

President Christopher McCann called the meeting to order at 7:00 P.M.

Roll Call:

Council Members Present:

President McCann Trustees: Ager, Cook, Gale, Harper, Cavendish

The Village Council conducted a roll call, noting the absence of trustee Nancy Peterson. President McCann then read a letter from Nancy, tendering her resignation from the council due to declining health. The Council agreed to acknowledge and accepted her resignation, agreeing to add it to the agenda under Discussion/action item G.

Absent Members: None

Staff Present: DPW Superintendent- Chris Holton, Clerk/Zoning Administrator-Scott, Community Liaison/Treasurer/Deputy Clerk-Edmondson, and Harbor Master- Bill Rosemurgy Interim Village Manager- Chet Janik

Approval of Meeting Minutes:

Trustee Ager Moved, **Supported** by Trustee Cavendish to approve the June 8, 2023 meeting minutes with a few minor spelling corrections. **Motion Carried.**

Approval of Agenda (amendments/additions):

No other additions or amendments to the agenda were made.

Correspondence:

Clerk Scott announced that the Council had received three letters of correspondence. The first letter was from FEMA concerning the floodplain map and the amended ordinance. The second was an email from Mr. Nobles presenting a proposal regarding the social district. Lastly, Mr. Brigham sent a letter discussing Northport Creek and algae, referring to it as a "Michigan Trout Stream in Peril."

Public Comment:

Kirk Richards- expressed concerns about the lack of response to a letter sent to the village council regarding changes in the beach structure. He mentioned issues with the timely placement of floats for water safety, citing examples of boats parking near swimming areas and instances of smoking on the beach. Kirk emphasized the need to follow the rules and practices of other beach parks in the area. He expressed frustration over the delay in addressing these issues and questioned why necessary actions, such as placing floats, were not being taken.

Staff Reports:

- A. **Clerk** – Clerk Scott provided a financial report for the month of June in agreement with the Treasurer/Deputy Clerk. In addition to the financial report Clerk Scott presented a written report with the following updates: The village is awaiting reimbursement from the State Waterways Fund for the initial phase of the marina project, and the second reimbursement request will be submitted after receiving the first payment. A preliminary version of a PILOT (Payment in Lieu of Taxes) Ordinance has been prepared and reviewed by the village attorney. The Finance Committee will discuss the document before it is presented to the Council for further review and potential action.

- B. **Treasurer/Deputy Clerk** – Treasurer/Deputy Clerk Edmondson provided a report to the Council, noting that they have received approximately a dozen tax payments so far. They highlighted that the total contributions for fireworks to date amount to \$6,191, excluding the uncollected cans.
- C. **DPW**- DPW Superintendent Holton submitted a written report detailing the activities of the DPW. It was mentioned that the Benzie Leelanau Health Department is conducting weekly E. coli testing at the beach, and Northport's reading of 4 parts per million was noted as the lowest in the county. Holton expressed gratitude to the Fireworks Shooters for their hard work and commended them for putting on a great show.
- D. **Harbormaster Report** – Harbormaster Rosemurgy submitted a report mentioning the difficulties in transitioning between Wi-Fi providers. The report also highlighted the absence of geese at the beach, thanks to the efforts of John Degroot, known as the "Geese Police," who provides a daily goose report and actively keeps geese out of the parks and beaches.

1. Kam Marine Agreement

Harbormaster Rosemurgy explained that the agreement with former Northport Bay Boat Yard, now Kam Marine, hasn't been updated for over 30 years. The new agreement sets the nightly fee at \$15 and addresses various concerns, such as the length of stay, provisions for bad weather, and access to electricity. The agreement allows for future changes if needed.

Trustee Harper **Moved, Supported by** Trustee Cook to approve the agreement with Kam Marine that has been reviewed by the village's legal counsel.

Roll Call Vote: Yeas (6) Nays (0) **Motion Carried.**

2. Anavon Wi-Fi Proposal:

Harbormaster Rosemurgy provided information about the Wireless Networking Proposal from Anavon Technology Group, which amounts to \$7,140. Rosemurgy noted that Anavon has agreed to postpone billing until the next fiscal year.

