

City Council Meeting

April 2, 2018 6:00 p.m.

Cadillac Municipal Complex Council Chambers 200 N. Lake St. Cadillac, MI 49601



April 2, 2018 City Council Meeting Agenda 6 p.m. at City Hall – 200 N. Lake St. – Cadillac, MI 49601

We support each other in serving our community

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

- I. APPROVAL OF AGENDA
- II. PUBLIC COMMENTS

It is requested that comment time be limited to three (3) minutes.

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 items will be removed from the consent agenda and discussed separately.

- A. Minutes from the regular meeting held on March 19, 2018. Support Document III-A
- B. Minutes from the closed session held on March 19, 2018.

IV. PUBLIC HEARINGS

A. Public hearing to consider approval of resolution to adopt Ordinance Amending the City Zoning Map.

Support Document IV-A

B. Public hearing to consider approval of resolution to adopt Ordinance to Amend Sections 42-201 and 42-202(3) of Chapter 42 of the City Code to Increase Water Rates in the City of Cadillac 3%.

Support Document IV-B

C. Public hearing to consider approval of resolution to adopt Ordinance to Amend Section 42-374 of Chapter 42 of the City Code to Increase Sewer Rates in the City of Cadillac 3%.

Support Document IV-C

V. COMMUNITY SPOTLIGHT

A. Presentation by the Cadillac Area Community Foundation and Youth Advisory Committee.

VI. COMMUNICATIONS

- A. Display of banner for Sexual Assault Awareness Month. Support Document VI-A
- B. Display of banner for Cadillac Symphony Orchestra. Support Document VI-B
- C. Street closure for Earth Day Event. Support Document VI-C

VII. CITY MANAGER'S REPORT

- A. Request regarding installation of bat boxes on City property. Support Document VII-A
- B. Schedule a public hearing for April 16, 2018 to discuss the 2018/2019 Annual Operating Budget.
- C. Schedule a public hearing for April 16, 2018 to discuss the 2019-2024 Capital Improvement Program.

VIII. ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Approve Resolution to Adopt Ordinance Amending Chapters 8 and 18 of the City of Cadillac Code.

Support Document VIII-A

B. Adopt Resolution to Set Fee Schedule for Condemned Buildings (Section 108.8 of Property Maintenance Code) and Failure to Obtain Contractor Registration/Permit (Section 113.3 of Fire Code).

Support Document VIII-B

Cadillac City Council Agenda

April 2, 2018 Page 3

IX. PUBLIC COMMENTS

It is requested that comment time be limited to three (3) minutes.

- X. GOOD OF THE ORDER
- XI. 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

6:00 PM – March 19, 2018 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: Spoelman, Schippers, Engels, King, Mayor Filkins

Council Absent: None

Staff Present: Peccia, Roberts, Dietlin, Osborn, Wolff, Eller, Homier, Wasson

APPROVAL OF AGENDA

2018-047 Approve agenda as presented.

Motion was made by Spoelman and supported by Engels to approve the agenda as presented.

Motion unanimously approved.

PUBLIC COMMENTS

Martin Dubravec encouraged Council to delay any changes to the Fire Code ordinance until the public has adequate time to review the proposed amendments.

Michele Hoitenga, State Representative, commented on the development projects within the City and provided a brief legislative update.

CONSENT AGENDA

2018-048 Approve consent agenda as presented.

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

Motion unanimously approved.

PUBLIC HEARINGS

A. Public hearing regarding the adoption of a Combined Brownfield Plan for the 412 Cadillac Redevelopment.

Peccia stated, Mac McClelland, the City's Brownfield Consultant from Otwell Mawby, P.C., will provide highlights of the Combined Brownfield Plan. He noted this is regarding the former Better Bodies building.

Mac McClelland, Brownfield Consultant from Otwell Mawby, P.C., provided highlights of the Combined Brownfield Plan. (see attachment)

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

Spoelman asked what entity receives the \$3,718 in current taxes.

