VILLAGE OF NORTHPORT
Leelanau County, Michigan

DRAFT REGULAR COUNCIL MEETING MINUTES
December 18, 2025 – 7:00 p.m.

1. CALL TO ORDER / ROLL CALL

President McCann called the meeting to order at 7:00 p.m.

Roll Call: President McCann and Trustees Harper, Cavendish, Cook, and Dean were present. Trustee Ruble attended via Zoom. Absent: Trustee Ager

Staff present: Village Manager/Zoning Administrator Jered Ottenwess, Treasurer Elizabeth Rutila

2. APPROVAL OF AGENDA

The agenda was approved by consensus of the Council as presented.

3. CONSENT AGENDA

Trustee Harper Moved, Supported by Trustee Cook, to approve the consent agenda. Trustee Cavendish requested that both sets of minutes be removed for correction, noting that the Clerk had been out and unable to complete the updates. The amended consent agenda passed.

4. PUBLIC COMMENT

None

5. CORRESPONDENCE

Mark and Jane Voight provided correspondence on the future development of 7th Street.

6. EX-OFFICIO REPORTS

A. Planning Commission Report –
The Planning Commission report included an update on the ongoing Master Plan review and continued discussion regarding zoning definitions, with particular focus on transient lodging. New zoning definitions, an updated use table, and special use regulations for campgrounds and RV parks have been finalized and are ready for Planning Commission recommendation. The Commission also reviewed proposed amendments to the D1 Multi-Use District, including corresponding map changes. Both the campground/RV park regulations and the D1 district amendments are expected to proceed to public hearings in the near future. These recommendations will return to the Village Council for further action, likely in February or March.

B. Infrastructure Liaison Report –
Trustee Cavendish reported that work is ongoing to coordinate pricing and scheduling for all current and upcoming infrastructure projects.

C. Marina Liaison Report – Trustee Cook

None

D. NLTUA Liaison Report –
President McCann reported that the NLTUA has begun review of its draft budget, with formal adoption anticipated in February. Updates were provided on several upcoming capital

improvements, including mainline cleaning and realignment of the wet well. The NLTUA also approved an amendment to the Jacobs agreement, allowing Jacobs to continue serving as the wastewater treatment facility operator.

Additional updates included the transition of phone service at lift stations and treatment facilities from traditional landlines to cellular technology. President McCann also noted two items requiring further attention: (1) an Accessory Dwelling Unit (ADU) with its own grinder pump that had been connected to the primary dwelling's pump, raising questions regarding liability and proper connection procedures; and (2) a split parcel located within the sewer assessment district that appears to require coordination with the Township to clarify land use permitting and ensure appropriate district placement.

7. NEW BUSINESS

A. UHY Settlement Agreement and Release

Village Manager Ottenwess provided a summary of the proposed Settlement Agreement and Release with UHY, reviewing the major terms and noting that the agreement reflected the Village's prior counteroffer to resolve the disputed invoice for $8,295, approximately half of the amount originally billed. He explained that the agreement includes a full mutual release of claims, a non-disparagement provision binding both parties, no admission of liability, and final closure of all matters related to past audit work.

Trustee Cavendish Moved, Supported by Trustee Harper, to approve the UHY Settlement Agreement and Release as presented and to authorize the Village Manager to execute the agreement. Roll Call Vote: Yeas (5) Nays (0) Motion Carried.

B. Resolution 2025-18 -2026 Marina Rates

Manager Ottenwess reviewed Resolution 2025-18, noting that the Village Council previously discussed marina rates for the 2026 season and beyond at the December 4 Work Session. The resolution formalizes the seasonal and transient slip rate schedules for the Marina based on DNR rate guidelines and local demand. Packet materials included the draft resolution and the DNR 2026 Marina Rate Sheets.

Summary of Proposed Rates:
• **2026 Seasonal Slip Rates:** Increase from $100/foot to **Rate 2 ($112/foot)**.
• **2026 Transient Slip Rates:** Maintain the 2025 base rate (**Rate B**) with tiered rate adjustments based on demand:
– Rate B: 5/15–6/14
– Rate G: 6/15–6/27
– Rate H: 6/28–7/6 (July 4th week)
– Rate G: 7/7–9/15
– Rate B: 9/16–9/25
– Rate G: 9/26–9/29 (UnCaged weekend)
– Rate B: 9/30–10/14

• **2027 Seasonal Slip Rates:** Increase from Rate 2 ($112/foot) to **Rate 1 ($121/foot)**.
• **2027 Transient Slip Rates:** Same tiered structure as 2026.