Trustee Ager **Moved, Supported by** Trustee Gale to approve the proposal from Anavon Technology group for a wireless network system.

Roll Call Vote: Yeas (6) Nays (0) **Motion Carried.**

- E. **Zoning Administrator**- Zoning Administrator Scott provided a report on her activities for the month of June. Trustee Harper inquired about a zoning violation investigation related to Yard and Lake business. Scott explained that she was investigating the location of a food truck on the property, which could be in violation of the village's zoning regulations on parking distance from property lines. She also mentioned complaints about gases and noise and is awaiting a completed complaint form.

- F. **Interim Village Manager**- The Interim Village Manager Chet Janik provided a quote for iPads and recommended them for the Village Council's use. He also presented a report outlining the suggested transition of village email accounts to Gmail. The Village Council agreed to switch to the new emails by August 1, 2023. Janik suggested changing the fiscal year from March-February to July-June, based on an outdated 1895 Michigan Law. The switch will be further explored with legal counsel.

Trustee Ager Moved, Supported Trustee Harper to have all Council members and staff move over to a village email by August 1, 2023.

Roll Call Vote Yeas: (6) Nays (0) Motion Carried.

Standards of Practice:

Janik also presented a draft Standards of Practice for the council to sign, emphasizing that it was not legally enforceable but aimed to outline ethical guidelines. Trustee Harper expressed disagreement, stating that people should be accountable, and the document restricts questioning authority. He believed it was not beneficial to the democratic process and would be voting against it.

Trustee Ager Moved, Supported Trustee Gale to adopt the Standards of Practice for the Village of Northport leaders, effective immediately.

Roll Call Vote Yeas: (5) Nays (1) Trustee Harper Motion Carried.

Zoning Administrator Search, Mansfield Land Use Consultants Proposal:

During the meeting, Interim Village Manager Chet Janik discussed the search for a new Zoning Administrator. They reached out to various officials and firms in Midland County to find a suitable candidate. After considering multiple options, they approached Mr. Mansfield from Mansfield Land Use Consultants. Mr. Mansfield was willing to take on the role and has extensive experience in municipal work. He expressed enthusiasm for being a part of Northport's projects and offered a proposal for handling the zoning responsibilities.

Mr. Mansfield's proposal includes providing services for \$1,500 per month to handle day-to-day zoning needs, including special use permits and beautification. His firm has a team of professionals, such as engineers, architects, and surveyors, that can support the zoning efforts effectively.

Trustees expressed interest in reviewing the applicants for the Village Manager position to determine if any of the candidates could potentially take on the additional responsibilities of the Zoning Administrator. They acknowledged the importance of finding a suitable candidate who could effectively handle both roles and serve the community's needs well. The Council decided to conduct a discussion with the potential candidates to assess their qualifications and suitability for the Zoning Administrator position before making the final appointment. This approach allows them to carefully consider all options and select the right person to fill the important role in the community.

JFK Survey Work, Clarification:

Trustee Ager reported that she had consulted with two other surveyors, including the founder and president of Leelanau Surveying, and they both confirmed that no surveyor would certify another surveyor's work. Considering this, Trustee Ager suggested that if the village ever needed to use the survey work again, it would be beneficial to pay the remaining \$1,200 to John for the preparation of a certificate of surveying and its recording.

Trustee Ager Moved, Supported by Trustee Gale to pay John Korr \$1,200 for the certificate of survey. **Discussion** Trustee Harper expressed his opinion that he couldn't see any immediate need for the survey, but acknowledged that the amount was not significant. He mentioned that if the village ever required a replat or clarification in the future, it would likely necessitate new survey work.

Roll Call Vote was conducted, Yeas (3) Trustee Ager, Gale and Cook Nays (3) President McCann and Trustees Cavendish, Harper. resulting in a tie, and the motion failed.

Welcome Sign Agreement:

Interim Village Manager Chet Janik reported on the Welcome to Northport sign, mentioning that the lease agreement with the Weber family for the sign is expiring next month. He reached out to Mrs. Weber for an extension, but she declined any political signage clause, wanting the right to focus on her property as she chooses. On the other hand, Mrs. Edwards is agreeable to a lease and also supports a clause without political signage. Additionally, Mrs. Edwards offered to cover the cost of the water for her property's irrigation system, where the sign will be located.

