



City Council Meeting

March 6, 2023 - 6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

This opportunity for public comment provides the public with a chance to make a statement regarding any subject matter. Public comment is not an opportunity to necessarily ask questions or converse with City Staff, Council Members or other meeting attendees. Contact information for Council and staff is available on our website, WWW.CADILLAC-MI.NET, or can be obtained by calling (231) 775-0181. Comment time is limited to 3-minutes, and unused time may not be yielded back or given to someone else to use.

III. CONSENT AGENDA

All items listed on the consent agenda are considered routine and will be enacted by one motion with roll call vote. There will be no separate discussion of these items unless a Council Member so requests it, in which event the item(s) will be removed from the consent agenda and discussed separately.

III.A. Minutes From The Regular Meeting Held On February 21, 2023

Documents:

[FEBRUARY 21, 2023 CITY COUNCIL MINUTES .PDF](#)

IV. APPOINTMENTS

IV.A. Recommendation Regarding Appointment To The Planning Commission (Host).

Documents:

[COUNCIL COMMUNICATION - APPOINTMENT PLANNING COMMISSION \(HOST\).PDF](#)

V. CITY MANAGER'S REPORT

V.A. Bids And Recommendation Regarding Pickleball Courts.

Documents:

[COUNCIL COMMUNICATION - PICKLE BALL 2023.PDF](#)

V.B. Recommendation Regarding Industrial Monitoring Program Update.

Documents:

[COUNCIL COMMUNICATION - INDUSTRIAL MONITORING PROGRAM UPDATE - INDUSTRIAL USER EVALUATION 2023.PDF](#)

VI. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

VI.A. Cadillac Planning Commission

Documents:

[CADILLAC PLANNING COMMISSION - 10.24.2022.PDF](#)

VII. PUBLIC COMMENTS

This opportunity for public comment provides the public with a chance to make a statement regarding any subject matter. Public comment is not an opportunity to necessarily ask questions or converse with City Staff, Council Members or other meeting attendees. Contact information for Council and staff is available on our website, WWW.CADILLAC-MI.NET, or can be obtained by calling (231) 775-0181. Comment time is limited to 3-minutes, and unused time may not be yielded back or given to someone else to use.

VIII. GOOD OF THE ORDER

IX. ADJOURNMENT

Core Values (R.I.T.E.)

Respect

Integrity

Trust

Excellence

Guiding Behaviors

We support each other in serving our community.

We communicate openly, honestly, respectfully, and directly.

We are fully present.

We are all accountable.

We trust and assume goodness in intentions.

We are continuous learners.

CITY COUNCIL MEETING MINUTES

February 21, 2023

Cadillac City Hall - 200 N. Lake St. - Cadillac, Michigan 49601

CALL TO ORDER

Mayor Filkins called the City Council meeting to order at approximately 6:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Schippers, King, Engels, Mayor Filkins
Council Absent: None
Staff Present: Peccia, Roberts, Ottjepka, Pacella, Homier (via Zoom), Lanning

APPROVAL OF AGENDA

2023-020 Approve agenda as presented.

Motion was made by Elenbaas and supported by King to approve the agenda as presented.

Motion unanimously approved.

PUBLIC COMMENTS

Bill Rzepka thanked Council for the energy, effort and time they put in for the City. He expressed support for the designation of parking places for the After 26 Depot Café/Amvets.

Juli Grage, Amvets, noted some of their patron are older so she is in favor of designating some parking places.

David Mackey expressed support for the designation of parking places for the After 26 Depot Café.

CONSENT AGENDA

2023-021 Approve consent agenda as presented.

Motion was made by Schippers and supported by Elenbaas to approve the consent agenda as presented.

Motion unanimously approved.

COMMUNICATIONS

A. Presentation of FY2022 Audit Results by Joe Verlin of Gabridge & Co.

Joe Verlin from Gabridge & Co. presented the results of the independent audit for the fiscal year ended June 30, 2022. Gabridge & Co. issued an “Unmodified” opinion on the financial statements. Verlin indicated that this is the best opinion they can offer on the statements. He added that the City is in sound financial condition and commended the City for continuing to receive the Certificate of Achievement for Excellence in Financial Reporting from the

Government Finance Officers Association (GFOA).

