MEMORANDUM – OFFICE OF THE VILLAGE MANAGER

TO: Northport Village Council

FROM: Jered Ottenwess, Village Manager/Zoning Administrator

DATE: July 31, 2026

RE: August 6 Work Session Agenda Summary

5a. Resolution 2026-16 Mill Pond Dam Millage Ballot Question
Packet Items: Resolution 2026-16 Mill Pond Dam Millage Ballot Question
Background:
At its June 18, 2026 Regular Meeting, the Village Council adopted Resolution 2026-8 approving ballot language for a proposed 0.90-mill property tax levy for the replacement and reconstruction of the Mill Pond Dam, subject to voter approval at the November 3, 2026 General Election. Since that time, the Council has continued discussing the anticipated project cost and funding needs and directed staff to revise the proposed millage rate for resubmission to the County Clerk.

Analysis:
Resolution 2026-16 rescinds Resolution 2026-8 and replaces it with revised ballot language proposing a levy of 1.24 mills for a period of twenty (20) years. Other than revising the proposed millage rate and estimated first-year revenue, the ballot language and associated resolution remain substantially unchanged. If adopted, Resolution 2026-16 will become the Village's official authorization for submission of the Mill Pond Dam replacement millage proposition for the November 3, 2026 General Election.

Recommended Motion:
"To adopt Resolution 2026-16, rescinding Resolution 2026-8, and direct staff to submit the revised ballot language to the Leelanau County Clerk for inclusion on the November 3, 2026 General Election ballot."

6a. Resolution 2026-17 1001 N. Mill Street Class B Nonconforming Status Designation
Packet Items:
- *Resolution 2026-17 1001 N. Mill Street Class B Nonconforming Status Designation*
- *1001 N. Mill St Class B Application Binder*
- *Planning Commission Resolution 2026-8*
- *Planning Commission Draft Minutes 7-15-26*

Background:
Mill Street Partners submitted an application requesting Class B Nonconforming Status for property located at 1001 N. Mill Street (Parcel No. 45-042-234-014-01). The subject property is located within the D-1 Multi-Use Zoning District, where the existing single-family dwelling constitutes a lawful nonconforming structure. The applicant proposes to demolish the existing dwelling and construct a replacement dwelling generally within the existing building envelope. Approval of Class B Nonconforming Status is required under Article XXI of the Village Zoning Ordinance to authorize redevelopment of certain lawful nonconforming structures.

Pursuant to Section 21.05 of the Zoning Ordinance, the Planning Commission conducted a duly noticed public hearing on July 15, 2026. The Commission received a staff report from the Zoning

Administrator, accepted public comment, and considered written correspondence submitted regarding the application. Following the public hearing, the Planning Commission unanimously adopted Resolution No. 2026-8, recommending approval of the request and forwarding its written findings and recommendation to the Village Council for final consideration.

Analysis:
Article XXI of the Village Zoning Ordinance establishes a two-step review process for requests involving Class B Nonconforming Status. The Planning Commission is responsible for conducting the required public hearing and making written findings regarding the standards contained in Sections 21.07 and 21.08, after which the Village Council serves as the final decision-making body. The Council must render its decision in writing and state the findings upon which its decision is based.

Resolution 2026-17 memorializes the Village Council's independent review of the application, the Planning Commission's recommendation, the public hearing record, and the standards established in Article XXI. The proposed resolution concludes that the application satisfies the General Criteria for approval under Section 21.07 and the applicable Class B standards under Section 21.08, including findings that the redevelopment will not adversely affect the public health, safety, or welfare, will remain compatible with the surrounding neighborhood, and represents redevelopment of an existing lawful nonconforming structure rather than establishment of a new nonconforming use.

Approval of Resolution 2026-17 does not authorize construction or waive other applicable regulations. Rather, it grants the requested Class B Nonconforming Status, allowing the applicant to proceed through the normal zoning, building permit, and other regulatory review processes consistent with the approved redevelopment proposal. Any future construction must continue to comply with all remaining applicable provisions of the Village Zoning Ordinance, the Michigan Building Code, and any other required federal, state, county, or local permits and approvals.