DPW Superintendent Chris Holton confirmed that the sign can be moved, and its placement will involve some tree trimming. The plan is to make the footprint of the sign slightly smaller but vertically higher for better visibility. The sign is in need of repairs and painting, and Tom, a volunteer, has offered to work on it during the downtime.

Trustee Gale **Moved, Supported by** Trustee Harper to ask the Village Interim Manager to negotiate the details of the proposed agreement between the Village of Northport and Sherry Edwards to relocate the Welcome to Northport sign. **Discussion:** Trustee Gale expressed her desire for the village manager to be responsible for negotiating the specific details of the proposed agreement between the village of Northport and Sherry Edwards to relocate the Welcome to Northport sign. Trustee Cook's question, Interim Village Manager Janik confirmed that the Weber Contract expires on August 1, 2023.
Roll Call Vote: Yeas (6) Nays (0) Motion Carried.

Mill Pond Dam Update:

Mr. Janik, engineer Dan DeVaun, and Superintendent Holton are actively engaged in ongoing efforts to collaborate with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to address and resolve the violations related to the Mill Pond dam. They are working diligently to find an appropriate resolution and ensure compliance with regulatory requirements.

1. **Committee Reports:**

A. Employee Relations:

The Employee Relations Committee finalized the Office Assistant job description, which was approved by the Trustees for immediate posting. Additionally, the committee was tasked with developing a smoking policy, but Clerk Scott clarified that the existing Personnel Policy already addresses smoking during the workday on village property.

Office Assistant:

Trustee Gale Moved, Supported by Trustee Ager to approve the approve the office assistant position description as amended. Motion Carried.

B. Finance Committee:

The Finance Committee minutes were presented, and it was noted that new or updated policies were listed on the agenda for action.

C. Infrastructure:

There were no meetings or minutes to report for the Infrastructure Committee for the month of June.

D. Waterfront:

The Waterfront Committee minutes were presented, and it was mentioned that the Harbormaster and one or more dockhands would be working on Fridays during Music in the Park to handle waste removal.

E. Parks and Trails:

Parks and Trails Committee Chair McCann received notification that the Grand Traverse Band will grant \$9,260.72 for playground equipment. The check presentation is scheduled for Friday, July 14 at the Grand Traverse Resort, with President McCann or Manager Janik attending on behalf of the committee.

2. Ex-Officio Board Reports:

A. Planning Commission:

Trustee Gale provided a verbal presentation on the Planning Committee activities for the month of June. She highlighted the recent appointments of the new Planning Commission Chair, Gretchen French, and the new PC Secretary, Virginia Foley.

B. NLTUA:

President McCann provided a report on the completed NLTUA (Northport Leelanau Township Utilities Authority) appointments by both the Township and Village. He mentioned that the NLTUA is currently addressing several major issues, including the Woolsey Lake Road sewer extension, an intergovernmental agreement to allow the NLTUA to borrow funds from the Village, the cleaning of the pressurized main, and connection fees for the Fairway View housing project.

3. Discussion/Potential Action Items:

A. Investment Policy and Depositor Designation:

The Council had a discussion about the amendments to the Investment Policy. The preparation of the Depositor Designation resolution for the next meeting was also mentioned during the discussion.

Trustee

B. Application fee and Escrow Policy:

During the meeting, there was a discussion regarding the application fee and escrow policy. It was mentioned that the policy was adapted from the Leelanau Township policy, but further research is needed to determine how to sequester funds appropriately.

C. Social District:

President McCann provided an update on the ongoing discussions regarding the establishment of a Social District in the village. The current focus is on creating a smaller footprint for the social district, and the matter is still being actively discussed and considered by the council.

D. Short Term Rental Taskforce:

Trustee Ager has taken on the responsibility of revising the terms that define the membership, expectations, and desired output of the Short-Term Rental Task Force. This revision aims to provide clearer guidelines and objectives for the task force's work and ensure that it effectively addresses the issues related to short-term rentals in the community.

