



City Council Meeting

April 3, 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 Work Session Held On March 20, 2023.

Documents:

[CITY COUNCIL GOALS AND CAPITAL IMPROVEMENT PROGRAM WORK SESSION MINUTES.PDF](#)

III.B. Minutes From The Regular Meeting Held On March 20, 2023.

Documents:

[MARCH 20, 2023 CITY COUNCIL MINUTES .PDF](#)

IV. PUBLIC HEARINGS

IV.A. Public Hearing To Consider Adoption Of Ordinance Amending The City Zoning Map.

Documents:

[RESOLUTION TO ADOPT ORDINANCE TO AMEND ZONING MAP.PDF](#)

V. CITY MANAGER'S REPORT

V.A. **Schedule A Public Hearing For April 17, 2023 To Consider Approval Of The Fiscal Year 2024-2029 Capital Improvement Program.**

V.B. **Schedule A Public Hearing For April 17, 2023 To Discuss The 2023/2024 Annual Operating Budget.**

V.C. **Bids And Recommendation Regarding Aquatic Plant Herbicide Treatment.**

Documents:

[COUNCIL COMMUNICATION - HERBICIDE APPLICATOR 2023.PDF](#)

VI. **ADOPTION OF ORDINANCES AND RESOLUTIONS**

VI.A. **Adopt Resolution Regarding Events Policy.**

Documents:

[RESOLUTION ADOPTING EVENT POLICY WITH EXHIBIT A.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 Goals and Capital Improvement Program Work Session Minutes March 20, 2023

Meeting called to order at 4:20PM

Roll Call:

Council Members Present: Schippers, King, Elenbaas, Engels, Mayor Filkins
Council Members Absent: None

Staff Present: Peccia, Roberts, Ottjepka, Dietlin, Wallace, City Attorney Homier

No public comment.

Motion to approve agenda by Council Member Schippers, Support by Council Member Engels; motion unanimously approved.

Mayor then turned the meeting over to City Manager Peccia for an introduction and review of the mission, vision, and priority program process.

Peccia introduced the process of establishing and amending the mission, values, and priority programs contained in the proposed document. There were no suggested additions or changes to the mission or vision statements.

Peccia continued by highlighting the following priority programs:

- 4. Complete Development of Cadillac Commons:** This program should be eliminated soon. The Market project is complete, but the wind screens have failed and need to be replaced. In addition, there may be some additional projects in the area as funds would be available, such as a new dock and walkways.
- 8. Maintain 2-3 Months Fund Balance Reserves in General Fund:** A new Fund Balance policy will be presented for council discussion and approval at an upcoming meeting. This policy will guide decisions and recommendations regarding the use of fund balance in excess of policy levels and also a process to restore fund balance should they fall below policy levels.
- 19. American Rescue Plan Act Funding Opportunities:** The City has just over \$900,000 in funds remaining from ARPA. These could be potential sources of funding for public-facing projects and street improvements as well; could also be a source of funds to help improve pedestrian experience in downtown Cadillac, including sidewalks.

Councilmember King inquired about strategies for public input regarding some of the significant visionary-type projects that are included in the CIP, like the dock and walkway behind the Pavilion. It is important that the public have a chance to weigh in to these projects to keep the City from moving forward with a project that may not have broad community support. Various methods were discussed.

Councilmember Engels echoed this sentiment and suggested hosting another Ice Cream Social event to get input on public projects. He suggested spending some funds on renderings to give the public some visual concepts for these projects and solicit input on them.

Peccia finished the goals portion of the meeting with an introduction to a new housing initiative in partnership with Housing North. Included in this initiative is partnering to help fund a local position that

would be focused on local housing needs. Mayor Filkins emphasized the importance of this issue as well as the importance of the City being a good partner in this effort.

Peccia turned the meeting over to Director of Finance Owen Roberts to discuss the FY2024-FY2029 Capital Improvement Program.

Roberts introduced the program by stating that the program is similar in structure and purpose as prior years.