McClelland stated the current taxes will continue to go to the taxing jurisdictions. He noted any amount above the current taxes will be captured by the Brownfield Authority and used to reimburse the Eligible Activities. He noted the total capture proposed in the Plan is estimated at \$138,000.

Spoelman asked what portion of the tax capture is provided to the developer.

McClelland stated the amount would be \$79,235 plus interest.

King noted the amount provided to the developer is to reimburse for the cost of completing the environmental activities.

Schippers stated it is good to see brownfields developed because when they are left alone it adds to blight.

McClelland stated the investments that are occurring would be difficult without the incentives.

<u>2018-049 Adopt Resolution Approving Combined Brownfield Redevelopment Plan for 412 Cadillac Redevelopment.</u>

Motion was made by Schippers and supported by King to adopt the Resolution Approving Combined Brownfield Redevelopment Plan for 412 Cadillac Redevelopment.

Motion unanimously approved.

PROCLAMATION

A. Month of the Young Child.

Mayor Filkins read a proclamation declaring April 2018 as Month of the Young Child.

COMMUNICATIONS

A. Display of banner for Month of the Young Child.

2018-050 Approve banner for Month of the Young Child.

Motion was made by Schippers and supported by Engels to approve the display of a banner from April 2, 2018 to April 9, 2018 for the Month of the Young Child.

Motion unanimously approved.

B. Display of banner for National Library Week.

2018-051 Approve banner for National Library Week.

Motion was made by Spoelman and supported by King to approve the display of a banner from April 9, 2018 to April 16, 2018 for National Library Week.

Motion unanimously approved.

C. Street closure for Community Easter Egg Hunt.

Nicholas Herringa, Cadillac Jaycees, stated they are requesting the closure of Lake Street to provide safety for the children. He noted they are also requesting the presence of emergency vehicles so the children can look at them.

Spoelman thanked the Jaycees for hosting this event.

2018-052 Approve street closure for Community Easter Egg Hunt.

Motion was made by Schippers and supported by Engels to approve the closure of Lake St. between Harris St. and Cass St. from 12:00 pm to 4:00 pm on March 31, 2018 for the Community Easter Egg Hunt.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Request from Cadillac Rotary Club regarding Cadillac Veterans' Memorial Walkway.

Peccia stated it is being recommended that Council consider naming a portion of the existing walkway as the Cadillac Veterans' Memorial Walkway.

Doreen Lanc, Cadillac Area Community Foundation and Cadillac Rotary Club, briefly explained the project.

Spoelman stated she wants to ensure we are not contributing to light pollution.

Lanc noted solar lights could be aimed directly at the flags so they do not distract drivers or boaters.

<u>2018-053 Name a portion of the existing walkway as the Cadillac Veterans' Memorial Walkway.</u>
Motion was made by Schippers and supported by Spoelman to name a portion of the existing walkway as the Cadillac Veterans' Memorial Walkway.

Motion unanimously approved.

B. Recommendation regarding Curbside Recycling Program extension.

Peccia noted the City currently utilizes Ms. Green, LLC for curbside recycling. He stated the company would like to move forward with a 4-year extension (two, two- year contracts) without any changes to the terms or conditions. He noted City staff is recommending the contract be extended accordingly.

Peccia stated that over the past several years, 29 tons of metal, 44 tons of plastic, and 757 tons of paper have been diverted from the landfill as a result of the City's curbside recycling program.

Spoelman asked for clarification on the yearly price increases.

Owen Roberts, Director of Finance, stated there are two factors related to the annual price increases: fuel portion (based on the gas price index) and non-fuel portion (based on the Consumer Price Index). He noted the cost in year six will be \$0.02 more than it was in the first year of the contract.

Spoelman noted the waste hauler is considering adding another day of service during the week. She asked if that would impact the recycling service.

Jeff Dietlin, Director of Utilities, stated the City has not discussed adding another day of service with Ms. Green.

