

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

**Roll Call:**

**Council Members Present:**

President McCann Trustees: Ager, Cook, Gale, Cavendish

**Absent Members:** Trustee Harper attended via zoom and Trustee Conley was absent

**Staff Present:** DPW Superintendent- Chris Holton, Clerk/Zoning Administrator-Scott, Treasurer/Deputy Clerk-Edmondson, and Harbor Master- Bill Rosemurgy

Village Manager- Jim Dyer

**Approval of Meeting Minutes:**

Trustee Ager **Moved, Supported by** Trustee Cook to approve the September 7, 2023 Regular meeting minutes with a few minor corrections. **Motion Carried.**

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

Trustee Cavendish requested a recap of Leelanau Uncaged to be added to the agenda for discussion. Trustee Harper proposed tabling Resolution 9C, which concerned law enforcement grants, citing several reasons, including the absence of two voting members, missing emails in the public packet, the need for legal insight from the village manager, and the desire to negotiate something in return for the requested grants. Trustee Cook disagreed with tabling agenda item 9C, and President McCann suggested leaving it as a discussion item with no immediate action. The agenda was approved by consensus of the Council.

**Correspondence:**

President McCann mentioned receiving a phone call from Lieutenant Dwayne Wright regarding Leelanau Uncage but opted to discuss it during the relevant agenda item later in the meeting.

**Public Comment:**

None

**Staff Reports:**

The Council received written reports from the Clerk, Treasurer/Deputy Clerk, DPW Superintendent, Harbor Master, and Zoning Administrator.

**Transient and Seasonal Rates for 2024:**

Harbor Master Bill Rosemurgy reported that the Waterfront Committee decided not to increase transient rates for the next year, as they had increased them the previous year and are already competitive with other marinas in the area. However, for seasonal rates in 2024, they recommended a 6% increase.

Trustee Cook **Moved, Supported by** Trustee Gale to approve the 2024 transient rates as they currently are and to increase the seasonal rates by 6%. Roll Call Vote Yeas (4) Nays (0) Abstained (1) Trustee Ager. **Motion Carried.**

## **A. Village Manager-**

### Village Manager Transition Update:

The Village Manager, Jim Dyer, provided an update on various activities and meetings he had attended since taking on the role. Dyer provided a verbal report on the following items: Redevelopment Ready Community, Budget Ordinance, iPad and Agenda Preparation Software, Sound System, PILOT Ordinance, Millpond, and the Administrative Assistant Position.

## **1. Committee Reports:**

### **A. Employee Relations:**

President McCann provided minutes from the September 20, 2023 meeting.

### **B. Finance Committee:**

Finance Committee Chair Gale presented the meeting minutes from the September 13, 2023 meeting.

### **C. Infrastructure Committee:**

Infrastructure Chair Cavendish provided written report. Chair Cavendish's infrastructure report covered topics including water retention plans, site plan reviews, GIS mapping updates, electric car charger costs and potential sponsorships, street drainage challenges, sidewalk ordinances, asset reviews, millpond updates, Rose Street culvert discussions, grant preparations, and upcoming water rate discussions.

### **D. Waterfront:**

Waterfront Committee Chair Cook report included discussions about buoy placements, handicap access, and potential sidewalk additions at Haserot Beach. The Committee address concerns about keeping boats out of designated swim areas and addressing accessibility issues.

The Council discussed a request for a new sidewalk from the Haserot bathrooms to the beach. However, they agreed that there are more pressing issues at Haserot Park, such as erosion problems, that need to be addressed before considering a new sidewalk.

### **E. Parks and Trails:**

No meeting was held.

## **2. Ex-Officio Board Reports:**

### **A. Planning Commission:**

Planning Commission member Gale gave a verbal report on the following items; review of the Master Plan, A joint Planning Commission meeting with Leelanau Township scheduled for October 25, 2023 and the Tree Committee.

## B. NLTUA:

The NLTUA Board did not meet in September. The next meeting scheduled for October 17, 2023 will also be the NLTUA annual meeting.

### 3. **Discussion/Potential Action Items:**

#### A. Application fee and Escrow Policy:

Trustee Gale Moved, Supported by Trustee Cook to adopt the Application Fee and Escrow Policy. Motion Carried.

#### B. Short Term Rental Taskforce:

President McCann appointed Mike Stoffel and Susan Ager to the Short-Term Rental Task Force. McCann asked the public to consider serving on the committee.

