VILLAGE OF NORTHPORT
Leelanau County, Michigan

DRAFT REGULAR COUNCIL MEETING MINUTES
January 29, 2026 – 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, Ager and Dean were present. Trustee Ruble attended via Zoom.

Staff present: Village Manager/Zoning Administrator Jered Ottenwess, Clerk Joni Scott Treasurer Elizabeth Rutila, Chris Holton, DPW Superintendent

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. Discussion: Trustee Cavendish requested that the treasurer's report be removed from the consent agenda for discussion. Motion Carried. The consent agenda was approved as amended.

4. PUBLIC COMMENT

Karl Wizinsky spoke about long-standing governance challenges in the Village, particularly difficulties in recruiting and retaining candidates for elected and appointed positions. He expressed support for exploring structural changes, including reducing the number of council seats, and suggested that if a referendum is pursued, it should also include consideration of consolidating the Village and Township into a charter township, allowing voters to decide on the future form of local governance.

Kevin Murphy spoke in support of increasing year-round housing for people who live and work in the Village and expressed concern about the prevalence of short-term rentals. He encouraged the Council to prioritize housing on Seventh Street that supports permanent residents and the local workforce.

Jamie Scripps expressed general support for the Village's efforts to pursue attainable housing, noting its importance to maintaining a healthy, vibrant community and supporting institutions such as schools and the library.

Eric Potes urged the Council to move forward with Seventh Street as a site for attainable housing, emphasizing the need for family and workforce housing to prevent Northport from becoming solely a seasonal or retirement community. While questioning the cost of renderings, he supported modest, well-designed housing that fits the neighborhood and contributes to a year-round community.

Alan Dalzel commented via Zoom regarding audio quality during public comment, suggesting the use of a microphone for speakers and recommending that written public comments be posted on the Village website for accessibility.

5. CORRESPONDENCE

President McCann stated that correspondence from Vicki Slot, Joanne Swanson, and Christy Fisher regarding the Seventh Street parcel and related discussion was included in the meeting packet.

6. EX-OFFICIO REPORTS

A. Planning Commission Report –
Trustee Cavendish reported that the Planning Commission met the evening prior to the council meeting and approved a special use permit for a short-term rental. Cavendish noted continued work on the Capital Improvement Plan, with completion targeted for April and key items including the culvert and water infrastructure projects. Trustee Cavendish also reported ongoing work on the Master Plan, with the goal of scheduling public hearings during the summer and presenting the finalized plan by September; a draft is currently available for public review in meeting packets.

B. Infrastructure Liaison Report –
Trustee Cavendish reported that the primary infrastructure matters before the Council involved the Rose Street culvert project and ongoing water system issues. Village Manager Jered Ottenwess confirmed that the culvert project would be discussed later on the agenda and noted two additional water-related concerns—one near Nagonaba Street and another on Fifth Street. He added that further infrastructure details would be addressed as part of upcoming Capital Improvement Plan discussions.

C. Marina Liaison Report –

Trustee Cook noted that the Marina report prepared by Bill was included in the meeting packet. He briefly highlighted water levels as the primary current concern, explaining that conditions would not be able to be addressed until spring and would depend in part on winter freeze conditions.

D. NLTUA Liaison Report –
President McCann reported that the NLTUA will meet next in February to approve the budget.

E. Treasurer's Report-

Clerk Joni Scott reported on the line item "Contributions from Private Sources." Trustee Cavendish requested clarification on whether the amount shown ($4,420.80 of the $18,000 budgeted) reflected fireworks, the Christmas tree, or both. Clerk Scott confirmed it includes both fireworks and tree donations and represents contributions received to date for the current fiscal year. She noted that most fireworks donations are typically received before the end of the fiscal year (June 30) and that approximately $9,000 in restricted funds is already set aside for fireworks.

7. NEW BUSINESS

A. Resolution 2026-1 MDOT Rose Street Culvert Grant Agreement

Trustee Ager Moved, Supported by Trustee Harper, to adopt Resolution No. 2026-1 approving an agreement with the Michigan Department of Transportation (MDOT) and authorizing execution of Contract No. 25-5592. **Discussion:** Council discussed Resolution No. 2026-1 related to the Rose Street culvert replacement project, confirming that the agreement with MDOT secures grant funding on a reimbursement basis but does not obligate the Village to award a construction contract at this time. Estimated project costs and grant funding were reviewed, and it was noted that the culvert is a critical infrastructure choke point and that delaying the project could increase future costs.
Roll Call Vote: Yeas (6) Nays (0) Absent (1) Motion Carried. **Resolution Declared Adopted**.