Highlighted the street projects in year 1. Discussion followed regarding funding street projects both current and in the future. Fund balance on hand is well above policy requirements and it will be recommended that the current FY2023 budget be amended to transfer up to \$1.5 million total from the General Fund to the Major and Local Street Funds to cover upcoming costs.

Additionally, significant discussion took place regarding new approaches to street maintenance utilizing a combination of milling and overlay along with chip/seal if and where appropriate to extend the lives of various streets. Full reconstruction now is over \$1 million per mile and there are not sufficient annual revenues to cover this level of investment. Councilmember King clarified that these new approaches enable the City to take a more prudent approach to street maintenance and repair, minimizing the use of debt and wisely investing current funds on hand to fix streets.

Council and staff also discussed utilizing a portion of the City's ARPA funds to help pay for streets and potentially other visible, public-facing projects. Councilmember King recommended that City staff reach out to Wexford County to inquire about the County partnering with the City to utilize some of the County's ARPA funds to do street repair and maintenance in the area near the courthouse. Staff indicated their intent to have this conversation with the County.

Discussion took place regarding needed capital repairs at the Cadillac Community Center. Because of limited rental revenue, a transfer from the General Fund will be proposed in the upcoming budget to cover \$33,000 in proposed projects at the center.

There was additional discussion regarding some of the visionary projects included in the Community Development section. The discussion reflected earlier comments about working hard to get broad community input and support when these projects are evaluated and moved forward.

Councilmember Schippers commented about how valuable the process is, how much work it reflects that the City accomplishes and is responsible for, and how she enjoys the forward thinking that is a part of the goals and capital improvement program process.

Meeting adjourned at 5:47PM.

CITY COUNCIL MEETING MINUTES

March 20, 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, Engels, King, Mayor Filkins

Council Absent:

Staff Present: Peccia, Roberts, Ottjepka, Dietlin, Homier, Lanning, Wallace

APPROVAL OF AGENDA

2023-040 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2023-041 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. Cadillac Area Public Schools

2023-042 Approve Banner Display.

Motion was made by Schippers and supported by Engels to approve the display of a banner from April 3-10, 2023, for Kindergarten Roundup.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Recommendation regarding 2023-2024 Road Salt.

Peccia noted the City has been participating in the MiDEAL program for a number of years and the request is to participate in the program again to purchase 2023/2024 road salt. Peccia stated based on seasonal requirements the City expects to utilize up to 2,500 tons of road salt, which is believed to come in at \$75.00 a ton; for a total of \$187,500.

2023-043 Approve recommendation regarding 2023-2024 Road Salt.

Motion was made by Elenbaas and supported by King to participate in the MiDEAL competitive bidding process and approve the commitment to purchase up to 2,500 tons of seasonal road salt through the resulting State of Michigan contract at the unit cost bid approved by the State of Michigan.

Motion unanimously approved.

B. Recommendation regarding Rental of Mechanical Street Sweeper.

Peccia stated that we rented a Mechanical Street Sweeper last year and we are looking at continuing it again this year for Spring/Fall cleanup. MacQueen Equipment has acquired Bell Equipment which will be the company of record for the rental. The cost will be \$11,790 per month.

2023-044 Waive competitive bidding regarding rental of Mechanical Street Sweeper.

Motion was made by Schippers and supported by King to waive competitive bidding regarding rental of a Mechanical Street Sweeper.

Motion unanimously approved.

2023-045 Authorize rental of Mechanical Street Sweeper.

Motion was made by Schippers and supported by Engels to authorize a one-month rental in the Spring 2023 and one-month in the Fall 2023 in the amount of \$11,790 per month.

Motion unanimously approved.

C. Bids and Recommendation regarding Lester Street Improvement Project.

Peccia stated that two bids were received. Recommendation to award the project including a 10% contingency to CJ's Excavating, Inc. bringing the total to \$1,100,910.01. The project includes utilities and sidewalks near Franklin Elementary School.