Mayor Filkins congratulated Carol Pacella, Accounting Manager, and Owen Roberts, Director of Finance.

APPOINTMENTS

A. Recommendation regarding reappointment to the Construction Board of Appeals.

2023-022 Approve reappointment to the Construction Board of Appeals.

Motion was made by Elenbaas and supported by Schippers to approve the reappointment of Ken Bigelow to the Construction Board of Appeals for a 2-year term to expire on March 2, 2025.

Motion unanimously approved.

B. Recommendation regarding reappointment to the Construction Board of Appeals.

2023-023 Approve reappointment to the Construction Board of Appeals.

Motion was made by Schippers and supported by Engels to approve the reappointment of Connie Houk to the Construction Board of Appeals for a 2-year term to expire on March 2, 2025.

Motion unanimously approved.

C. Recommendation regarding reappointment to the Construction Board of Appeals.

2023-024 Approve reappointment to the Construction Board of Appeals.

Motion was made by Elenbaas and supported by Schippers to approve the reappointment of Randy Norman to the Construction Board of Appeals for a 2-year term to expire on March 2, 2025.

Motion unanimously approved.

D. Recommendation regarding reappointment to the Construction Board of Appeals.

2023-025 Approve reappointment to the Construction Board of Appeals.

Motion was made by Schippers and supported by Elenbaas to approve the reappointment of John Saari to the Construction Board of Appeals for a 2-year term to expire on March 2, 2025.

Motion unanimously approved.

E. Recommendation regarding reappointment to the Brownfield Redevelopment Authority.

2023-026 Approve reappointment to the Brownfield Redevelopment Authority.

Motion was made by Elenbaas and supported by Schippers to approve the reappointment of Brian Warner to the Brownfield Redevelopment Authority for a 3-year term to expire on March 6, 2026.

Motion unanimously approved.

F. Recommendation regarding reappointment to the Historic Districts Commission.

2023-027 Approve reappointment to the Historic Districts Commission.

Motion was made by Schippers and supported by Elenbaas to approve the reappointment of Michelle Carder to the Historic Districts Commission for a 3-year term to expire on March 20, 2026.

Motion unanimously approved.

G. Recommendation regarding reappointment to the Downtown Development Authority.

2023-028 Approve reappointment to the Downtown Development Authority.

Motion was made by Elenbaas and supported by Schippers to approve the reappointment of Curtis Schultz to the Downtown Development Authority for a 4-year term to expire on March 1, 2027.

Motion unanimously approved.

Mayor Filkins stated it is wonderful to see people willing to continue their service on the various boards and commissions.

CITY MANAGER'S REPORT

A. After 26 Depot Café/Amvets Parking Request.

Peccia stated the After 26 Depot Café and the Amvets located at 127 W. Cass Street have requested dedicated parking spaces when either of their operations is open for business. He noted the primary reason for their request is due to difficulties in having patron parking available due to events and activities at the Market. He stated ten parking spaces would be designated which includes four handicapped spaces that are already in place.

Schippers asked if additional handicapped spaces are needed near the Market.

2023-029 Approve designation of parking spaces for After 26 Depot Café/Amvets.

Motion was made by King and supported by Elenbaas to approve the designation of the 10 parking spaces for the After 26 Depot Café/Amvets as presented with the conditions noted and authorize staff to add additional handicapped spaces near the Market as needed.

Motion unanimously approved.

B. Bids and recommendation regarding Lake Management Consulting Services.

Peccia stated two (2) bids were received for lake management consulting services. He noted the recommendation is to award the contract to Restorative Lake Sciences in accordance with their proposal.

2023-030 Award contract for Lake Management Consulting Services.

Motion was made by Schippers and supported by Engels to award the contract for professional lake management services to Restorative Lake Sciences in accordance with their proposal.

Motion unanimously approved.