B. Resolution 2026-2 Seventh Street Parcel Use

Trustee Ager Moved, Supported by Trustee Cavendish, to approve Resolution 2026-2 to determine the future use of village owned parcel known as 7th Street.
Discussion:
Trustee Ager stated that the resolution formally acknowledges the Council's intent to explore development of the Seventh Street frontage, but does not obligate the Village to construct housing. She emphasized that the vote clarifies direction while preserving flexibility.
Trustee Cavendish stressed the importance of transparency and having a clear, on-the-record statement of intent before expending additional funds. She described housing as a significant community need and supported pursuing attainable/workforce housing on the 1.2-acre frontage while permanently protecting the 4.7-acre wooded portion as parkland. She also emphasized the importance of deed restrictions and prohibiting short-term rentals if housing is developed.
Trustee Harper expressed support for Option 2, noting he has favored this approach for several years. He acknowledged concerns about public perception and timing but stated his position would not change and ultimately supported moving forward.
Trustee Dean asked for clarification on what "development" could include under Option 2. He inquired whether restoration of the land, park improvements, or features such as a boardwalk could also be considered, and whether voting in favor would still allow the Council to review multiple options rather than committing exclusively to housing concepts.
Trustee Cook noted he had met with a resident who raised concerns about sewer capacity related to potential development. He stated he had been assured that sewer capacity would be sufficient and that this issue would not change his vote.
President McCann clarified that designating the frontage for "development" does not predetermine a specific outcome. He stated that if housing proposals prove infeasible, other public uses or park-related improvements could still be considered within the development area.

Roll Call Vote: Yeas (6) Nays (0) Absent (1) Motion Carried. **Resolution Declared Adopted**.

C. Auditor RFP
Village Manager Jered Ottenwess reviewed the three audit proposals received, noting that costs ranged from approximately $12,000 to $30,000 and that each firm structured pricing differently. He explained that all firms had municipal experience, but direct comparison was challenging due to variations in fee structure, travel costs, and billing format.

Trustees discussed the merits of each proposal, expressing particular concern about avoiding unexpected cost increases similar to prior experiences. The proposal from Morgan & Associates was viewed favorably due to its flat, all-inclusive fee structure, which several members felt provided clearer cost certainty. While the lowest proposal was acknowledged as attractive from a cost standpoint, there was concern that an unusually low bid could result in additional charges later. The highest-priced firm was recognized as reputable but significantly more expensive.

Consensus emerged around selecting the middle-priced firm based on fee transparency and overall value.

Trustee Harper Moved, Supported by Trustee Ager, to authorize the Village Manager to negotiate a service agreement with Morgan & Associates for auditing services.
Roll Call Vote: Yeas (6) Nays (0) Absent (1). Motion Carried.

D. Village Attorney RFQ

Trustee Harper stated he wanted additional time to conduct background research on the responding firms and to evaluate the performance of the current village attorney. He indicated that recent responsiveness and completion of previously promised items would significantly affect his decision on whether to retain current counsel or select a new firm. He also noted he had not realized the RFQ would be brought to a decision point at this meeting and preferred additional time for review.
The Council discussed that the current attorney has served approximately five years, and members acknowledged that periodically reviewing professional service providers is considered good governance practice.

Trustee Harper Moved, Supported by Trustee Ager to table the Request for Qualifications (RFQ) for Village Attorney until the next regular meeting. Motion Carried

Discussion Items:

1. **Water Ordinance Amendment**

Village Manager Jered Ottenwess reviewed proposed amendments to the water ordinance intended to clarify responsibility between the Village and property owners for water service connections, particularly defining responsibility from the water main to the building. He explained that while the current ordinance implied owner responsibility, the language lacked clarity and had led to operational confusion. The amendments are intended to codify existing practice and eliminate interpretation issues raised by DPW staff.
Trustees expressed support for the revisions. Trustee Ager stated the changes simply put into writing what had already been understood, and Trustee Cook noted that clearer language would help avoid recurring disputes over responsibility. President McCann agreed the revisions clearly define where responsibility lies between the Village and property owners.
It was further explained that water fees will be removed from the ordinance text and incorporated into the Village's consolidated fee schedule, which can be amended by resolution as needed. Council consensus was to bring the revised ordinance and companion fee schedule resolution back at the next regular meeting for formal adoption.

2. **Rules of Procedure**

Village Manager Jered Ottenwess reviewed proposed amendments to the Village Council Rules of Procedure. Council members generally expressed comfort with moving the revisions forward. Discussion focused primarily on the new language defining excused versus unexcused absences. The draft clarifies that excused absences are limited to specific causes such as illness, injury, bereavement, jury duty, military duty, parental leave, or other compulsory legal processes, and that vacation or routine employment conflicts do not constitute cause. The revisions outline that three unexcused absences may warrant censure, and three additional unexcused absences may result in a request for removal. It was clarified that the Council does not have authority to directly remove an elected official, but may formally request removal through the appropriate process. Loss of meeting compensation would apply to individual unexcused absences.

