MEMORANDUM – OFFICE OF THE VILLAGE MANAGER

TO: Northport Village Council

FROM: Jered Ottenwess, Village Manager/Zoning Administrator

DATE: August 27, 2026

RE: September 3 Work Session Agenda Summary

5a. Mill Pond Dam Millage Ballot Question

Packet Items: GEI Dam Inspection and Feasibility Study, GEI Dam Inspection Report, GEI Post Storm Event Northport Dam Assessment Technical Memorandum

Background: at the August 20 Regular Meeting, the Village Council discussed providing factual information regarding the Mill Pond Dam and the November 3 millage ballot question at each regular Council meeting leading up to the election. I suggested organizing these discussions by subject so that residents have an opportunity to understand the engineering, environmental, financial, and other considerations associated with the dam and the ballot proposal.

For this meeting, I recommend focusing on the condition and engineering of the Mill Pond Dam. Included with the packet are GEI Consultants' 2022 Dam Inspection Report, 2023 Dam Inspection and Feasibility Study, and July 2026 Post Storm Event Dam Assessment. Together, these documents provide a useful history of the Village's engineering evaluation of the dam and the basis for determining that a long-term decision regarding the structure is necessary.

Analysis: GEI's initial 2022 inspection rated the Mill Pond Dam in poor condition and identified several deficiencies, including deterioration and bowing of the stop logs; cracking, spalling, exposed aggregate and displacement of portions of the concrete spillway; evidence of downstream scour; and inadequate spillway capacity for the 100-year design flood. Although GEI determined that the observed concrete deterioration did not present an immediate threat to the dam's stability, it recommended that the Village plan for replacement of the structure within five years because of its age and the progression of concrete deterioration.

The Village subsequently retained GEI to conduct additional investigation and prepare the 2023 feasibility study. That work confirmed many of the earlier findings. GEI noted that the dam was functioning as intended but documented significant concrete deterioration, including cracking at the spillway walls and wingwalls, deterioration around the stop-log slots, and crumbling concrete in portions of the structure. The study also evaluated the hydraulic limitations of the existing dam. GEI determined that the existing 7-foot spillway cannot safely convey the 100-year flood event and proposed approximately doubling the spillway width to 14 feet as part of a replacement structure.

The feasibility study also identified the downstream W. Third Street culvert as an important component of the overall system. Although the culvert itself was found to be in generally good physical condition, GEI determined that it cannot convey the 100-year flood without overtopping the roadway. The resulting backwater reduces the hydraulic effectiveness of the dam spillway and likely contributes to erosion between the dam and culvert. GEI therefore recommended replacement of the culvert under either the dam replacement or dam removal alternative.

The June 29, 2026 severe rain event provided a real-world demonstration of these hydraulic limitations. More than five inches of rain fell in approximately 90 minutes. The dam overtopped and was eventually submerged as the downstream culvert reached capacity and created a backwater condition. Water reportedly reached approximately two to three feet above the spillway crest.

GEI inspected the dam following the storm and found erosion and movement of material along portions of the downstream embankments and some displaced riprap. Importantly, however, GEI found that the concrete spillway appeared unchanged from its 2023 condition, with no visible increase in spalling, cracking or deterioration, and did not observe evidence of internal material movement or embankment instability. GEI recommended repairs before refilling the impoundment and, more broadly, "strongly recommends continuing efforts for the selection and implementation of a long-term path forward for the dam."

Taken together, the engineering reports do not indicate that the Mill Pond Dam is presently experiencing imminent structural failure. They do, however, consistently identify an aging structure with deteriorating concrete, hydraulic deficiencies, ongoing maintenance requirements, and related deficiencies involving the downstream culvert. The 2022 recommendation to plan for replacement within five years, the more detailed alternatives analysis completed in 2023, and the performance of the dam and culvert during the June 2026 storm provide the engineering context for the Village's current consideration of a long-term solution.

Discussion: this agenda item is intended to provide Council with an opportunity to review and discuss engineering information concerning the existing Mill Pond Dam.

Council may wish to discuss the condition of the existing structure; the significance of GEI's recommendation to plan for replacement within five years; the hydraulic limitations of the existing spillway and downstream culvert; what was learned from the June 2026 storm event; and any questions that should be addressed by GEI or other technical professionals as the Village continues evaluating the long-term future of the dam.

Information from these reports has also been incorporated into the draft Mill Pond Dam Millage Information document that will be published on the Village website, which is intended to serve as a source of factual information for residents leading up to the November 3 election.

5b. Resolution 2026-19 West Street Property Sale

Packet Items: Resolution 2026-19 West Street Property Sale

Background: The Village has been working toward the sale of a portion of the Village-owned property on West Street (Parcel No. 042-200-040-02). The last formal action by Council occurred on June 18, when Council passed a motion "to authorize the Village Manager to execute the listing agreement and related documents as necessary."