C. Recommendation regarding purchase of vehicles.

Peccia stated we have been plagued by post-pandemic supply issues regarding access to vehicles. He noted two (2) trucks that were approved by Council in February 2022 were never delivered. He stated the request is for authorization to acquire work trucks for Public Works and Utilities, along with a police patrol vehicle. He noted funds are available in the General Fund, the Water and Sewer Fund, and the Stores and Garage Fund. He stated we have identified a MiDEAL dealer, Todd Wenzel GMC, that has work trucks and a police patrol vehicle available.

Owen Roberts, Director of Finance, stated the reason these trucks are available is that they were ordered by other municipalities but since they took so long to arrive the other municipalities were no longer able to purchase them. He noted the purchase of these vehicles has been scheduled over the past year or two, with the exception of the police vehicle which we planned to include in the CIP for the next budget year. He stated we would like to take advantage of the availability of the SUV-style AWD police patrol vehicle and purchase it in this fiscal year. He noted we have been told by the dealers and by the State that it is about a \$10,000 price increase on any new truck orders moving forward and an additional \$7,000-\$8,000 on police vehicles.

Mayor Filkins asked what happens with the vehicles coming out of the fleet.

Roberts noted most of the vehicles will be auctioned and one (1) or two (2) will be passed down from DPW into the Parks Department.

Elenbaas noted the first five (5) trucks listed are designated to specific departments. He questioned which department(s) will be receiving the two (2) additional trucks.

Roberts stated one (1) truck will go to DPW and he believes the other will go to Utilities, but it depends on the specifications of the truck.

Elenbaas asked if the remaining vehicle will definitely be a police vehicle.

Roberts stated the vehicle that is available is a police patrol vehicle.

King stated according to his calculations Council is being asked to approve \$418,738. He noted while he is hearing great information, he has always been concerned about receiving information in the packet for a vote regarding a large expenditure without first having received more background information. He asked if we would be harmed if we tabled this until the upcoming work session.

Roberts noted that most likely the vehicles will no longer be available.

King noted there was no competitive bidding on the vehicles.

Roberts stated they are all at State of Michigan MiDEAL pricing.

King stated he wants to be careful especially when it involves this amount of money. He noted he believes the reasons provided to move forward are good but he doesn't know if he has enough information to approve a \$418,000 purchase. He stated he would be in favor of a motion to purchase the two (2) vehicles that were previously approved but he is concerned about the balance of the request without additional information.

Peccia asked Council Member King what additional information he wants.

King stated we are receiving the information now but as he has discussed in the past he wants time to consider a purchase of this size.

Engels stated it is unusual that we are purchasing three years of vehicles at one time but he understands the circumstances.

Schippers noted the cost is not going to go down and when we have an opportunity like this become available we should move forward because it will be an even bigger expenditure over time. She stated utilizing MiDEAL has always provided the best pricing available.

Elenbaas asked how many years this will purchase cover.

Roberts stated it will cover us for at least two (2) years, last year and the current year.

Elenbaas noted he understands the concern expressed by Council Member King about the request coming at the last minute.

King stated he doesn't have the information as to whether this is the best deal or not. He noted when he is spending the public's money, he doesn't like to have a decision of this size put in the packet without discussion or additional information even if we have to hold a special meeting.

Schippers stated that is what the MiDEAL program does which is to look at what's out there and offer the best deal for municipalities. She noted she doesn't believe it is in the best interest of the citizens of Cadillac to let the fleet languish and become more expensive over time.

King stated we are a fiduciary that has to make the final decision whether we think MiDEAL gets the best deal or not. He noted it is our duty to vet and we get to decide when and how much we should spend. He stated he thinks it is irresponsible to spend that level of money without making sure we know what we are doing.

Elenbaas asked when this information was known.

Roberts stated we didn't have all of the final information until last Thursday.

2023-031 Initial motion to approve purchase of vehicles.

Motion was made by Engels to approve the authority to participate in the MiDEAL cooperative purchase plan and to purchase up to seven (7) new trucks for the Department of Public Works and the Water and Sewer Department and one (1) police patrol vehicle from Todd Wenzel GMC of Westland.