2023-046 Award and Approve Lester Street Improvement Project

Motion was made by Elenbaas and supported by Engels to award the contract to CJ's Excavating, Inc. as presented for the base bid and to approve a 10% contingency for city engineer-approved field changes in

quantity or scope due to unknowns in municipal utilities and underground conditions, bringing the total recommended award to \$1,100,910.01.

Motion unanimously approved.

D. Bids and Recommendation regarding HMA Paving-Variious Sections Project.

Peccia listed off multiple locations for resurfacing. (Chart Below)

- 1 Leeson Avenue Wright St intersection
- 2 Leeson Avenue Arthur St intersection
- 3 6th Avenue 6th St to 8th St
- 4 River Street Hemlock St to Powers St
- 5 Hemlock/Lincoln Nelson south to Lincoln east to Pine
- 6 Division Street May St to Blodget St
- 7 Holbrook Street Division St to Garfield St
- 8 Delmar Street Cass St to Chapin St
- 9 Rush Street Cass St to Chapin St
- 10 Shelby Street Cass St to Harris St
- 11 Maple Street Howard St to Evert St
- 12 Whaley Street Carmel St intersection
- 13 Whaley Street Curve east of Carmel St
- 14 Whaley Street Paluster St intersection
- 15 Paluster Street Mitchell St to east of Wilcox St
- 16 Carmel Street Cobb St to Stimson St

2023-047 Award and Approve HMA Resurfacing – Multiple Locations

Motion was made by Schippers and supported by Elenbaas to award the contract to Elmer’s Crane and Dozer Inc., for the base bid of \$549,220.75 and approve a 5% contingency for city engineer-approved field changes in quantity or scope due to deteriorated pavement conditions, bringing the total recommended award to \$576,681.79.

Motion unanimously approved.

INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance Amending the City Zoning Map and set a public hearing for April 3, 2023.

Peccia noted this was brought before and approved through the Planning Commission to approve to amend the City Zoning Map and change the OS-2 (Office Service District) to the B-2 (Central Business District) allowing short term rental. This would only pertain to the one property at 124 E Pine St.

2023-048 Set a public hearing for Ordinance 2023-02

Motion was made by Schippers and supported by Elenbaas to adopt Resolution to introduce Ordinance to amend the city zoning map and set a public hearing for April 3, 2023.

Motion unanimously approved.

PUBLIC COMMENTS

Sid Simone of 118 E Harris St. Cadillac, MI asked about the public hearing on April 3, 2023 and if it was to cover the entire city or just the one property. Peccia stated that it was just for that one property.

GOOD OF THE ORDER

Peccia stated that there is a re-write in process for the zoning code updates as pertains to short-term rentals. Public forums will be held along with public hearings. No date scheduled at this time, presuming this calendar year.

Elenbaas congratulated Cadillac Viking Boys Basketball team.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Keri Lanning, Deputy City Clerk

City Council

200 North Lake Street
Cadillac, Michigan 49601
Phone (231) 775-0181
Fax (231) 775-8755



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2023-3491

**RESOLUTION TO ADOPT
AN ORDINANCE TO AMEND THE CITY ZONING MAP**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan _____ day of _____ 2023, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by _____ and seconded by _____ .

WHEREAS, pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 *et seq.* (“MZEA”), the City has authority to adopt and amend zoning ordinances regulating land use in the City; and

WHEREAS, the City desires to amend the City’s Zoning Ordinance to change the OS-2, Office Service District zoning designation and established use district as shown on the City Zoning Map for the real property legally described as:

N1/2 Lot 7, ½ of Lot 8, and W 3.4 FT of N1/2 of Lot 9, BLK 4 Mitchells Revised Plat of the Village of Clam Lake City of Cadillac
(Tax identification No. 10-086-00-159-02) (the “Parcel”)

to the B-2, Central Business District zoning designation and corresponding use district under Chapter 46 of the Cadillac City Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed amendments on February 27, 2023; and

WHEREAS, the Planning Commission voted to recommend the proposed amendments to the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on the proposed amendments on _____, 2023.