Luke Mattison, co-owner Ms. Green, LLC, stated that adding another day of service is not necessary at this time but they would do so if it was required in the future.

2018-054 Extend agreement with Ms. Green, LLC.

Motion was made by Schippers and supported by Spoelman to extend the agreement with Ms. Green, LLC for two additional two-year extensions through June 30, 2022.

Motion unanimously approved.

C. Recommendation regarding 2018-2019 Road Salt.

Peccia stated that for many years the City has participated in the State of Michigan's Delivering Extended Agreements Locally (MiDEAL) program which competitively bids road salt. He noted the cost is estimated to be \$100,000 for approximately 2,000 tons of road salt.

Roberts noted the cost per ton has decreased over the past few years. He stated a few years ago the cost was \$68 to \$69 per ton and the last purchase was \$46.37 per ton. He noted

the order needs to be placed by April 1st of each year.

2018-055 Approve recommendation regarding 2018-2019 Road Salt.

Motion was made by King and supported by Engels to authorize the City to participate in the MiDEAL competitive bidding process and approve the commitment to purchase up to 2,000 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.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

A. Adopt resolution to introduce Ordinance to Amend Sections 42-201 and 42-202(3) of Chapter 42 of the City Code to Increase Water Rates in the City of Cadillac 3% and set a public hearing for April 2, 2018.

Peccia stated the City charges for use of the water system for the purpose of recovering the cost of construction, reconstruction, maintenance, repair, and operation of the system. He noted Council is being asked to set public hearings for a 3% increase in water rates and a 3% increase in sewer rates. He stated the Stormwater and Wastewater Asset Management Plan indicated the City will need to recapture additional costs. He added the City will have some additional capital costs due to the construction of the new well-field.

Dietlin presented and discussed a chart showing a 13-year history of the residential ready-to-serve water and sewer rates. He noted there was not an increase in fiscal year 2018.

2018-056 Set public hearing regarding water rate increase.

Motion was made by Schippers and supported by Engels to adopt the resolution to introduce Ordinance to Amend Sections 42-201 and 42-202(3) of Chapter 42 of the City Code to Increase Water Rates in the City of Cadillac 3% and set a public hearing for April 2, 2018.

Motion unanimously approved.

B. Adopt resolution to introduce Ordinance to Amend Section 42-374 of Chapter 42 of the City Code to Increase Sewer Rates in the City of Cadillac 3% and set a public hearing for April 2, 2018.

2018-057 Set public hearing regarding sewer rate increase.

Motion was made by Spoelman and supported by Schippers to adopt the resolution to introduce Ordinance to Amend Section 42-374 of Chapter 42 of the City Code to Increase Sewer Rates in the City of Cadillac 3% and set a public hearing for April 2, 2018.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Resolution Supporting Water Asset Management Plan.

Connie Houk, Prein & Newhof, provided an executive briefing on the Water Asset Management Plan. She stated the City developed a solid plan and Capital Improvement Program which revealed several major projects that need to be addressed in the next twenty (20) years and beyond. She noted the Water Asset Management Plan was submitted to the Michigan Department of Environmental Quality (MDEQ) on-time and met all of the requirements. She noted the Resolution Supporting Water Asset Management Plan is not mandated by the MDEQ but is to ensure City Council has reviewed the report and understands that the Water Asset Management Plan is now a public document.

Engels noted the water and sewer rates pay for all of the services that are provided. He noted the rate study shows the need for rate increases.

2018-058 Adopt Resolution Supporting Water Asset Management Plan.

Motion was made by Engels and supported by Schippers to adopt the Resolution Supporting Water Asset Management Plan.

Motion unanimously approved.

- B. Approve Resolution to Adopt Ordinance Amending Chapters 8 and 18 of the City of Cadillac Code.
- C. Adopt Resolution to Set Fee Schedule for Condemned Buildings (Section 108.8 of Property Maintenance Code) and Failure to Obtain Contractor Registration/Permit (Section 113.3 of Fire Code).