Motion not supported.

King asked if there is a cap on the spending because the motion does not include a dollar amount.

Engels stated most of the vehicles listed have a price attached to them with the exception of the two (2) additional trucks and the police patrol vehicle which all have estimates associated with them.

Roberts stated it would be approximately \$419,000.

Engels amended the original motion to include a cap of \$419,000.

2023-032 Approve purchase of vehicles.

Motion was made by Engels and supported by Schippers to approve the authority to participate in the MiDEAL cooperative purchase plan and to purchase up to seven (7) new trucks for the Department of Public Works and the Water and Sewer Department and one (1) police patrol vehicle from Todd Wenzel GMC of Westland to include a cap of \$419,000.

Ayes: Elenbaas, Schippers, Engels, Mayor Filkins

Nays: King

Motion carried.

ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding the Canada Goose Nest/Egg Destruction and the Round Up and Hold Programs.

Peccia noted the State of Michigan has once again cancelled the ability for municipalities to get the correct permitting to do goose/geese round-up which is the most effective way to remove the birds and relocate them in other ecosystems. He stated there is still the ability to do a relocation or removal of the eggs and nests. He noted the State requires a resolution regarding the Canada Goose Nest/Egg Destruction and the Round Up and Hold Programs.

Elenbaas asked if we are going to look for goose eggs.

Peccia stated that is correct and we do it every year.

2023-033 Adopt resolution regarding the Canada Goose Nest/Egg Destruction and the Round Up and Hold Programs.

Motion was made by King and supported by Elenbaas to adopt the resolution to participate in the Canada Goose Nest/Egg Destruction and the Round Up and Hold Programs.

Motion unanimously approved.

PUBLIC COMMENTS

Mike Solomon, representing Restorative Lake Sciences, stated they appreciate Council’s continued support and look forward to working on the lake and with City staff. He stated the fecal matter from the Canadian Geese is very high in phosphorus and contributes to the growth of algae.

GOOD OF THE ORDER

Schippers stated four (4) new members were sworn-in last week during the Mayor’s Youth Council meeting and they are expecting a couple more members. She noted they are a healthy organization and they look forward to working with the youth and with the City.

Elenbaas stated it would be nice if we had the time to talk about the purchase of the trucks but it appeared we needed to move forward. He noted at 7:00 pm on Thursday nights there is a chess club that meets at Willow.

King stated in the future if there is an emergency issue, staff should reach out to Council to provide information so we can decide what discussion is necessary. He noted he does not want to be surprised by major purchases without information and without discussion.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

March 6, 2023

COUNCIL COMMUNICATION

Re: Appointment of Margaret Host to a Three-Year Term on the Planning Commission representing Ward 4.

Margaret Host has expressed her interest in being appointed to serve as a member on the Planning Commission, representing Ward 4.

Requested Council Action:

Motion to appoint Margaret Host to a three-year term on the Planning Commission representing Ward 4, term will end on 3/06/2026.

RECEIVED
NOV 07 2022

CADILLAC

Michigan

Application for Appointment to Standing and Special Committees, Boards & Commissions

The information provided on this form is for the use of the Cadillac City Council in its deliberation to fill vacancies on standing and special committees, boards and commissions. Applications may be submitted at any time and will be kept on file for a period of one (1) year. In most cases, you must be a resident of the City of Cadillac to serve on its committees, boards and commissions. Exceptions include the DDA, CBOA, LDFA, Clam River Greenway Committee and Brownfield Redevelopment Authority. Applicants may be required to interview with the City Manager for appointment consideration.

To which committee, board or commission are you seeking appointment? Please check all that apply.