NOW, THEREFORE, the City Council of the City of Cadillac, Wexford County, Michigan, resolves as follows:

1. The City adopts Ordinance No. 2023-02, An Ordinance to Amend the City Zoning Map (the “Ordinance,” attached as Exhibit A).
2. The Ordinance shall be filed with the City Clerk.
3. The City Clerk is directed to publish a Notice of Adoption within 7 days after its adoption.
4. A copy of the Ordinance shall be available for examination at the office of the City Clerk, and copies may be provided for a reasonable charge.
5. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Keri Lanning, Deputy City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2023-3491, duly adopted at a meeting of the City Council held on the _____ day of _____ 2023.

Keri Lanning
Cadillac Deputy City Clerk

Exhibit A:

ORDINANCE NO. 2023-02

AN ORDINANCE AMENDING THE CITY ZONING MAP

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends the City Zoning Map to change the OS-2, Office Service District zoning designation and established use district as shown on the City Zoning Map for the real property legally described as:

N1/2 Lot 7, 1/2 of Lot 8, and W 3.4 FT of N1/2 of Lot 9, BLK 4 Mitchells Revised Plat of the Village of Clam Lake City of Cadillac
(Tax identification No. 10-086-00-159-02)(the "Parcel")

to the B-2, Central Business District zoning designation and corresponding use district under Chapter 46 of the Cadillac City Code.

Section 2.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4.

This Ordinance shall take effect twenty (20) days after its adoption.

Approved this ____ day of _____, 2023.

Keri Lanning, Deputy Clerk

Carla J. Filkins, Mayor

April 3, 2023

Council Communication

Re: Applicator Bid - Lake Cadillac Aquatic Plant Herbicide Treatments

The City recently requested bids for the application of herbicides to Lake Cadillac to control invasive plant species such as Eurasian Milfoil. PLM Land & Lake Management of Evart, MI was the only responding firm and is qualified to perform the work as requested.

The cost of applying herbicides is quoted on a per acre basis. Because treatment proposals must generally be secured prior to the seasonal growth of invasive plants, there is no way to accurately predict actual treatment costs. Therefore, the following table indicates the per acre unit prices submitted by the respective firms for a broad range of aquatic plant control herbicides.

Base Bid Item No.	Quantity	Bid Unit	Description	Concentrate	Unit Price
1	1	Acre	Renovate Max G	120 lbs/acre	\$505
2	1	Acre	Renovate Max G	150 lbs/acre	\$635
3	1	Acre	Renovate Max G	160 lbs/acre	\$675
4	1	Acre	Renovate Max G	180 lbs/acre	\$760
5	1	Acre	Renovate OTF	120 lbs/acre	\$500
6	1	Acre	Renovate OTF	150 lbs/acre	\$620
7	1	Acre	Renovate OTF	180 lbs/acre	\$745
8	1	Acre	Renovate OTF	200 lbs/acre	\$830
9	1	Acre	Renovate OTF	250 lbs/acre	\$1000
10	1	Acre	Navigate 2,4-D	120 lbs/acre	\$580
11	1	Acre	Navigate 2,4-D	150 lbs/acre	\$725
12	1	Acre	Navigate 2,4-D	180 lbs/acre	\$870
13	1	Acre	Sculpin G 2,4-D	160 lbs/acre	\$505
14	1	Acre	Sculpin G 2,4-D	180 lbs/acre	\$570
15	1	Acre	Sculpin G 2,4-D	200 lbs/acre	\$630
16	1	Acre	Sculpin G 2,4-D	250 lbs/acre	\$785
17	1	Acre	Renovate 3	2.0 gal/acre	\$225
18	1	Acre	Renovate 3	2.5 gal/acre	\$265
19	1	Acre	Renovate 3	3.0 gal/acre	\$300
20	1	Acre	Renovate 3	3.5 gal/acre	\$360
21	1	Acre	Clipper	200 ppb	\$250
23	1	Acre	Adjuvant	0.25 gal/acre	\$0
24	1	Acre	Reward diquat	2 gal/acre	\$185
25	1	Acre	Aquathol K	2 gal/acre	\$240
26	1	Acre	Cutrine	1 gal/acre	\$60
27	1	Acre	Cutrine	2 gal/acre	\$125
28	1	Acre	ProcellaCOR 2PDU	acre	\$170
29	1	Acre	ProcellaCOR 3PDU	acre	\$255
30	1	Acre	ProcellaCOR 4PDU	acre	\$340
31	1	Acre	ProcellaCOR 5PDU	acre	\$425
32	1	Acre	ProcellaCOR 6PDU	acre	\$510

