Village Manager Report
July 11, 2024

1. **Seventh Street Recommendation**. Progress continues for a potential land swap with the Township. Appraisals of the parcels in question should be completed shortly. We have also had a very productive meeting with the DNR to discuss the parameters of the land swap, confirm that a joint Township/Village property maintenance agreement was possible, and how the appraisals would be evaluated. I am confident that an agreement with the DNR to permit the transfer will occur.

2. **Hospital Demolition.** Work is progressing. The excavator is now on site. I expect we will shortly begin to see exterior work on site.

3. **Mill Pond.** A meeting with representatives of EGLE suggests that no further enforcement action will occur because of last year's drawdown. Also, we confirmed that the structure and detention area of the Mill Pond is of insufficient size to merit an order to repair or remove the control structures under the Michigan NREPA Part 315 (Dam Safety). Taking all of this into consideration, we have determined to submit a revision of the permit application submitted last June, to permit minimal repairs to the control structure. These repairs will permit measured and controlled drawdowns as necessary to maintain the pond level and assure continued downstream flow. If approved, the permit will allow five years to complete these repairs. Additionally, we will amend the application to specify when, and how, we will conduct future drawdowns. EGLE staff told us that an appropriately documented application could result in a permit of indefinite duration to allow these drawdowns.

4. **4th Street.** We received three responses to the Request for Proposal. All three were deemed responsible bidders. A Bid Tabulation is attached, along with the response from the low bidder and the EGLE Permit that specifies the work that can be performed. Based on the responses I recommend selection of Kal Excavating as the lowest responsible bidder, and request authorization to sign a contract, and any other documents necessary to complete the project. I have also attached a budget amendment request that will transfer $15,000 from the existing fund balance in the Local Street fund to the Capital Improvement Fund. There is sufficient fund balance to accommodate this project. We expect the work to be scheduled after September 1, 2024.

5. **Trash Pickup.** Given the extent of the discussion on this subject, and the variety of opinions. I recommend that the Village Council appropriate an acceptable level funding and authorize the Village Manager to organize an appropriate event to occur prior to Labor Day.

6. **Nuisance Ordinance.** I have been focused on finalizing the zoning ordinance 2024 revision. I will have draft for review at next meeting.

7. **Ordinance Codification Recommendation.** I have solicited proposals from several providers. And expect to make a recommendation soon. Attached is an example of a proposal from one of these vendors to give you an idea of what a codification program might cost, and what benefits that we can expect.

8. **Replacement of Debit Card with Credit Cards.** We have inquired at Huntington Bank about the possibility of using village credit cards in place of the existing single debit card issued to the alleged. Use of the debit card has proven to be cumbersome, particularly when it is used to set up recurring payments, since it is necessary to make certain that there is cash transferred to the debit card account prior to those payments. Huntington is willing to issue cards dedicated to specific departments with a total credit limit up to $25,000. Issuance of such cards would require a resolution from the Village Council sought, and the adoption of

policies defining how the cards may be used, how they are stored, how misuse will be prevented, and who is specifically responsible to the bank for the use of those cards. I recommend pursuing this course of action and will propose the specific documents and the specific policies and resolutions necessary to accomplish it at the next meeting.

9. **Bicycle Rental Vendor License Request.** A business has requested a temporary permit to rent e-bicycles on two nonconsecutive Saturdays between July 20th and the end of August 2024. Since our temporary vendors permit is intended to focus on food trucks, craft sales, and similar types of services are reluctant to approve this request without at least providing previous notice to the Village Council. I was concerned with the size of such an operation may be out of scale with the typical vendors that are approved. The applicant indicates that his operations would be from a trailer that would be no bigger than a food truck. Given the limited number of days proposed, I am inclined to grant the request, unless the Village Council deems that further study is necessary.

**10. Zoning Administration**.

a. **2024-12 -** Hass. 320 Shabwasung. Addition to existing structure. Front setback consistent with current front elevation.

b. **2024-13 -** Viger**.** 10885 N. Shore Drive. 30 x 45 metal storage structure

c. **109 Rose –** Update. The possible need for an EGLE Part 31 Floodplain permit may modify the scope of the project such that a variance may no longer be required. More to follow.