- | | |
|--|---|
| <input type="checkbox"/> Airport Authority | <input type="checkbox"/> Economic Development Corporation |
| D Board of Review | -- D Elected Officials Compensation Commission |
| <input type="checkbox"/> Brownfield Redevelopment Authority | <input type="checkbox"/> Election Commission |
| D Cadillac Area Council for the Arts | D Housing Commission |
| D Cadillac-Wexford Transit Authority | D Local Development Finance Authority |
| D Cadillac West Corridor Improvement Authority | X Planning Commission |
| D Cemetery Board | <input type="checkbox"/> Retirement Board to Administer Act 345 |
| D Civil Service Commission | D Zoning Board of Appeals |
| D Clam River Greenway Committee | <input type="checkbox"/> Construction Board of Appeals |
| D Historic Districts Commission | D City of Cadillac/Clam Lake Joint Planning Commission |
| <input type="checkbox"/> Diggins Hill Tennis Court Fundraising Committee | |
| D Downtown Development Authority | <input type="checkbox"/> Other _____ |

Please print or type:

Name Margaret Host
Cadillac MI 49601

Address [REDACTED]

Telephone: [REDACTED] Business/cell _____

E-mail skihel@aol.com Date available for appointment Anytime

Please complete the following. You may use additional sheets as needed.

Community Service

List boards, commissions, committees or community service organizations that you are currently serving or have served upon, offices held, and in what municipality or county.

- Strategic Planning Committee for new Master Plan Mt Pleasant Michigan Chair: Intergovernmental Cooperation Committee 1994
- Mt Pleasant Michigan Planning Commission 1995-1998
- Benzie County Planning Commission 2009-2017 Served as Chair
- Strategic Planning for Development of Joint Planning Commission 2010-2011
- Joint Planning Commission Colfax Township, Weldon Township, Village of Thompsonville 2011-2017 Served as Chair
- Election Official Colfax Township Benzie County
- Board of Review Colfax Township Benzie County

Employment and Education

List any employment experience or education that, in your opinion, best qualifies you for this appointment. List job titles, duties (current and past), level of education and any certificates or degrees you have obtained.

- Completed Citizen Planner and attended numerous planning and zoning seminars
- Completed election official training and obtained certification
- Attended numerous workshops related to Board of Review

- Worked on the development/updates of master plans for the City of Mt. Pleasant, Benzie County and Joint Planning Commission in addition to the Joint Planning Commission Zoning Ordinance. During the development of the master plans/zoning ordinances I worked with other planning commission members to create and distribute community member surveys, schedule and hold community focus groups to determine community preferences in preparation for new master plans and zoning ordinance.

- Created a capital improvement plan for the Joint Planning Commission.

- Created annual reports and presented them to the County Commission and Township Boards

Have you ever worked for the City of Cadillac? Yes No
If yes, please list dates and names of departments.

Why do you have interest in serving on this board/commission/committee?

I moved to the Cadillac area in 2017 and would like to resume service on the Planning Commission. I have experience at the city, county and township levels.

Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest? Yes No

If yes, please indicate potential conflicts.

Are you aware of the time commitment necessary to serve on the committee, board and/or commission to which you seek appointment, and will you have such time? Yes No

Please provide information about specific training, education, experience or interests you possess that qualify you as an appointee to the position you seek.

See Employment / Education Section

I hereby certify that the preceding information is correct to the best of my knowledge.

Signature *Margaret West*

Date *11/8/22*

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information that you feel may assist in the evaluation of your application.

Mail or return your completed application to:

Marcus Peccia, City Manager
City of Cadillac
200 N. Lake St.
Cadillac MI 49601

Thank you for giving us the opportunity to consider you for appointment.

March 6, 2023

Council Communication

RE: Pickleball Courts

On February 21, 2023, the City of Cadillac held a bid opening on the above referenced project. The following bids were received:

Contractor	
CJ's Excavating, Inc. Cadillac, MI	\$132,385.69
Salisbury Excavating, Inc. Tustin, MI	\$149,764.20
Team Elmers Traverse City, MI	\$156,987.00
Gerber Construction Reed City, MI	\$164,429.18

The work includes the following approximate quantities of major items:

- 530 Syd Reinforced Concrete Court Surface
- 2650 Sft Concrete Sidewalk
- Pickleball court nets and fence.

