

VILLAGE OF NORTHPORT
Leelanau County, Michigan

DRAFT REGULAR COUNCIL MEETING MINUTES
February 19, 2026 – 7:00 p.m.

1. CALL TO ORDER / ROLL CALL

President Pro tempore Cook called the meeting to order at 7:00 p.m.

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

Absent: President McCann

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

2. APPROVAL OF AGENDA

President Pro tempore Cook added a proposal from Machin Engineering as an action item to the agenda.

Trustee Harper Moved, Supported by Trustee Ager to approve the agenda as amended. Motion Carried.

3. CONSENT AGENDA

Trustee Ager Moved, Supported by Trustee Cavendish to approve the consent agenda as presented. Motion Carried.

4. PUBLIC COMMENT

John Weber- commented on the upcoming Planning Commission Public Hearing, scheduled for March 11, 2026 noting that it was not clearly shown on the village calendar and asked that it be updated. Weber also requested updates on the Dam project and raised concerns about summer recycling overflow, suggesting additional containers during the peak months.

5. CORRESPONDENCE

David Brigham-Northport Creek, EGLE

Mary Tonneberger- Northport Creek Dam

6. EX-OFFICIO REPORTS

A. Planning Commission Report –

Trustee Cavendish reported that Planning Commission member Kathy Wessel's term ends in April, creating a vacancy that must be filled by a village resident, and trustees were asked to help spread the word. The Commission continues work on the Master Plan and may hire a consultant to review the draft for legal or technical issues. A revised Capital Improvement Plan is nearing completion and will be forwarded to the Council as part of upcoming budget discussions. The Commission is also revising its public participation survey and reviewing potential zoning updates, particularly along the shoreline. She noted that the March 11 public hearing on proposed rezoning will occur during the regular Planning Commission meeting, has been publicly noticed, and will result in a recommendation to the Council for final action.

B. Infrastructure Liaison Report –

Trustee Cavendish mentioned the need to review the fee schedule for emergency water turn-off fee for water, which is \$150. Village Manager Jered Ottenwess , would like to review other items on the fee schedule as well. He mentioned STRs, and a few other fees.

C. Marina Liaison Report –

Trustee Cook noted that the Harbor Master report was provided in the meeting packet.

D. NLTUA Liaison Report –

The NLTUA will meet next on February 24, 2026 to approve the budget and other items

7. NEW BUSINESS

A. Amendment to Ordinance 94- Water Ordinance

Trustee Cavendish Moved, Supported by Trustee Dean to adopt the Village Water Ordinance 94 as presented. Motion Carried.

B. Rules of Procedure Amendment

Trustee Ager Moved, Supported by Trustee Cavendish to approve the amended Rules of Procedure as presented. Motion Carried.

C. Village Attorney RFQ

Village Manager Ottenwess recommended that the Council authorize negotiation of a service agreement with Cummings, McClorey, Davis & Acho, P.L.C. (CMDA) following the Village's request for proposals process.

Trustee Ager Moved, Supported by Trustee Dean to authorize the Village Manager to negotiate a service agreement with CMDA. **Discussion:** Council members discussed dissatisfaction with current legal services, the importance of timely responses, and CMDA's proposed fee structure, including a general municipal retainer with hourly provisions and a separate retainer for prosecution services. The Council also reviewed communication protocols for contacting legal counsel and emphasized the need to follow the Village's Rules of Procedure regarding attorney inquiries. Service expectations, scope of typical legal work, and other considerations were discussed. Roll Call Vote: Yeas (5) Nays (0) Absent (2) Motion Carried.

D. Machin Engineering Service Agreement- Rose Street Culvert

Trustee Cavendish Moved, Supported by Trustee Harper, to approve the Agreement for Professional Services with Machin Engineering at a cost not to exceed \$17,900 with funds available in the Major Street and Water Funds.

Roll Call Vote: Yeas (5) Nays (0) Absent (2) Motion Carried.

E. Machin Engineering Service Agreement- Warren to Six Street watermain

Trustee Cavendish Moved, Supported by Trustee Ager to approve the Agreement for Professional Service for the Warren Street watermain replacement project with Machin Engineering at a cost not to exceed \$19,800 with funds available in the Major Street and Water Funds. Roll Call Vote: Yeas (5) Nays (0) Absent (2) Motion Carried.

F. Nagonaba Water Leak Repair- Kal Excavating

Village Manager Ottenwess provided a quote from Kal Excavating for the waterline repair at 109 Waukazoo Street.

Trustee Cavendish Moved, Supported by Trustee Harper, to approve the Kal Excavating estimate in the amount of \$7,500 as presented. Roll Call Vote: Yeas (5) Nays (0) Absent (2) Motion Carried.

Discussion Items:

A. 110 Waukazoo Property Transfer

Village Manager Ottenwess explained that the Bohemian Café owners requested control of a long-standing 3-foot easement along their south property line, adjacent to the village parking lot, currently used for outdoor seating. He recommended treating it as a boundary adjustment, conveying the strip for a nominal amount through the Land Division Committee, noting the village has little practical use for the parcel. Trustees generally found the request reasonable but expressed concern about precedent and public perception if village land were transferred to a private owner. Ottenwess stated the situation is unique due to the existing easement and lack of public use, though optics should be considered. Council reached consensus to proceed cautiously.

The Council directed staff to follow the normal process, including a title search, Land Division Committee review, and preparation of a formal resolution.

8. PUBLIC COMMENT

John Weber- Clarified that the recycling facility is on township property and asked that his earlier comments on that issue be disregarded. He expressed disappointment that no update was provided on the dam, urged consideration of leasing rather than conveying the 110 Waukazoo strip, and asked the Council not to rush decisions without community input.

9. COUNCIL COMMENTS

Trustee Harper:

Responded to concerns about the proposed 3-foot strip transfer at 110 Waukazoo, clarifying his earlier comments and supporting the decision to delay action.

Trustee Ruble (via Zoom):

Asked that the record reflect he would have voted “yes” on all motions considered during the meeting.

Trustee Cavendish:

Requested a status update on the High Street and Seventh Street concept plans and clarified that infrastructure matters, including the dam permit, are now handled at work sessions and regular meetings rather than a separate committee.

Village Manager Ottenwess:

Reported that preliminary concept plans for the High Street and Seventh Street properties are in progress and will be reviewed at the March 5 study session.

10. ADJOURNMENT

Trustee Harper Moved, Supported by President Pro Tempore Cook, to adjourn the meeting at 7:56 p.m. Motion carried unanimously.

Respectfully Submitted,

Joni L. Scott, Village Clerk