**11. Agenda Items Pending Discussion**

a. **Item 9C. Village Policies. (Possible Referral to Finance/Budget Committee)**

i. **Asset Capitalization**

ii. **Bank Reconciliation**

iii. **Investment**

iv. **ACH Control**

v. **Receivable Write Off**

vi. **Administrative Spending Authority**

vii. **Credit Card Use Policy**

b. **Item 9D. Village Council Meeting and Committee Structure and Schedule.**

**12. Agenda Items Pending Action**

a. **Item 10A**. **Zoning Ordinance.** Tonight, we are considering final adoption of the revised 2024 Northport Village Zoning Ordinance. The current Zoning Ordinance was adopted 18 years ago. The Planning Commission has been considering revisions to this ordinance since 2014. Work to completely revise the ordinance began in earnest in 2018. After numerous planning commission meetings, several public hearings (the most recent of which occurred on February 21, 2024) we finally have a recommended complete text of a fully risen revised zoning ordinance.

The proposed ordinance does not contain any changes to the zoning map. Only revisions of the text were considered. The major revision is to switch to a "form based" approach to zoning regulation that is intended to permit a wide variety of building types so long as they are consistent with the type of buildings forms pictured in the ordinance.

In tonight's packet are the December draft ordinance, and a January review of that ordinance that made certain technical corrections. Unfortunately, the January version had formatting problems with the pictures. Fortunately, none of the corrections adopted at the January Planning Commission meeting affected these pictures. A combination of these two documents was used at the February public hearing. They were approved and recommended by the Planning Commission for enactment by the Village Council.

Also presented tonight are three amendments for your consideration. These involve issues the planning commission felt required direct consideration by the Village Council.

For purposes of the debate tonight it is recommended that a motion to adopt the 2024 revised zoning ordinance occur first. Then each of the three proposed amendments can be considered and acted on separately. Once the three amendments are either accepted, rejected or modified, a final vote on adoption of the initial motion to adopt the revised ordinance would be appropriate.

POTENTIAL MOTION

**I move that the Northport Village Council adopted the proposed 2024 zoning ordinance, as presented.**

NOTE: For each of the three amendments a separate presentation of the issue, proposed solution and potential motion are presented for your consideration.

Should the Village Council approve adoption of the zoning ordinance planning commission asks the village council to consider a referral to consider wetland and Lakeshore setbacks, as detailed the proposed referral contained in the packet.

b. **Item 10B. Fourth Street Drainage Project.** After considerable discussion with the residents of 4th Street and the Michigan Department of Environment Great Lakes and Energy (EGLE) they issued a permit to perform limited work on the existing fourth Street open drain. EGLE considers this open drain to be a stream that provides natural aquatic biologic filtration prior to discharge into West Grand Traverse Bay. Though it is not considered to be the ideal solution is all that is currently permitted. Staff solicited bids to perform this work. Attached is a bid tabulation, a copy of the successful bid, the Eagle permit, and a proposed budget modification to transfer $15,000 from the Major Street fund to the Capital Improvement Projects fund to accomplish this project.

POTENTIAL MOTION

**I move that the Northport Village Council accept the bid of Kal Excavating as the lowest responsible bidder, award the contract, authorize the proposed budget transfer, and authorize the Village Manager to sign the contract and all necessary documents to complete the project.**

c. **Motion concerning a Village trash pickup event.**

POTENTIAL MOTION

**I move that the Northport Village Council appropriate <<<state dollar amount>>>and direct Village Manager to organize an event to occur, prior to September 30, 2024, if possible.**

d. **Item 10. Potential appointment to the planning commission.** The Village President may have an appointment for the vacant east on the Planning Commission. There is one vacancy with a term ending April 2025.

**"Our goal is Persistent Positive Action; to live in the future, and only learn from the past."**