Discussion:
This item will be scheduled for action at the August 20 Regular Meeting. Please let me know if you have any questions, comments, etc.

6b. Ordinance Updates/Revisions
Packet Items: List of Ordinances
Background:
I am scheduling this item for discussion because it would be very helpful to discuss and receive feedback about which ordinances the Village Council considers priorities and would like to address. The Village is in the process of codifying its ordinances with CivicPlus. As part of that process a municipal code attorney from CivicPlus is reviewing ordinances for internal consistency and consistency with state law. Village legal counsel will be involved moving forward as well, reviewing CivicPlus' suggested codification and amendments, if any. From a policy perspective, I notice issues on a regular basis with ordinances. Staff and Council have limited time and resources. So which ordinances should be a priority? I would appreciate your feedback in that regard.

Analysis:
For my part, I believe the following priority order is appropriate and by no means comprehensive:

1. *Sign Ordinance* – Village Council directed me to prepare a new, draft, standalone ordinance (whereas sign regulations now reside within the Zoning Ordinance), which we reviewed in November 2025. While there was support to move forward, I have concerns with the draft as presented thus far, in terms of scope, scale, and content. Furthermore, legal counsel will need to be involved and that could become costly.
2. *Sidewalk Ordinance* – the current ordinance is from 1957. I suggest updating the ordinance, including to address the special assessment mechanism and snow removal responsibilities.
3. *Marina Ordinance* – likewise, the current ordinance was adopted in 1993 and I believe the Village has only amended it once, to address pets on a leash and skateboarding. I notice several issues that merit attention, including the location(s) where fishing is allowed, permitting vehicles of any kind as a conveyance to slips, and others. Policy and practice have changed over the past 33 years.

Other ordinances that may deserve attention:
Trails Ordinance – very sparse, almost no actual regulations.
Village Manager Ordinance – spending limit is currently $3,000, which has become too low. The Village often has routine expenses that exceed this amount. Ordinance authorizes the Village Council to change this limit by resolution.
Yard Waste Burning Prohibition – a concerned resident brought this to my attention recently. The Village does not currently regulate burning. Enforcement authority defaults to statute.

Discussion:
Please provide direction as to how you would like me to prioritize our efforts to revise, update, and adopt new ordinances.

6c. Public Participation Plan
Packet Items: Current Public Participation Plan, Proposed Draft Public Participation Plan
Background:
The PPP establishes "policies and procedures used for public involvement and outreach in the Village's approval process." The Village Council formally adopted the PPP in Jul 2025. The Planning Commission has been working on updating the PPP since that time and now present to you the results of that work. If you find the new PPP satisfactory and would like to move forward with adoption, we can schedule for action soon.

Analysis:
The proposed Public Participation Plan represents a comprehensive revision of the current document. While the existing plan provides general guidance regarding public engagement, the proposed plan is reorganized into a more structured policy document that emphasizes planning, zoning, and redevelopment activities. It establishes clear goals for public participation, identifies stakeholder groups, outlines communication and outreach methods, incorporates legal requirements under the Open Meetings Act, Planning Enabling Act, and Zoning Enabling Act, and provides guidance for project-specific engagement strategies. The proposed plan also adds procedures for documenting and communicating public input, evaluating the effectiveness of outreach efforts, and periodically reviewing the plan to ensure it remains consistent with current best practices. Overall, the revisions are intended to improve transparency, encourage earlier and more meaningful public participation, and provide a more predictable framework for future planning and development activities.

Discussion:
Please let me know if you are ready to proceed with action and/or if you have any questions, comments, etc.

8. CLOSED SESSION: to consider material exempt from discussion or disclosure by state or federal statute

Recommended Motion:
"To enter into closed session pursuant to the Michigan Open Meetings Act, MCL 15.268(1)(h) to consider material exempt from discussion or disclosure by state or federal statute"