The Manager also noted minor wording updates, including clarifying that any council member may request that an item be placed on an agenda. The item will return at a future meeting for formal consideration and action.

3. **Village Council Reduction in Number of Trustees**

President McCann introduced a discussion of a potential reduction in the number of Village Council trustees, noting the idea originated from the recent council retreat and was prompted in part by difficulty attracting candidates in the last election. He explained that under the General Law Village Act, any reduction would occur gradually through future election cycles rather than affecting sitting members mid-term, and would ultimately move the council from seven members (six trustees and a president) to five (four trustees and a president).

Trustee Harper expressed concern that a smaller council could result in more tie votes, as the Village President cannot break a tie, and questioned whether reducing the council now would be prudent given potential future changes such as township charter status or consolidation. He also emphasized the value of having diverse viewpoints represented on a seven-member body. Trustee Cavendish acknowledged the challenge of finding candidates but noted the importance of maintaining diverse voices in decision-making. Other members recognized the practical recruitment issues but did not advocate strongly either direction.

Village Manager Jered Ottenwess confirmed that state law permits such a reduction and that many similarly sized municipalities operate with five-member councils.

4. **Jerry Spears Commercial Slip Settlement**

Trustee Harper Moved, Supported by Trustee Cook to authorize the Village Manager to pay Jerry Spears an amount not to exceed $33,000 to resolve the outstanding commercial slip fee dispute, with the payment conditioned upon inclusion of an accord and satisfaction clause stating that endorsement of the check constitutes full payment of all obligations and amounts owed.

Discussion:
President McCann summarized that Council had previously approved a settlement amount, but Mr. Spears disputed the calculation, asserting that a prior verbal agreement allowed a reduced $10,000 annual slip fee. Council reviewed the documented history, noting that while a one-year reduced rate had been discussed, subsequent years were to be charged at double the non-commercial rate, and that no formal Council approval supported the extended reduced amount. Trustees discussed the lack of signed agreements in prior years and clarified that waterfront committee discussions did not constitute final Council authorization. Trustee Harper stated that the Village's calculation reflects documented policy and that attaching an accord and satisfaction clause would ensure the matter is fully resolved upon payment. Council members also indicated that if the dispute remains unresolved, the Village would be disinclined to offer a future commercial slip agreement while a financial disagreement or potential litigation is ongoing.

Roll Call Vote: Yeas (6) Nays (0) Absent (1) Motion Carried.

8. PUBLIC COMMENT

Kevin Murphy asked for clarification regarding the Seventh Street resolution, specifically whether the 1.2-acre development area and 4.7-acre park designation are now fixed, and whether the park-designated portion could still include improvements such as trails or other amenities.

Fred Steffens (via Zoom) asked for clarification regarding the $32,000 payment to Jerry Spears and expressed concern about past business practices, stating the Village should learn from prior contractual disputes.

Eric Potes thanked Council for its work and expressed support for the Seventh Street vote, but requested clarification on whether the 1.2-acre portion is firmly intended for attainable housing or remains open to other potential uses.

Joanne Swanson noted that a naturalization rendering had previously been requested by a member of the public and thanked Council for directing that a park-style rendering be included along with housing concepts.

Kay Penzien (via Zoom) expressed concern about Council voting on the Seventh Street resolution prior to reviewing renderings, questioning the timing of the decision relative to the design work.

9. COUNCIL COMMENTS

President McCann clarified that the 1.2-acre / 4.7-acre split for the Seventh Street parcel had been previously approved and remains the working configuration, with the front 1.2 acres open for development and the rear 4.7 acres dedicated as parkland. He noted that park improvements could occur within the designated park area. He also confirmed that the $6,000 rendering authorization covers concept work for both the Seventh Street parcel and 164 South High Street, including multiple housing concepts and one passive-park concept for Seventh Street.

Trustee Ager reaffirmed her support for pursuing housing on the Seventh Street frontage, emphasizing a preference for attainable housing and continued discussions with potential partners. She also expressed appreciation for departing DPW employee Kent Holton and thanked him for his service to the Village.

Trustee Ruble, participating remotely, stated that he would have voted "yes" on the Rose Street culvert resolution, the Seventh Street resolution, and the Jerry Spears settlement. He also offered assistance in reviewing attorney proposals and noted concerns regarding audio quality during Zoom participation.

Village Manager Ottenwess proposed canceling the upcoming work session and indicated that remaining items could be addressed at the February 19 regular meeting, which is expected to be a full agenda. The Council expressed agreement.

10. ADJOURNMENT

Trustee Harper Moved, Supported by President McCann, to adjourn the meeting at 8:32 p.m. Motion carried unanimously.

Respectfully Submitted,

Joni L. Scott, Village Clerk