeting regarding an ongoing legal dispute pursuant to Sections 8 (e) and 8 (h) of the Open Meetings Act. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

**Closed Session began at 7:10 pm.**

Regular meeting convened at 7:26 pm.

Trustee Ager **Moved, Supported by** Trustee Harper to support the Zoning Administrator enforcement of the zoning violation at 225 E. Fifth Street and pursue all legal remedies with a circuit court action. Roll Call Vote: Yeas (7) Nays (0) Motion Carried.

## **Reports:**

- A. **Liaison-** Community Liaison Cindy Edmondson reported on the tree lighting fundraiser.
- B. **Clerk** – Clerk Scott provided a financial report for the month of October 2021 in agreement with the Treasurer. Scott noted that the RFP requests for the 4<sup>th</sup> Street drainage ditch project has gone out and were due back on November 17, 2021.
- C. **Treasurer** – Treasurer Kallie Craker provided a revenue report in agreement with the Clerk for the month of October. Craker also provided a revenue report for the month of October by Fund.
- D. **DPW-** DPW Superintendent Chris Holton provided a written report on the DPW activities for the month of October.
- E. **Employee Relations** – None
- F. **Finance-** Finance Chair Jane Gale provided minutes from October 13, 2021 meeting. Trustee Harper made several comments regarding previous meeting minutes and discussions around the 7<sup>th</sup> Street project.
- G. **Infrastructure-** Infrastructure Committee Chair Hugh Cook provided minutes from the October 27, 2021 meeting. Cook noted that it was reported during the meeting that Robin Schmidt was will to work with the Village on the 4<sup>th</sup> Street project.
- H. **Waterfront-** Waterfront Chair Tom Gremel provided minutes from the October 19, 2021 committee meeting.  
Harbormaster Bill Rosemurgy provided a written report of marina activities.
- I. **Planning Commission:** minutes from the October 19, 2021 Planning Commission meeting were provided.
- J. **Zoning Administrator:** Scott provided a report of her activities for the month of October.
- K. **Parks and Trails:** Parks and Trails Committee Chair Chris McCann provided minutes from the October 18, 2021.

## **Discussion Items:**

### Marina paint job:

Trustee Harper made several comments regarding the paint work at the marina and the correspondence from Jake Riley, with EGLE on a possible violation. Harper noted that the painting was supposed to stop, but didn't.

President Wetherbee reported that he had asked for all new work to stop, but what had already been prepped to be painted. Wetherbee also stated that he never received any correspondence from Mr. Riley, but would be happy to respond to any directives from the State.

### Former DPW property on 7<sup>th</sup> Street:

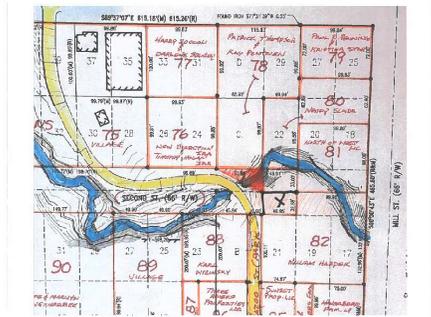
Trustee Harper commented about the timeline and questioned when the one-page costs sheet would be available. Harper questioned the process, the budget for the project and the environmental studies completed, the wetland delineation report and where the suggested sale price of the 4 parcels came from. Harper wondered what the rush was to develop the property and suggested that the village should not be involved in developing real estate and should consider putting the property into a land trust or consider low costs housing.

Trustee Ager stated that she didn't feel that there was any improper behavior by any trustees or village staff with regards to the project.

Trustee McCann shared the process and history of meetings over the 7<sup>th</sup> Street property as a Planning Commission member and now as a Trustee on the Finance Committee for the past year. McCann highlighted on the opportunity the Village has to develop the property, protect the wetlands and create four desirable lots.

Possible vacations of additional portions of the Second Street right of way:

Trustee Harper asked the Council to consider vacating an additional 50' portion of Second Street identified in the map below with the X description. According to Trustee Harper, he didn't need to ask for Council consideration to obtain ownership of the property. Harper stated that the property has been abandon by the village simply by lack of maintenance. Harper also asked the Council to consider and exchange of quitclaim deeds trading the Park Street deed for the second street additional 50' portion.



Partick Thompson and Kay Pentzein also have asked the Council to relinquish a portion of the Second Street public road right-of-way identified in the map above in Orange. Thompson explained that he and his wife have invested over \$16,000 in improvements to the property.

Trustee Ager asked the Council to consider gifting the property or abandoning them for the two requests heard above.

Trustee Gale empathized with Patrick Thompson and Kay Pentzein stating that they property is owned by the Village and that gifting the property would set a precedent.

DPW Street Administrator Chris Holton explained the need to continue ownership of the public road right-of-way, stating that the culvert will require maintenance and replacement in the future. Holton challenged the prior comments made by Patrick Thompson and Kay Pentzein stating that the Village's prior Administrations had "verbally authorized the improvements and use of the public road right-of-way". Holton explained that he had individual conversations with former Village Presidents, Morgan and Rogers and both disagreed with the statements made by Thompson and Pentzein.

Holton further explained that the irrigation pump servicing the Thompson/Pentzein property in the public road right-of-way was illegal according to Robin Schmit with the DEQ.

Patrick Thompson and Kay Pentzein stated if the Village wasn't willing to approve their request, then they would like to offer to purchase the 50' portion in the map above identified as parcel X.

\*Trustee Ager **Moved**, to transfer the ownership of the abandon Second Street public right-of-way to the requests before the Council. **Motion Failed for Lack of Support.**

Trustee Harper suggested that the Council should stop the replating and amendments to the Plat map.

## **Action Items:**

### **Liquor License Resolution Class C for Around the Corner Foods:**

Trustee Ager **Moved, Supported by** Trustee Harper to approve the liquor license resolution as presented for the Around the Corner.

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

### **Approve Engineering Contract with Machin Engineering for dredging permits:**

Trustee Gremel Moved, Supported by Trustee Cook to approve the \$7,600 proposal from Machine engineering for dredging permits at the Marina.

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

## **Payment of Bills:**

Trustee Ager **Moved, Supported by** Trustee Cook to approve payment of the bills for the month of September when funds become available in the amount of \$40,098.77

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

## **Public Comments:**

**Anne Harper-** commented about a small park she visited on Clam Lake, and the need for the Village to protect the wetlands and wooded areas.

**Laura Cavendish-** requested that all zoom recordings be made available to the public on the village website. Cavendish also suggested that there needed to be more comments from the public over the 7<sup>th</sup> Street DPW property.

**Campbell McLeod-** asked the Council why they were rushing the 7<sup>th</sup> Street development project. McLeod suggested sending the project to the infrastructure Committee. McLeod also had question regarding the painting project at the Marina and questioned if permits had been pulled.

## **Council Comments:**

Chris McCann- asked if the Infrastructure Committee had taken any action on all the complaints of the streetlights being turned off. McCann questioned who had ordered the lights to be turned off and if the public was given proper notification.

## **Adjournment:**

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

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

The meeting was moved to adjourn at 9:25 pm

Several Citizens attended via zoom.