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

Council Members Present:

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

Absent Members: None

Staff Present: Clerk-Joni Scott, Village Manager/Zoning Administrator- Jim Dyer, DPW Superintendent- Chris Holton,

Approval of Meeting Minutes:

Trustee Gale **Moved, Supported by** Trustee Cavendish to approve the August 8, 2024, Regular meeting minutes as presented. **Motion Carried.**

Approval of Agenda (amendments/additions):

Trustee Ager **Moved, Supported by** Trustee Conley to approve the agenda as presented. **Motion Carried.**

Correspondence:

None

Public Comment:

Douglas McGinnis provided an update on the removal of the wind turbine tower at the wastewater treatment plant. He explained that after the top of the tower was damaged in winter 2022, an analysis determined that repairing or replacing the tower was not economical. Instead, the focus shifted to removing the remaining structure and cleaning up the site. McGinnis and Tom Gallery have been working on this, and have coordinated with Elmer's Crane Service and Michigan Tower to handle the removal. Michigan Tower will manage the disassembly, while Elmer's will transport and cut the tower into sections for salvage. Although specific dates are not yet set, the necessary arrangements have been made. McGinnis offered to provide a detailed summary to the village council.

Special Presentation of the Village of Northport Water Cost of Service Study

Dawn Lund from Utility Financial Solutions presented the Village of Northport's Water Cost of Service Study, highlighting that the water system is currently operating at a loss, with declining cash balances and inadequate capital investment compared to depreciation expenses. The study revealed that, without rate adjustments, the system would continue to face financial difficulties, with negative cash flows and challenges meeting debt coverage ratios. Lund proposed a plan involving 20% rate increases from 2025 to 2028, followed by a 10% increase in 2029, to stabilize the system. The proposed rate adjustments would increase the average residential customer's quarterly bill by approximately $11.25, or $3.75 per month. The study emphasizes the need for ongoing review and adjustment of financial projections and rates to ensure the system's long-term sustainability.

Staff Reports:

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

A. Village Manager/Zoning Administrator -

Village Manager/Zoning Administrator:

Village Manager James provided an update highlighting several key points. The Fourth Street project is expected to commence around September 23, weather and crew availability permitting. The installation of playground equipment is anticipated to be completed sometime in September. Dyer also addressed the wind turbine cleanup, noting that the report received from Doug includes a plan and acknowledgment of responsibility. He requested a confirmation of the cleanup timeline within the next 30 days, which he will include in his next report. Additionally, he clarified that some recent cleanup efforts by DPW Superintendent Chris Holton and his crew were unrelated to the turbine collapse and were conducted to address other debris and site issues.

Trustee Ager raised concerns about large stones placed in Northport Creek, which may be altering the riparian shoreline and potentially undermining existing trees. Manager James Dyer acknowledged the issue, noting he had only recently become aware of it and plans to investigate further with the EGLE Water Division to determine how to address it. Dyer intends to remove the rocks if they are confirmed to be causing problems, but this would require proper permission.

Trustee Harper added that the issue is occurring on the Second Street roadway easement, which is village property. He also pointed out additional concerns about an illegal irrigation pump and a locked gate on village property, which were installed without proper authorization. Harper emphasized that these issues should be addressed to ensure consistency and fairness in enforcing property regulations.

Trustee Cavendish inquired about the housing project on the Buster Dame ballpark site, specifically whether the legal descriptions and appraisals for the various parcels had been provided to the council. Village Manager James Dyer responded that John Korr had completed the legal descriptions, and the plan is to secure approvals for both the appraisals and legal descriptions from the DNR Trust Fund before presenting the information to the council. Dyer emphasized that they aim to have all necessary paperwork and approvals in place before bringing the matter to the council for consideration.

1. Committee Reports:

None

2. Ex-Officio Board Reports:

A. Planning Commission:

Trustee Gale noted that during the Planning Commission's update of the master plan, the commissioners agreed to handle the text revisions themselves but requested support from the council in hiring someone to update the demographic and statistical portions of the plan. The Planning Commission minutes detailing this request were included in the drop box.