Recommended Action

It is recommended that the contract for the Pickleball Courts Project be awarded to CJ's Excavating, Inc. in accordance with their bid, plus a 15% contingency for City engineer-approved field changes in unit quantity or scope due to unknowns in site conditions, bringing the total recommended award to **\$152,243.54**.

Funds are available primarily through a generous donation from Cliff Sjogren in the amount of \$100,000. The City also received a donation of \$5,000 from Horizon Bank and is anticipating that additional contributions will be forthcoming soon, while General Fund matching dollars of up to \$47,244 will be needed to fund the remainder of project costs.

March 6, 2023

Council Communication

Re: Industrial Monitoring Program Update – Industrial User Evaluation

On February 7, 2022, based on an RFP that had been issued, the City awarded the engineering firm of Fleis and Vandenbrink (F&V) a contract to perform an Industrial Monitoring Program Update. This was pursuant to a Michigan Department of Environment, Great Lakes and Energy (EGLE) mandate that this program needed to be updated. The program is used to monitor wastewater discharge from industries connected to the City's sewer system. This work has been underway, and it has become apparent that having industrial evaluations performed would be beneficial to the update. The City requested that F&V provide a quote to do the additional work for the project.

Once updated, the IPP program will be codified in the City Code and forwarded to EGLE for their review and approval.

Recommended Action

The proposal for the original project in 2022 was \$32,000. It is recommended that the contract with Fleis & Vandenbrink for providing an Industrial Monitoring Program Update be amended to add Industrial User Evaluations for the amount of \$16,000. Funds are available in the Water and Sewer Fund.



May 16, 2022

Via Email: utilities@cadillac-mi.net

Mr. Jeff Dietlin
City of Cadillac
200 N. Lake Street,
Cadillac, MI 49601

**RE: Cadillac IPP Update 2022
Industrial User Evaluation**

Dear Jeff:

As requested, we are submitting this proposal to assist the City in updating its permitted industrial user list.

The City currently has 19 permitted industrial users, including seven categorical industrial users (CIUs). The Michigan Department of Environment, Great Lakes, and Energy (EGLE) has indicated that the City should evaluate the current list of permitted IUs and determine whether any of their categorical determinations have changed. The City also desires to review the list to determine whether any of the currently designated Significant Industrial Users (SIUs) or CIUs no longer meet those definitions and no longer require an industrial discharge permit.

A review of each permitted user's processes, pretreatment, and wastewater characteristics is needed in order to evaluate current categorical and significant IU designations to best determine appropriate industrial permit limits. A desktop review, including, review of available monitoring report data, and distribution of an industrial user survey is the first step in the process. This step was included in our original scope and budget for the comprehensive Industrial Pretreatment Program (IPP) update.

Because a desktop review only goes so far, a "boots on the ground" second step is needed, which was not included in our original scope and budget. This second step includes a site visit to each of the 19 permitted users to field verify their processes, chemical storage, pretreatment activities, and discharge to confirm categorical or significant IU designation. One benefit is that the City can also count this site visit as its annual IPP inspection.

This step is also necessary to gather data and information to demonstrate whether there is potential for the Cadillac WWTP to receive several parameters currently on the City's local limits list that the City would like to remove from the local limit list going forward.

603 Bay Street, First Floor
Traverse City, MI 49684
P: 231.932.8600
F: 231.932.8700
www.fveng.com

We propose to complete the site visit and IU evaluation for a lump sum fee of **\$16,000**.

Sincerely,

FLEIS & VANDENBRINK



Elaine J. Venema, PE
Project Manager



Don DeVries, PE
Principal

cc: Cindy Tomaszewski, City of Cadillac

WORK AUTHORIZATION AMENDMENT

Fleis & VandenBrink Engineering, Inc. (F&V) is hereby authorized to perform Services as detailed in this proposal dated May 16, 2022 and authorized by this amendment to the existing Professional Services Agreement with F&V dated August 21, 2013.

CITY OF CADILLAC

Jeff Dietlin, Director of Utilities

Date



Planning Commission
October 24, 2022, Meeting Minutes

Call to Order

Chairman Putvin called the meeting to order at 6:00 PM.