Following listing of the property, the Village received and accepted an offer from Kristi Fischer to purchase the southern 0.50-acre portion of the property, identified on the survey as Parcel B, for $150,000. The purchase agreement is a cash sale and is contingent upon the Village completing the property split and the purchaser being satisfied with the survey depicting the split. The closing deadline has subsequently been extended to September 30.

Analysis: the next step is for Council to formally approve the sale and authorize the actions necessary to complete the transaction. Draft Resolution 2026-19 has been prepared for this purpose. The resolution approves the sale of Parcel B for $150,000 and authorizes and directs the Village Manager, acting on behalf of the Village as property owner, to apply for the required land division pursuant to Ordinance 131.

The land division must be completed before the property can be conveyed. Following approval of the split and satisfaction of the remaining terms of the purchase agreement, Resolution 2026-19 would also authorize the Village Manager to execute the deed, closing statement, property transfer affidavit, title documents, and other documents necessary to complete the closing. The authorization is limited so that any administrative modifications cannot materially change the purchase price, property being conveyed, or other substantive terms approved by Council.

Discussion: the purpose of discussion at the Work Session is to confirm that Council is comfortable proceeding with the sale under the terms of the purchase agreement and with the process and authorizations established in Resolution 2026-19. If Council supports proceeding, staff will complete any necessary revisions and return Resolution 2026-19 to Council for formal consideration at the September 17 Regular Meeting.

5c. Village-owned Properties Attainable Housing Request for Proposals

Packet Items: None

Background: Village Council last discussed this issue in May following the housing workshop at which renderings were presented. Council refined key priorities and concepts as they relate to a request for proposal should the Village formally begin the process of soliciting interest from developers, for example, unit mix for each property, restricting short-term rentals, and incentives. Open questions remained after that discussion related to rental/for-sale mix, targeted income ranges, and requirement of making park improvements at 7th Street. I suggested that Council allow me time to privately network with potential developers to measure their interest and help refine components of the RFP.

Since the May discussion two developers, who are currently pursuing other attainable housing projects in the NW Michigan region, have declined to work with the Village. The feedback I have received suggests that developers are not interested in small projects at the end of the peninsula. I have also talked to a broad range of local stakeholders who have expressed an interest in collaborating on an attainable housing project. However, those stakeholders do not seem interested in actually doing the work of assembling a team and organizing a corporate structure to carry that out.

I think it is time to consider engaging the services of a consultant who can advocate on behalf of the Village, is more connected with the regional developer community, and can help finalize and publish an RFP. Toward that end, I have been discussing a service agreement with Nate Elkins, from Influence Design Forum, who prepared the site renderings earlier this year. I expect to have a proposal from Nate by the time we meet, but nothing is included in the packet because that is pending.

Discussion:

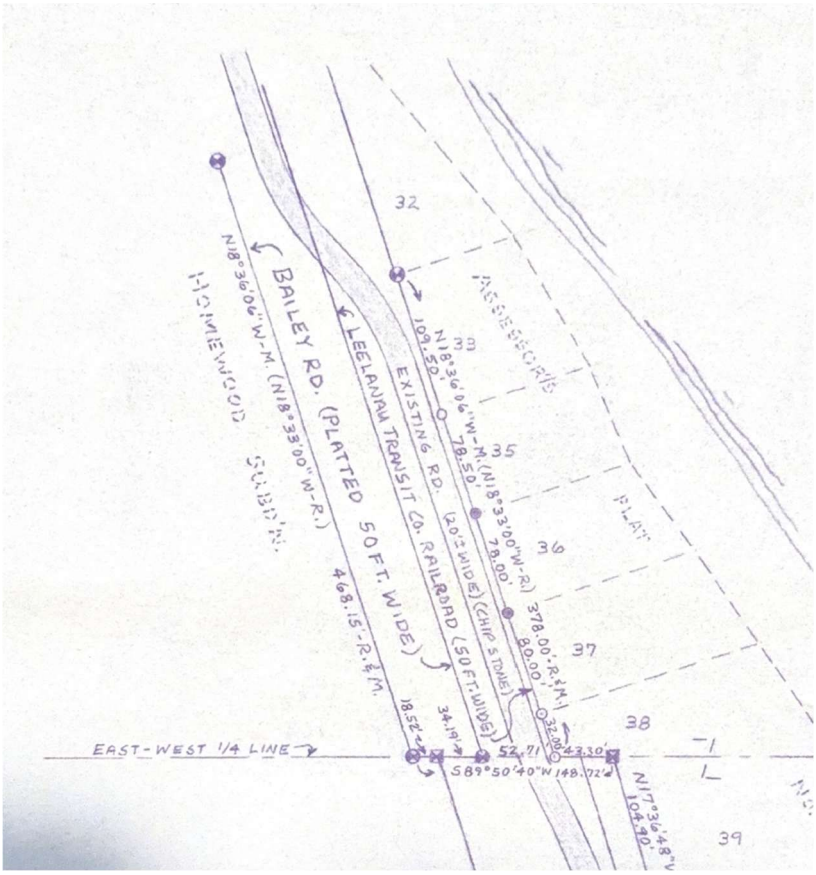
I would appreciate direction related to how we proceed with an RFP, including by engaging with a consultant.