PLM has treated Lake Cadillac as part of the milfoil management program since its inception in 2006. In each of the prior years the firm has met all contract requirements in a timely and professional fashion.

Recommended Action

It is recommended that Council award the contract for aquatic plant herbicide treatments to PLM Land & Lake Management of Evart, Michigan. The contract will automatically renew in one-year increments, upon recommendation of the Lake Consultant and approval of the city, with annual increases in their respective unit prices for ensuing seasons not to exceed two percent (2%) annually. Funds will be available in the Lake Treatment Fund.

City Council

200 North Lake Street
Cadillac, Michigan 49601
Phone (231) 775-0181
Fax (231) 775-8755



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2023-3492

RESOLUTION TO ADOPT AN EVENT POLICY

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 3rd day of April, 2023, at 6:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the City has adopted an ordinance regarding parks, recreation, and waterways in Chapter 26 of its City Code; and

WHEREAS, the City wishes to adopt additional regulations governing the use of City parks and facilities for events; and

WHEREAS, the City concludes that adopting the Event Policy (attached as Exhibit A) is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, the City Council of the City of Cadillac, Wexford County, Michigan, resolves as follows:

1. The City hereby adopts the Event Policy attached as Exhibit A.
2. The Event Policy shall be filed with the City Clerk.

3. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)ss
COUNTY OF WEXFORD)

I, Keri Lanning, Deputy City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. _____, duly adopted at a meeting of the City Council held on the 3rd day of April, 2023.

Keri Lanning
Cadillac Deputy City Clerk

Exhibit A:



CADILLAC COMMONS USE POLICY

I. PURPOSE

The purpose and intent of this Policy are as follows:

- a. To provide content-neutral time, place, and manner regulations for organized events, festivals, and activities, in the public parks and facilities located within Cadillac Commons. This Policy is intended to strike a balance between use of those spaces for organized events versus general recreational enjoyment.

It is recognized and appreciated that organized events have become an important addition to the culture and vitality of the City of Cadillac, and that they make a valuable contribution to the economic and social well-being of the City. It is also recognized and appreciated that the City's parks and open spaces, especially those within Cadillac Commons, are used by residents and visitors for recreational enjoyment in their natural state without organized events.

- b. To regulate the frequency of events in certain spaces, establish an event priority list, and a permit application process for use of spaces within Cadillac Commons with their corresponding fees.

II. DEFINITIONS

The following words and phrases shall have the corresponding definitions:

- (a) "City Clerk" means the person acting as City Clerk of the City of Cadillac or his or her designee.
- (b) "City Manager" means the person acting as City Manager of the City of Cadillac or his or her designee.
- (c) "Cadillac Commons" means those City-owned and officially dedicated public spaces and facilities as shown on the attached map.
- (d) "Event Coordinator" shall mean the City of Cadillac Event Coordinator under the direction of the DPW Operations Manager.
- (e) "Event" means a planned activity to use a park and other City property, including streets. This includes activities which have an attraction to the public, such as concerts, art & craft shows, or anything using amplified sound. Events are categorized as High Impact Events or Low Impact Events.

- (f) “High Impact Event” means an event generally (1) two days or more in duration, excluding set-up/tear-down; (2) open to the public regardless of whether a fee for admission is charged, and (3) that has one or more of the following elements: use of City personnel requested or required; commercial or for-profit financial benefit; or significant infrastructure such as set-up of large tents, stages, amusements, concessions, and/or sale of alcohol.
- (g) “Low Impact Event” means an event one day or less in duration, excluding set-up/tear-down, and which generally does not include significant use of City personnel; the sale of alcohol; or significant infrastructure such as the set-up of large tents, stages, amusements, or concessions.
- (h) “Event Committee” representatives from multiple City Departments, Streets, Parks, Police, Fire & Zoning.