E. NLTUA Request:

The Council approved a request from NLTUA (Northport Leelanau Township Utility Authority) to utilize the remaining \$350,000 loan for the purpose of completing the cleaning of the pressurized main. This decision allows the NLTUA to proceed with the necessary cleaning work on the main infrastructure.

Trustee Gale Moved, Supported by Trustee Ager to authorize up to \$350,000 of funds available to us as a loan at an interest rate of 2% to be paid in full by 2028 for this critical sewer main project with a repayment schedule to be determined. Roll Call Vote: Yeas (6) Nays (0) Motion Carried.

F. Solar Parklet:

The Council discussed the Solar Parklet, which was originally donated by the Village Museum and placed near the driving range. The Township expressed interest in having a structure at the dog park and reached out to the Village to inquire if the Solar Parklet could be relocated there. The Council agreed to the relocation and discussed the process of officially revoking the Solar Parklet to the Township.

Trustee Harper Moved, Supported by Trustee Gale to donate the solar parklet to the Leelanau Township Dog Park. Motion Carried.

G. Resignation Letter from Nancy Peterson:

Trustee Gale Moved, Supported Trustee Cook to accept with deepest regret the resignation of Trustee Peterson. Roll Call Vote: Yeas (6) Nays (0) Motion Carried.

The Council expressed their gratitude to Peterson for her service on the Council.

H. Closed Session to review Manager Applications:

Interim Village Manager Chet Janik recommended that the Council go into a closed session to discuss the applications for the Village Manager position in a confidential setting. This closed session would allow the Council to have a thorough and private discussion about the candidates before making a final decision.

Trustee Ager **Moved, Supported by** Trustee Gale to move into a closed session to review the Village Manager applications. Roll Call Vote: Yeas (6) Nays (0). Motion Carried.

The Closed Session began at 9:10 pm.

Trustee Gale Moved, Supported by Trustee Cavendish to go back into an open session. Roll Call Vote: Yeas (6) Nays (0). Motion Carried.

Trustee Ager **Moved, Supported by** Trustee Harper to have the Village manager contact the applicants for the village manager position and schedule interviews on July 17 and July 19th at 10 am. Motion Carried.

Payment of Bills:

Trustee Harper **Moved, Supported by** Trustee Gale to approve payment of the bills for the month of June when funds become available in the amount of \$85,320.66

Roll Call Vote: Yeas (6) Nays (0) Absent (0) **Motion Approved.**

Public Comments:

Barbara Weber- requested Ross Hammersley, the village's attorney, to respond to her attorney regarding the sign removal. Additionally, Mrs. Weber request that Chris Holton, the DPW Superintendent, notify them when he completes the sign removal, as per their contract, so they can inspect the area to ensure that it has been restored.

Council Comments:

Trustee Gale- commented on the efforts of the Planning Commission in collecting bottles and cans to raise money for tree planting. She mentioned that Bob Newell has been actively picking up bottles and cans at the recycling center three times a day. However, Trustee Gale expressed concern about the condition of the recycling center, with items being dropped off haphazardly. She suggested discussing the matter with the township to address the issue.

Trustee Cavendish- raised the issue of revisiting the storage of the village's Zoom meetings and exploring the possibility of creating a YouTube page or finding another platform to store the meetings. She emphasized the importance of making the meetings easily accessible to the public, especially for those who cannot attend in person.

Trustee Cook- expressed his concerns about the four-way stop sign decision, stating that he voted against it. However, he also stated that he will support the council's decision. He shared his observation that there have been many close calls and near accidents since the installation of the four-way stop sign. Trustee Cook believes that the situation has worsened and that it might take some time for people to adjust to the new traffic pattern. He emphasized that the safety and well-being of the community are of utmost importance and that he will continue to support the council's efforts to address any issues related to the four-way stop sign.

Adjournment:

Trustee Cook **Moved, Supported by** Trustee Harper to adjourn the meeting at 9:55 pm.
Motion Carried.

Several Citizens attended via zoom.

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