5d. South Shore Drive Property Swap

Packet Items: Carey Jaskowski Engagement Letter, Homewood Subdivision Plat

Background: I have been working on this issue for approximately the past year, and Jim Dyer worked on the issue during his tenure as Village Manager. Portions of South Shore Drive south of Homewood Drive are currently located on privately-owned property. The platted right-of-way in this area is Bailey Road; however, the southern portion of Bailey Road was never developed as a public road and is instead used by adjacent property owners as part of their front yards. The underlying property situation resulted from the sale and subsequent disposition of former Leelanau Transit Company railroad property around 2001. The Village acquired a portion of the former railroad property, but four parcels underlying South Shore Drive were conveyed to adjacent property owners and remain privately owned.

Council discussed this issue at its September 2025 Work Session and agreed to pay the legal expenses necessary to resolve the property and right-of-way issues. I subsequently consulted with Carey Jaskowski PLC, which specializes in plat matters, regarding an "all-consent" replat. The firm advised that either an all-consent process or a judicial plat vacation could be used, but recommends proceeding through Circuit Court because that approach presents the lowest title risk. The proposed action would vacate the undeveloped southern portion of Bailey Road and allow the underlying property to be conveyed to the adjoining platted lot owners. Carey Jaskowski has proposed completing the judicial plat vacation for a not-to-exceed cost of $7,500, including attorney, filing, and service fees. Surveying is not included, and I estimate an additional $3,000-$5,000 for that work. If Council supports proceeding, I will bring the engagement and authorization to proceed back for action at the September 17 Regular Meeting.



Analysis:

- The FY26-27 Budget includes $36,000 for legal fees, which will be used for Village legal counsel retainer fees. I recommend a budget amendment if we proceed with the replat.
- Rick Herman has agreed to contribute $3,000 towards this expense.

Discussion:
Please let me know how you wish to proceed, if you would like to schedule for action at the next Regular Meeting.

5e. Sidewalk Ordinance
Packet Items: Ordinance 57, Draft Sidewalk Ordinance
Background: at its August 6 Work Session, Council identified and prioritized several ordinances for review and potential amendment. The Sidewalk Ordinance, Ordinance No. 57, was identified as the first ordinance to be reviewed. The ordinance was originally adopted in 1957 and establishes requirements for sidewalk construction, repair and maintenance, including responsibility for costs associated with sidewalk improvements.

I have prepared a draft replacement ordinance for Council's initial review and discussion. The draft is intended to modernize the ordinance, clarify responsibilities for sidewalk maintenance and snow removal, and provide greater flexibility for addressing future sidewalk improvements.

Analysis: the existing ordinance contains detailed and outdated construction specifications, requires a generally fixed cost-sharing arrangement for sidewalk improvements, and does not clearly address snow and ice removal. The draft ordinance instead allows construction standards to be established separately by Council resolution, provides that adjacent property owners or occupants have primary responsibility for routine maintenance and snow and ice removal, and

allows the Village to supplement snow removal where appropriate. An exception is included for individuals who are unable to comply because of a disability.

The draft also provides Council greater flexibility in determining how future sidewalk construction, replacement and repair projects are funded. Depending on the circumstances, Council could fund a project entirely through Village funds, require some or all costs to be paid by benefited properties, establish a cost-sharing arrangement, or utilize special assessments as authorized by state law. Special assessments could also be spread over multiple years. Because the Village does not currently have a general special assessment ordinance, the draft references the applicable statutory authority while allowing a future general special assessment ordinance to establish more detailed procedures.

Discussion: I would appreciate direction from Council regarding property-owner responsibilities, the proposed approach to snow removal, and the range of funding and cost-sharing options available for future sidewalk improvements. Based on Council's discussion, we can further refine the ordinance before bringing it back for consideration.

5f. Christmas Tree Lighting Estimate

Packet Items: Christmas Tree Lighting Estimate

Background: we plan on supporting the same holiday activities as in previous years, including the tree lighting, which has continued to grow in popularity. Scott Cain, Cain Design & Construction, has once again agreed to light the tree and has provided an estimate for your review and consideration. This is scheduled as a discussion item only and if you support approval, we will schedule for action at the September 17 Regular Meeting.

Analysis:

Estimate for services mirrors previous years with a cost of $7,590.

Funds for tree lighting and other holiday activities come from the "Community Promotions line item in the General Fund, which has sufficient funds remaining to cover the cost of tree lighting. Note that donations contribute substantially to offset these costs, as well as for other events like 4th of July fireworks.

Discussion:

Please let me know if you have any questions, comments, etc.