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

Roll Call:

Council Members Present:
President McCann Trustees: Gale, Cavendish, Harper and Conley
Absent Members: Trustee Ager joined via Zoom and Cook was absent
Staff Present: DPW Superintendent- Chris Holton, Clerk-Scott and Village Manager/Zoning Administrator- Jim Dyer

Approval of Meeting Minutes:

Trustee Gale **Moved, Supported by** Trustee Cavendish to approve the January 4, 2024 Regular meeting minutes as distributed. **Motion Carried.**

Trustee Conley **Moved, Supported by** Trustee Cavendish to approve the January 12, 2024 Special meeting minutes as distributed. **Motion Carried.**

Approval of Agenda (amendments/additions):

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

Correspondence:

Kristi Fischer- support for affordable housing at 7th Street village owned property
Bruce Viger- support for the sale and development of the village owned property on 7th Street.
Leelanau Township Community Foundation- support for workforce/attainable housing and collaboration between the village and township.
Suzy Moffett- support for developing or selling the lots on 7th Street owned by the village.

Public Comment:

None

Staff Reports:

The Council received written reports from the Clerk and DPW Superintendent.

During the Clerk's report, there was a discussion about the cleanup of the wind turbine, with an emphasis on billing the Department of Public Works (DPW) hours accordingly. Village Manager Jim Dyer committed to looking into the matter and ensuring that it was addressed.

A. Village Manager/Zoning Administrator -

Village Manager/Zoning Administrator:

Village Manager Jim Dyer provided updates on various agenda items. He discussed the Housing North partnership, suggesting a potential joint planning commission with the township. Dyer recommended hiring a multi-state CPA firm for village auditing. He also addressed a property line dispute resolution and upcoming budget amendments. Dyer highlighted the need to clarify apparent deficits due to timing of revenue collection. Additionally, he mentioned future agenda items, including a natural hazard mitigation plan, golf course management contract extension, and social district ordinance adoption.

1. Committee Reports:

A. Finance Committee:

The Finance Committee met on January 10, 2024 and the meeting minutes were provided.

2. Ex-Officio Board Reports:

A. Planning Commission:

Jane Gale, discussed the upcoming Planning Commission work, noting that a public hearing to discuss zoning amendments is scheduled for the next meeting on February 21, 2024. She also mentioned that the Commission is initiating the process of updating the master plan and finalizing a citizen input questionnaire to gather direct feedback from the public.

B. NLTUA:

Ex-officio member Chris McCann that the NLTUA Board had a discussion about the structure between the village clerk and the township treasurer regarding the separation of duties for NLTUA. The NLTUA also approved the hire of a new auditing firm UHY. Additionally, they are finalizing the draft budget for 2024-25, and a copy of it is available in the Dropbox.

3. Discussion/Potential Action Items:

A. Consider Recommended Resolution of a Property Line Dispute:

Village Manager Jim Dyer discussed a longstanding dispute regarding the ownership and use of Park Street. He explained that the history of the issue dates back before his time as village manager but has been a significant focus since he arrived. The dispute arises from the lack of direct dedication of the right of way to the village in the original plat that created Park Street. The proposal aims to resolve the issue by quitclaiming the Eastern four feet of the property to Three Rivers Properties LLC lot (A) and Karl Wizinsky lot (B), while leasing the remaining area. Additionally, there is a provision for the village to use and maintain certain elements of the property under a lease agreement. The proposal is for a 15-year lease term, renewable for additional terms, with conditions for expiration tied to the operation of the mitten brewery or the condition of the holiday tree on the property. Dyer clarified that the village's acquisition is through an easement rather than a right of way, as specified in relevant legal precedent. He noted that while the village has used 20 feet of the property, the actual width of Park Street varies between 13 to 16 feet beyond that point.

Trustee Gale Moved, Supported by Trustee Cavendish to adopt the resolution 3-2024 resolving the property line dispute as outlined.

Discussion:

Trustee Harper voiced apprehensions regarding the proposed agreement, particularly focusing on the lease terms, legal implications, and potential extortion. He raised concerns about the village potentially relinquishing property rights in exchange for a lease with a short termination clause, deeming it unfavorable. Harper questioned the legitimacy of Karl's claims and stressed the significance of trust in negotiations. He acknowledged the difficulty of the decision for the Council and announced his abstention from voting due to his adjacent property's connection to the matter under discussion.

Trustee Conley explains the contents of the resolution, highlighting the quitclaim deed's significance in preserving the existing location of buildings on Park Street and enabling the utilization of the property effectively. Conley underscores the importance of ensuring that any construction is permitted only up to the current buildings' alignment, thereby maintaining the integrity of the area.

Trustee Ager questioned the fate of the agreement if Karl were to sell the property and she asked for clarification on whether the agreement would remain valid in the event of a change in ownership and whether Carl intends to withdraw the property from the market if the agreement is approved.