Roll Call

Planning Commission: Filkins, Putvin, Baumann, Rice, Bunce, Fent
Staff: Wallace, Peccia, Plugger, Coy

Approval of Agenda for October 24, 2022

- A. Motion to approve the agenda to move new business to item 3 and public hearing to item four. By Baumann. Supported by Filkins.
 - a. Motion approved unanimously.

Approval of May 23, 2022, Meeting Minutes

- A. Motion to approve the minutes by Filkins. Supported by Rice.
 - a. Motion approved unanimously.

New Business

- A. 609 E Garfield: Lot Split, Property Line Adjustment
 - a. Coy presented the application request for this property, giving description of the review that was performed. The review found that there is a nonconformity and buying this strip of land will put it closer to compliance, from 33 feet to 45 feet, not the full 50-foot requirement.
 - b. Rice stated that he is a business partner to one of the applicants and recused himself from the deliberations, he left his seat and sat in the gallery
 - c. Motion by Baumann to approve this application. Supported by Bunce.
 - i. Motion was approved unanimously
- B. 702/706 Lincoln Street: Lot Split, Property Line Adjustment
 - a. Coy explained this change will be a lot split of 16 feet. Both lots will still be conforming and allow for a larger lot to put on an addition. Coy explained the special distance is great enough that it continues to meet the side yard setbacks.
 - b. Motion by Fent to approve the split. Supported by Filkins.
 - i. Motion was approved unanimously.

Public Hearings

- A. Ordinance Amending the City Zoning Ordinance Regarding Adult-Use Marihuana Establishments and Medical Marihuana Facilities
 - a. Peccia explained the Zoning Ordinance is requested in anticipation that the City Council will be reviewing and adjusting the licensing requirements for Marihuana Licenses. This Zoning amendment would strengthen the city's ability to restrict

licenses. The greater spatial separation between the properties will protect the city's interests to keep a maximum of licenses. This is being considered because there are 4 licenses already issued, 2 recreational opened and 2 medical that have not opened. They have indicated that they need adult use license to make their business work and be profitable. The potential solution is to remove the caps on licensing and adjust to the spatial distancing.

- b. Laura explained that this is a precursor to the upcoming City Council. This is a different amendment that will also regulate the current licenses even if the changes in number of licenses never occurs. City council could approve this change and the change in licensing and keep their restrictions in place. This will restrict marihuana retailers to being 1500 feet apart, building to building.
- c. Putvin: if the state changes requirements for adult and medical so they could be combined, what would happen? Genovich explained that is very difficult to change state statute. This would not prevent medical and retail to operate in the same building, it would restrict different providers from being close together.
- d. Baumann expressed frustration with the changes due to the history of the process with the applicants, but felt the change is positive.
- e. Discussion followed between the board about the history of the Medical Marihuana licenses and how the distance recommendation was created. Peccia and Wallace explained that with this restriction it would only allow up to 2 more locations than the 4 granted. Baumann updated new board members about the previous public hearings with an applicant that was approved to open their medical location but never followed through.
- f. Much discussion took place about the distance between the marihuana locations and if the 1500 foot being proposed was appropriate. The existing awarded licenses would not be subject to the new rules because if they had a pre-existing approval. Genovich reminded the board that their goal is for distance and cannot be strictly about the number of licenses allowed, they cannot discuss and decide based on the number.
- g. Putvin Opened Public meeting. No comments were made.
- h. Putvin Closed the public hearing.
- i. Putvin opened discussion back to the board. Baumann mentioned that this will create a preexisting non-conformity if passed.
- j. Motion by Filkins to approve the amendment with the spatial distance at 2284 feet. Supported by Baumann.
 - i. Motion approved unanimously.

Old Business - None

Board Members Comments

- A. Bunce commented that Cadillac had 2 community members recognized by Record Eagle as top 40 most influential women in Michigan.

Communications – None

Public Comments

A. Putvin introduced a person in the gallery as a possible new board member.

Adjourn

- Adjourned at 6:36 PM.