3. Public Hearing and Possible Subsequent Action:

A. Public Hearing on Variance Request for 320 Shabwasung Street:

Chair William Harper started the Public Hearing for the variance request for 320 East Third Street at 7:47 pm.

Tim Erwin, representing the property owners, presented the variance request. The owners had purchased the property about a year ago. They are proposing to build a small addition and add a 5-foot porch towards the road.

Zoning Administrator James Dyer provided a staff report reviewing the variance criteria. He recommended approval, noting the unique circumstances of the existing home placement and that the proposed porch would enhance the appearance of the building.

There was no public comment on the variance request.

The public hearing was closed at 7:53 pm.

Trustee Ager **Moved, Supported by** Trustee Cook to approve by resolution, the application for a dimensional variance to permit a 14-foot front yard setback for the property at 320 Shabwasung Street. Discussion: The council discussed the variance criteria, agreeing that it would not be contrary to the public interest, would not adversely affect property values, and that the circumstances were unique to the property. **Roll Call Vote:** Yeas (7) Nays (0) Absent (0) **Motion Carried.**

4. Discussion Items:

A. Discussion concerning the Water Rate Study:

The council decided to delay a vote on the recommendations for a month to allow public review and feedback. Concerns were raised about the impact of rate increases on residents, especially in light of recent sewer rate hikes. The council discussed creating a community assistance program to support residents facing difficulties with the higher water rates, potentially involving the Community Action Agency and seeking seed funding from the Community Foundation. No formal action was taken during the meeting; the council will revisit the issue at the next meeting after gathering more input and exploring the assistance program.

5. New Business:

A. Consideration of Village Nuisance Ordinance:

The ordinance, which adopts the existing Township ordinance, was revised based on Village Council feedback. Additional language was incorporated to set objective standards for enforcing noise violations, including that the noise must last at least 15 minutes, be audible in an enclosed structure with windows closed, and occur between 11 PM and 7 AM.

Trustee Gale Moved, Supported by Trustee Ager that the Village Council adopt the Northport Village Nuisance Ordinance, as presented:
Discussion: Trustee Harper would like to see the C1 district with a time of 12-8.
Trustee Harper **Moved, Supported by** Trustee Ager to amend the ordinance to allow the C1 District to have quiet hours from 12 AM to 8 AM instead of the original 11 PM to 7 AM.
Roll Call Vote: Yeas (3) Trustee Harper, Conley and Ager Nays (0) Abstained (0) Absent (4) President McCann and Trustee Cook, Gale and Cavendish **Motion Failed.**

President McCann **Moved, Supported by** Trustee Harper to amend the ordinance to allow the C1 District to have quiet hours from 12 AM to 7 AM instead of the original 11 PM to 7 AM.
Roll Call Vote: Yeas (7) Nays (0) **Motion Carried.**

The Ordinance was adopted with a unanimous vote of the Council.

B. Consideration of Northport Village Social District Permit Applications:

The Michigan Liquor Control Commission has approved the social district map and operation/maintenance plan submitted by the Village. The next step is for the Village Council to adopt a resolution authorizing individual licensees who wish to participate in the social district to obtain an endorsement of their existing liquor licenses. Staff recommends approving applications from NPG, Fingers Crossed, Faro, Yard and Lake, or the Mitten. While these licensees are already permitted to sell covered drinks under their current licenses, the social district allows these drinks to be consumed within the designated area, but not beyond.

Trustee Cavendish **Moved, Supported by** Trustee Harper that the Northport Village Council adopt a resolution to approve all social district applications, as submitted, and authorize the Village Manager and Village Clerk to sign all documents necessary for submission of the application to the Michigan Liquor Control Commission. **Discussion:** Council members expressed confusion about the map of the social district and whether they had previously approved the concept, as referenced in the March 14, 2024 minutes. Trustee Ager raised concerns regarding patrons carrying drinks from one establishment into private businesses outside the district. Village Manager James Dyer clarified that the social district only allows the consumption of drinks purchased from participating establishments within designated public areas. Trustee Gale emphasized the need for clear markings to delineate non-participating businesses to avoid confusion for visitors. The council stressed the importance of signage to define the district's boundaries and acknowledged that they could revisit and amend the social district's regulations if any issues arise in the future.
Roll Call Vote: Yeas (7) Nays (0) Abstained (0) Absent (0) **Motion Carried.**