III. HIGH IMPACT EVENTS

- (a) Examples of High Impact Events include but are not limited to the annual Cadillac Festival of the Arts, Freedom Festival, Craft Beer Festival, or After 26 Music Festival.
- (b) High Impact Events should be scheduled accordingly so that neither The Plaza nor the City Park in Cadillac Commons will have its general use, as an open space or park without organized activity, restricted more than two consecutive weekends. Organized events that desire to occur more than two consecutive weekends will be directed to use other facilities. Other facilities include The Market at Cadillac Commons and The Rotary Performing Arts Pavilion at Cadillac Commons.
- (c) High Impact Events may coincide with another event if all events mutually agree in writing to share the same park and provide a copy of their written agreement with the Permit Application. The written agreement shall become part of any permit issued.

IV. LOW IMPACT EVENTS

- (a) Examples of Low Impact Events would include but are not limited to weddings, family reunions, exercise/training groups, and certain walks/running races that otherwise would not qualify as a High Impact Event.
- (b) Low Impact Events should be scheduled accordingly so that neither The Plaza nor the City Park in Cadillac Commons will have its general use, as an open space or park without organized activity, restricted more than two consecutive weekends. Organized events that desire to occur more than two consecutive weekends will be directed to use other facilities. Other facilities include The Market at Cadillac Commons and The Rotary Performing Arts Pavilion at Cadillac Commons.
- (c) Low Impact Events may coincide with another event if all events mutually agree to share the same park in writing and provide a copy of their written agreement with the permit application. The written agreement shall become part of any permit issued.

V. PERMIT APPLICATIONS

Permit applications must be completed by the Applicant and the person or sponsoring organization who will be the Permit Holder and submitted to the City Event Coordinator. The Event Coordinator shall forward fees collected to the Treasurer's Department. The submittal of the applications shall comply with the following:

- (a) Time. Applications should be filed sixty (60) days before a High Impact Event. If an application is not submitted within the 60-day timeframe, the application process may not be completed in time for the event to be held, and a permit may not be issued.
- (b) Signature. The application shall be signed by the adult person who (1) will attend and oversee the event and activity, or (2) can bind the organization requesting the permit.
- (c) Permit Holder. The application shall specify the name, address, telephone number, cell phone number, and e-mail address of the Permit Holder (the sponsoring organization or individual), and other information deemed relevant or necessary by the City.
- (d) Fee. Applications submitted without the required fee(s) shall automatically be deemed incomplete.
- (e) Insurance. Permit Holders shall provide insurance as follows:
 1. Comprehensive general liability insurance - \$1,000,000 per occurrence. The policy shall name the City of Cadillac as an additional insured in the policy coverage and shall include an endorsement to the policy naming the City of Cadillac as additional insured.
 2. The duration of the insurance shall encompass the total length of time any equipment is placed on City property or the duration of the event, whichever is longer.
 3. Suitable proof of insurance shall be submitted to the Event Coordinator prior to the Event taking place.
- (f) Description of Event. The Event shall be described with such detail as required on the forms supplied. The description shall include a detailed site plan.

VI. PRIORITY OF APPLICATIONS

Except as provided below, applications for Events shall be considered and decided on a first come-first serve basis as of the date they are filed and deemed complete.