Estimated revenue impacts per the Harbormaster:
– **Seasonal increase:** approx. $43,000
– **Transient increase:** approx. $6,000

Trustee Harper requested that the resolution be divided into two separate actions, one addressing seasonal rates and the other addressing transient rates, due to differing rate structures and a conflict of interest requiring his abstention from the seasonal rate vote.

1. Seasonal Slip Rates

Trustee Cavendish Moved, Supported by Trustee Cook, to adopt the seasonal marina slip rates for the 2026 and 2027 seasons as presented.
Discussion:
Clarification was provided that the motion pertained solely to the seasonal rate portion of the resolution.
Roll Call Vote: Yeas (4) Nays (0) Abstained (1) Trustee Harper Motion Carried.

2. Transient Slip Rates

Trustee Cook Moved, Supported by Trustee Cavendish, to adopt the 2026 transient slip rates as presented.
Roll Call Vote: Yeas (5) Nays (0) Motion Carried.

C. 2026 Village Council Meeting Schedule and Village Holidays

Manager Ottenwess presented the proposed 2026 Village Council meeting schedule and the 2026 Village holiday calendar for Council approval.

Trustee Cavendish Moved, Supported by Trustee Harper**,** to approve the 2026 Village Council meeting schedule and the 2026 Village holidays as presented. Roll Call Vote: Yeas (5) Nays (0) Motion Carried.

D. Rules of Procedure Amendment

Manager Ottenwess summarized the proposed revisions to the Rules of Procedure, noting that the updates were drafted at Council direction following the December 4 Work Session and incorporated recent legal guidance from Village Counsel regarding remote attendance under the Michigan Open Meetings Act (OMA). Key revisions included:

- Updating the agenda format to better align liaison reports with the timing of related subject matter.
- Clarifying language in the quorum section to state that any action taken by a Committee of the Whole without a quorum is advisory only.
- Rewriting the attendance section to comply with OMA restrictions, under which Trustees may attend electronically but may not deliberate or vote unless the absence meets OMA exceptions (military, qualifying medical condition, or declared emergency).
- Adding a new remote public comment section, recognizing that while not required under OMA, the Council may continue allowing remote participation as a matter of accessibility and practice.

Discussion:
Council discussed how remote attendance should be treated, the limits on participation for deliberation, and the President's discretion to permit brief factual clarifications by Trustees attending remotely. The Council also reviewed the need to define "unexcused excessive absences," agreeing that criteria or definitions should be drafted and presented at the January meeting. Members further suggested clarifying that Trustees may add items to both regular and work session agendas.
The Council affirmed that remote public comment is permitted as a voluntary practice and agreed that the Rules of Procedure may continue to be refined and improved over time.

Trustee Cavendish Moved, Supported by Trustee Deam, to table action on the Rules of Procedure revisions to a future meeting, with the intent to consolidate all proposed changes and revisit them in January. Motion Carried.

8. PUBLIC COMMENT

None

9. COUNCIL COMMENTS

Trustee Cavendish- requested that the Council take a vote at a future meeting regarding the intent for development of the Seventh Street property. She also noted that the video from the recent Work Session had not yet been posted to the Village's YouTube channel.

Trustee Dean- expressed support for moving forward with audio/visual upgrades for the meeting room.

President McCann- announced that longtime Planning Commission member Kathy Wessell would not seek reappointment and thanked her for her many years of dedicated service. He stated that the process to identify and appoint a replacement would begin.

Trustee Harper- clarified that his applause earlier in the meeting was directed toward recognizing Kathy Wessell's service to the community, and he wished everyone a Merry Christmas.

Village Manager Jered Ottenwess provided an update on ongoing efforts to improve the meeting room's audio and visual systems and described the next steps in the upgrade process. He requested feedback from Council members regarding desired features and priorities.

10. ADJOURNMENT

Trustee Harper Moved, Supported by President McCann, to adjourn the meeting at 7:35 p.m. Motion carried unanimously.

Respectfully Submitted,

Joni L. Scott, Village Clerk