Jim Dyer, the Village Manager, emphasized that the agreement should not be contingent upon Karl retaining ownership of the property, but underscores the importance of recognizing Karl's commitment to the community. Despite potential disagreements, Dyer highlighted on Karl's love for the community and his dedication to preserving its essence, particularly at the corner in question. Dyer expressed his willingness to take a leap of faith, while acknowledging the risks involved, but asserts his belief in the sincerity of Karl's intentions.
Dyer highlighted his numerous conversations with Karl, underscoring their mutual appreciation for the community's importance. He aimed to convey a sense of trust and goodwill, indicating a belief in the shared interests of all involved parties.
Trustee Cavendish echoes Dyer's sentiment, emphasizing the importance of trust and faith in Karl's commitment to uphold his promises. She emphasizes the reciprocal nature of trust, noting that it requires both parties to fulfill their obligations. Cavendish expresses confidence that as long as the village honors its commitments, Karl will likewise fulfill his obligations.
Roll Call Vote: Yeas (4) Nays (0) Abstained (1) Trustee Harper Absent (2) Trustee Ager and Cook
Motion Carried. Resolution Declared Adopted.

B. Approve Contract with Auditing Firm:

Trustee Harper **Moved Supported by** Trustee Cavendish to approve the contract with UHY in the amount not to exceed $18,007.50.
Roll Call Vote: Yeas (5) Nays (0) Absent: (2) Motion Carried.

C. Approve Resolution to Amend Fee Schedule:

The Finance Committee recommended the following amendment to the fee schedule;

1. **Inclusion of Escrow Policy:** The Fee Schedule shall include the following statement: "Please be advised that the Village of Northport maintains an escrow policy for certain services, under which applicants may be required to provide an escrow payment to cover potential costs associated with the processing and review of their application, as detailed in our fee schedule."
2. **Amendment of ZBA Interpretation Request Fee:** The fee for a Zoning Board of Appeals interpretation request of a zoning hearing is hereby amended to $500, an increase from the previous fee of $100. This fee shall continue to be considered refundable in accordance with the Village's established policies.

Trustee Gale **Moved, Supported by** Trustee Cavendish to approve the resolution amending the fee schedule. **Roll Call Vote: Yeas (5) Nays (0) Absent: (2) Motion Carried.**

D. Approve 2024-25 Council Meeting Schedule:

Trustee Conley **Moved, Supported by** Trustee Harper to approve the 2024-25 meeting schedule amended to say the **second** Thursday of the month. **Roll Call Vote: Yeas (5) Nays (0) Absent: (2) Motion Carried.**

E. Approve Amendments to the 2023-24 Budget:

Trustee Conley **Moved, Supported by** Trustee Gale to approve the 2023-24 budget amendments extending the budget year by 4 months.
Roll Call Vote: Yeas (5) Nays (0) Absent: (2) **Motion Carried.**

Payment of Bills:

President McCann Moved, Supported by Trustee Gale to pay the bills for the month of December in the amount of $48,853.91 when funds become available. Discussion: Trustee Cavendish proposed a policy to manage bill payments, suggesting prioritizing utility payments to ensure they are made on time while holding off on other payments until authorized by the Council. Roll Call Vote: Yeas (5) Nays (0) Absent: (2) Motion Carried.

Public Comments:

Mary Betzoldt- asked about the March 7th meeting date regarding the public hearing on 7th Street.
Mike McMillan- the Leelanau Township Supervisor, reaffirmed Jim Dyer's earlier statement about the partnership between the village and the township, expressing ongoing support for collaboration. McMillan highlighted their joint efforts on various initiatives, including discussions about the Housing Commission. McMillan also mentioned their shared selection of the same auditor, emphasizing the importance of having a reputable firm that provides timely and balanced reports. He expressed satisfaction with the new auditor's responsiveness and efficiency compared to their previous experience, concluding with gratitude for the partnership.

Council Comments:

Trustee Conley- reiterated the urgency of addressing the housing issue, emphasizing the importance of taking action promptly due to its significant impact. She expressed concern about the prolonged delay and emphasized the need for progress as time passes and people await solutions.
Trustee Ager- expressed gratitude towards Jim Dyer for his dedicated efforts in addressing a longstanding issue that has weighed heavily on the community for years. Reflecting on past attempts to resolve the matter, Ager acknowledged the collaborative work undertaken previously and expressed hope that the current proposal would provide a viable solution. Despite being unable to vote at the moment, Ager indicated support for the decision made by others involved in the discussion.
Jim Dyer shared a few comments with the council, firstly encouraging attendance at the upcoming "Cocktails, Canapés, and Comedy" event at the Northport Performance Center, expressing anticipation for the enjoyable evening. Secondly, he echoed Trustee Conley's sentiments regarding the urgency of addressing the housing issue, emphasizing the significant time it may take for tangible progress to be seen, even if efforts were initiated promptly.

Adjournment:

Trustee Harper Moved, Supported by Trustee Conley to adjourn the meeting at 8:32 pm.
Motion Carried.

Several Citizens attended via zoom.

Joni l. Scott, Village of Northport Clerk

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