High Impact, annual community-wide events that will be given scheduling priority include:

- Veteran's Day event
- Homecoming event
- Independence Day event
- Cadillac Festival of the Arts

- Cadillac Craft Beer event
- Cadillac Car Show event
- After 26 Music Festival
- Memorial Day Event
- Christmas in the Park

VII. STANDARDS

The standards for granting approval of a Permit application are the following:

- (a) The activity will not unreasonably interfere with or detract from the general public's enjoyment of nearby public land, or unreasonably disturb normal activity on surrounding private land.
- (b) The activity does not cause a violation of any law, ordinance, rule, or regulation.
- (c) The facilities desired have not been reserved for other use on the date and hour requested in the application.
- (d) The activity will not cause damage to natural or man-made components of the spaces being used for the event.
- (e) The activity shall not occur so soon before or after another event that it creates a burden on the space or facility, City staff or resources.
- (f) The Event complies with all other provisions of this Policy.

VIII. GENERAL CONDITIONS

The following general conditions apply to all events. Additional special conditions may be imposed in the Permit. All terms and representations specified in the permit application are automatically special conditions to the Permit unless changed or superseded by the general conditions or an additional condition.

- a. **Equipment and Signs.** No other property, equipment, or signs are to be used by participants in the park, public land, and adjacent property or water except as listed in the Permit. No signs shall be erected in violation of any City ordinance. Placement of permitted equipment shall be coordinated with the City Manager or Manager's designee, and unless authorized, all property, equipment, and signs shall be removed from the park on any day during which the Event, setup, or removal is not being conducted.
- b. **Cleanup.** The Applicant and Permit Holder shall promptly and completely cleanup and restore the site immediately following the Event or activity.
- c. **Set-Up and Removal.** Set-up and removal shall occur promptly, and the time allowed therefor shall be restricted in the Permit.
- d. **City Cost.** Damage to public properties or the City's cost incurred in cleanup and repair shall be the responsibility of the Applicant and the Permit Holder. Payment of any such assessment shall be due within thirty (30) days of notice of such cost or assessment. A

bond, letter of credit, or cash deposit as security for cleanup and restoration may be required.

- e. Tents. If tents are used, the tent material shall be composed of noncombustible and flame-resistant fabric in accordance with the City Fire Code and erected to meet wind load requirements of the State Construction Code.
- f. Excavation. No digging, staking, or any other ground disturbing activity shall be performed except as authorized in the Permit and upon prior notification from the Operations Manager for DPW.
- g. Time of Events. The Permit shall specify the days and hours of the event.
- h. Trash and Toilets. Portable toilets are not provided by the City and the Permit Holder will be responsible for ordering, placement and pickup of any portable toilets. Trash receptacles are placed throughout Cadillac Commons. The Permit Holder is responsible for the cleanup of the area and removal of trash from the site unless other arrangements have been made with the City.
- i. Vehicles. No trucks or other motor vehicles are allowed in City parks except in designated parking lots or except those conveying specialized equipment for the Event, or otherwise allowed as stated in the Permit.
- j. Site Plan. Applicants shall provide a detailed site plan depicting facility location, if any, to be used or installed during the Event.

IX. REVOCATION OF USE

A Permit may be revoked in writing at any time by the City Manager or Manager's designee, if there has been a misrepresentation in the application or any material misstatements by the Applicant, or there has been a failure to follow this Policy, or other City ordinance, State law, or any condition attached to a Permit. The Applicant or Permit Holder whose Permit is revoked by the City Manager may appeal to the City Council in writing within five business (5) days. All activities under the Permit will be suspended pending such appeal.

Permit Fee Schedule

Permits are required for reservations at the following facilities:

- The Market at Cadillac Commons
- The Rotary Performing Arts Pavilion at Cadillac Commons
- City Park at Cadillac Commons
- The Plaza at Cadillac Commons

Permit Fees:

- Daily Rate (4 hours or more) \$100
- Hourly Rate (less than 4 hours) \$55 per hour
- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

Reoccurring Events: Events that occur a minimum of once a week, for four consecutive weeks. Two examples include a summer concert series and farmers' market. **Reoccurring events are not permissible in The Plaza or City Park at Cadillac Commons.**

- Daily Rate of \$25:
- Non-Profit Daily Rate of \$15

Permit fees may be adjusted annually by 5% or the Michigan Consumer Price Index, whichever the greater.

City Council may modify this policy at any time.