

Village Manager Report
March 13, 2025

1. **Variance Hearing.** An extensive staff report has been provided for this item. As indicated there, the variance is necessary because the actual course of West Street deviated from the right-of-way actually plotted in the 1897 Hutchinson's addition to the Village of Northport. Normally a 20-foot setback in front yard makes sense with the way ways immediately adjacent to the property lot line. Since that is not the case here, as Village Zoning Administrator, I recommend approving the zoning, stated in the staff report.

I suggest the following motion, since documentation of the variance should be done by resolution: **Resolved, that the Village of Northport Village Council, acting as the Zoning Board of appeals, does approve variance 2025-01, as presented.**

2. **Audit.** The audit is complete, it was reviewed by the village council at its March 7, 2025 special meeting.
3. **Mill Pond.** We have not heard any response from Egle concerning her Mill Pond maintenance permit request, mandated by the 2023 unintended drawdown incident. However, I recently received notice that the permit has been "locked for review." This data suggests that we may receive a response fairly soon.
4. **Flagpole Illumination at Village Hall.** The flagpole illumination has been installed at the top of the flagpole located in front of Village Hall. The upper facing light that previously illuminated the flagpole has been decommissioned.
5. **Housing.** We are still waiting on the Township to approve a joint application to remove the public use restriction on Buster Dames Park, owned by the Township, and transfer it to the north portion of the seventh Street property owned by the Village, as previously discussed. All of the experts and consultants that we have encountered agree that the Buster Dames Park site is ideal for the construction of attainable housing. The site is large enough to accommodate a fairly substantial number of units, all utilities are available on-site, the property is owned by municipality and would not result in an undo tax burden should the property be removed from the tax rolls, since it is currently not taxed. In addition, because of the zero tax currently on the property a Morrison significant tax capture could be generated if an appropriate tax increment finance (TIF) vehicle could be identified.

The Township has decided to conduct several public meetings. The first meeting will occur on March 19. This will be a public hearing conducted by the Township Parks and Recreation committee. The objective is to discuss both properties and the community's need for parks. The second meeting will consider the various locations where attainable housing could be built and to discuss the concept generally, this meeting will occur on April 9. Both Township and village trustees in both planning commissions have been invited.

6. **Vincer Woods Site Condominium.** The applicant here proposes a site condominium to add three buildings close to the entrance of Vincer Way. The site plan has been reviewed, and approved by the planning commission, with several conditions, as described in their meeting minutes contained in the Dropbox. This issue is brought to your attention because of an inconsistency in the current zoning ordinance. Section 3.20 (A)(4), which states that "... the project shall undergo Site Plan Review and approval by the Planning Commission in accordance with article X VIII of this ordinance." This section is contrasted with Section 3.20

(B)(2)(b), which states that deed restrictions and the Master Deed, “. . . shall be reviewed and approved by the village council and thereafter recorded with County Registry of Deeds.”

Since, in the normal course of events a site plan is reviewed and approved by the planning commission without input from the Village Council, I believe that this inconsistency should be resolved in favor of deference to the decision of the planning commission. I doubt that the drafters of the zoning ordinance actually intended for review to a current both levels. However, out of an abundance of caution I would suggest that the Village Council approve the site plan according to Section 3.20 (B)(2)(b). The suggested motion treats approval by both entities as necessary to final approval.

- 7. Village Council Rules of Procedure.** Based upon the discussion at our January meeting I have prepared a draft of revised Village Council rules that would eliminate standing committees other than the budget committee, and in his place adopt the second meeting of the village council, the function as a working meeting, attending to the issues normally discussed at the committee level.

When discussing these changes with staff there was an extraordinarily strong preference voiced that the second Village Council meeting be held during the daytime, rather than the evening, as all of the committee meetings currently are scheduled. A second meeting during the evening would require modifying staff hours. For this reason, I have the time for this meeting to be determined by the village council, should it see fit to adopt these revisions.

I suggest that the procedure adopted to discuss this proposal would begin with a motion to adopt the revised rules as presented. That would be followed by discussion of specific provisions to change that could be accepted or rejected as amendments to the original motion. The final motion, as suggested in this report, would be a simple motion to accept the rule amendments as amended.

I continue to believe that that this process is far better suited to a Village Manager/Council government, as mandated by the ordinance adopted in 2023. As suggested, subject matter experts

- 8. SCADA System.** In the past we have budgeted for a new SCADA system to permit radio communication between water pumps, and emergency notification to DPW when there is a problem that requires immediate attention. The existing 900 MHz radios were end-of-life and were no longer being manufactured. This caused us to review the possibility of installing 4000 MHz system. The lower quote, received in 2024, proposed the use of 4000 MHz radios, rather than the 900MHz currently in use. While the 4000 MHz radios have a higher band width, and can carry more data, they are also highly susceptible to interference from foliage, the tree canopy within Northport, and the number of low-lying areas within the Village. We budgeted for the 4000 MHz system, but testing proved that it would not work. After further testing, are contractor Integrated Controls determined that a 900 MHz system would work, and they were able to locate a newer and more dependable 900 MHz system than had previously been available when they submitted the 2024 bid. Unfortunately, the radios cost substantially more, resulting in the increased cost.

However, given our long-standing relationship with Integrated Controls, which installed the original SCADA system and has provided an excellent maintenance response over the years, they have agreed not to charge for their testing to determine the viability of a 4000 MHz system, or the consulting work to identify the 900 MHz system currently proposed. Also, since

the installation will occur in the late spring and early summer they have agreed to bill the first installment in this fiscal year, and the second installment fiscal year. Staff recommend that the Village Council approve the 2025 proposal and make any budget changes that may be necessary.