C. Consideration of a Planning Commission Request for Technical Assistance for the Master Plan:

James Dyer, as Zoning Administrator, recommended that the Village Council approve the Planning Commission's decision to amend the master plan without hiring a zoning or master plan consultant, given the limited undeveloped areas in the village and existing zoning controls. However, he noted that a significant portion of the master plan relies on a narrative of statistical data, which is time-consuming to update and outside the expertise of current staff and commission members. Dyer suggested hiring a consultant to prepare this statistical narrative, estimating the total cost to be less than $7,500, which would exceed his administrative spending authority. He requested the Village Council to authorize a budget amendment to allow the use of fund balance for this purpose.

Trustee Ager **Moved, Supported by** Trustee Harper Trustee Gale then made a motion for the Village Council to approve the Planning Commission's request for technical assistance for the master plan revision, not to exceed $7,500, and to authorize the Village Manager to sign all necessary contracts necessary to implement the resolution.
Roll Call Vote: Yeas (7) Nays (0) Abstained (0) Absent (0) **Motion Carried.**

D. Consideration of a Proposal to Codify Northport Ordinance

James Dyer proposed that the Village Council accept a proposal from Civic Plus to codify the Northport Village Ordinances, following a presentation of their capabilities in a previous meeting. The one-time cost for this service is just under $9,000, which exceeds his anticipated budget amount of $7,500 but is considered reasonable. Dyer highlighted the advantage of having direct access to codification attorneys during the review process. He noted that since the village rarely adopts or modifies ordinances, there may be potential for contracting only for modifications as needed instead of committing to a fixed contract rate.

Trustee Conley **Moved, Supported by** Trustee Harper that the Northport Village Council adopt a resolution to approve the Civic Plus proposal for $8,950 to codify and maintain the Village Ordinances, approve any necessary budget amendment, and authorize the Village Manager to sign all documents necessary to implement the resolution
Roll Call Vote: Yeas (7) Nays (0) Abstained (0) Absent (0) **Motion Carried.**

E. Consideration of the Revised Northport Zoning Ordinance

James Dyer presented the revised Northport Zoning Ordinance for formal adoption, noting that during the July meeting, the Village Council had already considered and approved three specific amendments recommended by the Planning Commission. He clarified that the version being presented for approval is a fully integrated revision of the Zoning Ordinance, which will serve as the reference for the required publication in the Leelanau Enterprise.

Trustee Gale **Moved, Supported by** Trustee Ager that the Northport Village Council adopt the revised Northport Village Zoning Ordinance, as previously amended and restated here in full, as presented.
Discussion: Trustee Conley noted that the definition of a Kennel was not clear and said “4 dogs”. Conley also noted that on page 26 (2B) the first sentence was unclear and required revision for better understanding. **Motion Carried.**

Payment of Bills:

Trustee Cook **Moved, Supported by** Trustee Gale to pay the bills for August for $127,483.94 when funds become available. **Roll Call Vote:** Yeas (7) Nays (0) Absent: (0) **Motion Carried.**

Public Comments:

None

Council Comments:

Trustee Cook- stated that he would like the council to consider lowering the 15-mile-per-hour speed limit on Bay Street and Road Street. He explained that it is frustrating because if he goes up Sixth Street, he can only turn right, and if he goes up Fifth Street, he can only turn right. He said that nobody else seems to bother to do the 15 mph speed limit, and he has been passed by school buses and golf carts. Trustee Cook felt that 15 mph is too slow in that area and would like the council to consider increasing the speed limit.

Adjournment:

Trustee Harper **Moved, Supported by** President McCann to adjourn the meeting at 8:53 pm. **Motion Carried.**

Several Citizens attended via Zoom.

Joni l. Scott, Village of Northport Clerk

.