#### C. Resolution for Law Enforcement Grants:

Village Manager Jim Dyer discussed the enforcement of local ordinances. He explained that while law enforcement agencies, like the sheriff's department, are not obligated to enforce these ordinances, they could choose to do so if they wanted. However, Dyer pointed out that in many cases, local prosecutors are unwilling to prosecute these local ordinance violations, which makes enforcement less likely. Dyer mentioned that in situations where there are corresponding state statutes, law enforcement agencies are more likely to take action. Trustee Harper expressed the desire to send a message by adopting ordinances with provisions that express the expectation that law enforcement agencies, like the sheriff's department, will enforce local ordinances.

Trustee Cook **Moved, Supported by** Trustee Ager to adopt Resolution 3-2023 Law Enforcement Grants. **Discussion:** The Council Discussions included: A concern about the lack of enforcement of local ordinances by the sheriff's department and the prosecutor's office and potential consequences of delaying the resolution, such as missing a grant deadline.

Trustee Harper argued that the village should not approve the resolution without first seeking an agreement with law enforcement agencies to enforce village ordinances. Village Manager Jim Dyer suggested adopting the resolution and then working with law enforcement to seek cooperation. Trustee Harper emphasized the importance of leveraging the situation to secure better enforcement agreements.

Roll Call Vote: Yeas (1) Trustee Cook Nays (4) Trustees Ager, Gale, Cavendish and President McCann. **Motion Failed.**

D. Wade Trim Amendment to Agreement:

Trustee Ager **Moved, Supported by** Trustee Gale to approve the \$4,250 to the agreement with Wade Trim for work on the Zoning Ordinance.

Roll Call Vote: Yeas (5) Nays (0) **Motion Carried.**

E. Water Rate Proposal:

The Infrastructure Chair, Cavendish, presented a water rate proposal that aims to address several concerns within the village's water fund. The proposal includes an increase in rates to ensure sufficient funds for future capital improvement projects and maintenance expenses. Additionally, changes to the tap connection fee and usage rate were discussed.

Village Manager Jim Dyer expressed concerns about proposing water rate increases without a clear understanding of capital improvement needs. He recommended conducting a review of the capital improvement program to assess the necessity of a rate increase. Dyer also suggested merging the battery service fee into the ready-to-serve rate and considering scheduled battery replacements instead of a separate reserve fund.

Dyer emphasized the need for an operational study to determine the efficiency and suitability of current practices. He advised against solely comparing rates with neighboring communities and proposed evaluating the best approach to address the water fund's requirements.

F. Village Council iPads:

Trustee Gale **Moved, Supported by** Trustee Cavendish to authorize the purchase of iPads and keyboards for the Village Council with a not to exceed budget of \$8,500. Roll Call Vote: Yeas (5) Nays (0). **Motion Carried.**

G. Leelanau Uncaged Follow-up:

During the Leelanau Uncaged discussion, the council addressed concerns raised by Lieutenant Wainwright regarding improper alcohol sales during the event. They discussed the need for better planning and compliance with licenses for businesses participating in Uncaged. The idea of implementing a social district ordinance was mentioned, but there was some hesitation about it becoming a free-for-all. There is a post-meeting for Uncaged scheduled for October 15th, where further discussions will take place. Additionally, the council discussed safety issues related to vendors moving barricades and suggested closer coordination between the village and Uncaged organizers to address such issues

## **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 \$125,320.56

**Roll Call Vote:** Yeas (5) Nays (0) Absent (0) **Motion Approved.**

## **Public Comments:**

Gretchen French- Thanked the Council for approving the amendment to the Wade Trim agreement.

Karl Wizinsky- welcomed Jim Dyer and expressed his satisfaction that Mr. Dyer had the opportunity to witness the Leelanau Uncaged event organized by the community.

## **Council Comments:**

**Trustee Cavendish-** expressed the need for a grant writer, stating that she had many grant opportunities to consider.

**Trustee Cook-** Thanked the DPW for the new motion light on the Village Welcome sign.

**Trustee Gale-** Thanked Joni Scott for work and zoning administration and organization that she brought to the Planning Commission during her time with the Board.

**President McCann-** Thanked the Leelanau Uncaged Committee for a great event.

## **Adjournment:**

Trustee Cook Moved, Supported by Trustee Gale to adjourn the meeting at 9:32 pm.  
Motion Carried.

Several Citizens attended via zoom.

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