- 9. Push Camera for Sewer/Water/Culvert inspection.** The DPW has had numerous occasions over the last couple of years to use a push camera to inspect water and sewer lines, and culverts that are too small for personal examination from inside. In the past the cost of push cameras, which function like a plumber snake with a small fiber-optic cable at the end, were price prohibitive. Fortunately, prices have come down and we have identified a nonautomated 300-foot camera system that can be purchased for less than \$2000. I have authorized the purchase subject to my own spending Authority. We are also exploring the possibility that NLTUA may be willing to contribute one half the cost. The camera system in question permits inspection of lines as small in diameter as 1½ inches, the system also has a means of identifying the distance, and both top to bottom and lateral measurements that will help locate buried lines in three-dimensional space reducing the chance of accidental severance during construction.

10.Zoning Administration. I have approved the following new Land Use Permits:

- a. **2025-01.** Daniel Caudill / Waukazoo, LLC. 109 E. Nagonaba, the South end of the building (former Fitness Center). Construct a new rear entrance door and a deck area along the South and West sides of the building. Staff verified with MDOT and other sources that the proposed ramp would not interfere with the MDOT right of way, private easements, or the existing sidewalk on the West side of the building. The ramp will be constructed within the property lot line of the building. The Planning commission also concurrently approved the site plan for the exterior modifications since the proposed use is a commercial retail space.
- b. **2025-02.** Gregory Holwerda. 10978 North Shore Drive. Expansion of an elevated deck on an existing residence. Application complied with the Zoning Ordinance, and is conditionally approved subject to new, or amendment of existing, EGLE permit to construct in or adjacent to a wetland.
- c. **Other:** Approached by a developer considering construction of a residence and possibly attainable housing on a parcel (042-234-038-01) near the western end of Flees Road, near the marina storage facility North of the Boatyard.
- d. **Other.** Possible single-family home on a new lot split from a larger parcel located on a new address in the Village, 375 3rd Street. The permit request has been submitted, but the property is located near a delineated wetland, and a portion of it sits within the flood plain. An EGLE Permit has been applied for, and I am working with the applicant about the flood plain issues. This application also raises a question about section 3.13 of the Northport Zoning Ordinance, which prohibits any construction within seventy-five ". . . of the Mill Pond or Northport Creek or any of its associated wetlands." This regulation is fairly severe, there are numerous parcels in the Village that do not now comply making expansion or even reconstruction after a fire problematic, and EGLE is much better placed, and already does regulate construction at this sort of location. Consideration should be given to modification of this section, perhaps to at least allow construction consistent with a permit issued by EGLE.

11. Comments Regarding Notable Invoices Paid. I am adding this new section to my report to provide comments regarding paid invoices beyond the brief description in the check register report.

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| a. | 1/08/25 | Michigan Blue Book mandated by EGLE. | \$3738.25 | Water Testing Equipment |
| b. | 1/21/25 | Genessee ISD Payment | \$1,750.00 | Manager Search Progress |
| c. | 1/21/25 | Municipal Underwriters Premium Payment. | \$39,552.00 | Liability Insurance Annual |
| d. | 1/21/25 | Olson Bzdok & Howard | \$1,539.00 | Election Issues |
| e. | 2/4/25 | Leelanau Enterprise | \$203.00 | Publication of Variance Notice |
| f. | 2/18/25 | Olson Bzdok & Howard | \$475.00 | Election Issues |
| g. | 2/18/25 | Traverses City Record Eagle | \$564.00 | Manager Ad Placement |
| h. | 2/26/25 | Affinity Technology Monitoring, and purchase of a block of future support time at a contract rate. | \$3,242.51 | Regular Monthly Security |
| i. | 2/26/25 | Basis Benefits Medicare Reimbursement Program Insurance substitute. | \$618.36 | Annual support fee for the |
| j. | 02/26/25 | Wade Trim Zoning Revision Consultant. | \$824.62 | Final Contract Billing for |

12. Agenda Items Pending Discussion

- a. **Budget Status Presentation** – a review of the six-month budget progress shows no areas of concern in either expense or revenue funds. Staff continue to analyze employee allocation among the various funds. This analysis suggests that some of the allocations will need to be modified. In particular, much more employee time and expenses are attributed to the water department than previously budgeted. His presentation will be a good jumping off point for suggesting major budget corrections, and the 2025-2026 budget.
- b. **Vehicle Charging Stations Discussion** - at least one of the (no fee) electric vehicle charging stations is not currently operating. We received several calls from the public about this, most of which appear to come from visitors to Northport, as suspected.

13. Agenda Items Pending Action

- a. **Item 11A – Consideration of the Vincer Woods Site Condominium**

POTENTIAL MOTION

I Move that the Northport Village Council approve the Vincer Woods Site Condominium Section 3.20 (B)(2)(b) of the Northport Zoning Ordinance, and

adopt the same conditions approved by the Planning Commission after its review and approval, according to Section 3.20 (A)(4).

- b. **Item 11B**-Consideration of Revised Village Council Meeting Rules

POTENTIAL MOTION

I Move the Northport Village Council adopt the revised Village Council meeting rules of procedure, as amended at the meeting.

- c. **Item 10C**- Consideration of a modification of the budget allocation for the SCADA system.

POTENTIAL MOTION

I Move that the Northport Village Council approve the modification to the previously approved budget allocation for the SCADA System, as presented, and authorize any necessary budget modifications.

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