Peccia noted that Items B & C are connected. He stated there are individuals who are not in attendance that have made it known they want to be present at the public hearings. He explained the City has a time restriction with respect to the City's application with the ISO for recertification in our insurance ratings. He stated the recommendation is hold the public hearings on April 2, 2018.

Schippers asked if the individuals contacted the City directly.

Peccia stated Council Member King advised that he was contacted by members of the community regarding confusion about the date of the public hearings.

King noted he attended the public outreach meeting. He stated there was good exchange of information and the Fire Marshal provided answers to the questions that arose. He added more issues came up during the meeting. He stated people were of the understanding the public hearings were not going to be held until the first meeting in April and that any changes would be placed on the website in advance of the public hearings.

Spoelman asked if they were told it was going to be placed on the website.

King stated placing the changes on the website was discussed during the outreach meeting.

Peccia stated there is some confusion about what was stated in the meeting. He noted the changes are available in the Council packet that is on the website under Agendas & Packets.

Schippers asked if it was stated at the outreach meeting that the public hearings would be held in April.

Peccia noted this is where some of the confusion originated from during the outreach meeting. He stated it was discussed that the public hearings would held in April but it was also mentioned that they could occur at an earlier meeting.

Peccia noted it would be appropriate to ensure that anyone with a concern has the opportunity to raise their concern. He stated that given there is some flexibility in timing, it is being recommended to delay the public hearings until April 2, 2018.

Engels asked if any changes were made after the outreach meeting.

Peccia stated that some changes were made. He noted a detailed presentation will be provided at the April 2, 2018 meeting.

Peccia stated Items B & C are connected because Item C cannot move forward without Item B being put in place first.

Spoelman asked if any changes are expected prior to the next meeting.

Peccia stated he is unsure if any changes will be made but does not expect any substantive legal changes to the document.

Spoelman requested the document be revised to be non-gender specific.

King requested the ordinance be placed on the homepage of the website. He noted there are some potential criminal penalties associated with the registration portion of the ordinance which people did not realize because they did not have a copy of the ordinance to review.

Engels asked about timing of the public hearing notice.

Peccia explained the public hearing process and noted Council decided to table the item at the conclusion of the public hearing held on February 19, 2018 to allow for an additional community outreach meeting to be held.

Engels noted that in order to meet the filing deadline, any amendments would need to be finalized before or during the April 2, 2018 meeting.

Schippers asked if there is a mechanism to allow people to comment and/or ask questions prior to the April 2, 2018 meeting.

Peccia stated they could call or email the City. He noted contact information is listed on the website.

Mayor Filkins stated she strongly encourages anyone having concerns with the ordinance to contact the City.

Peccia recommended that Anthony Wolff, Fire Marshal, provide a brief update regarding the process. He also recommended that Council not take any action on the items until the April 2, 2018 meeting.

Spoelman stated she is surprised that the timing is an issue but she fully understands the need to get everyone's input.

Wolff apologized for any confusion regarding these items. He briefly explained the process leading up to the proposed amendments to the ordinance. He noted two (2) meetings have been held with members of the community which did result in changes to the ordinance that was originally proposed.

King stated he believes everyone would agree the City needs to update the Property Maintenance Code and to update to the 2015 International Fire Code so long as it doesn't exceed the Michigan Building Code or the Michigan Residential Code. He noted there is still concern over the need to have a registration process for fire suppression companies that are already certified by the State of Michigan and over the penalties associated with it.

Wolff noted the penalty phase has been adjusted so it is now a fee adopted by resolution. He stated other changes have been made based upon feedback from community members.

Spoelman asked what other communities require registration.

Wolff noted it is common across Southern Michigan. He stated there has been talk in Northern Michigan communities that actively enforce Fire Code to move in this direction but Cadillac would be the first in Northern Michigan to implement a registration process. He stated some communities are actually licensing fire suppression companies.

Peccia noted there will be a full presentation at the April 2, 2018 meeting.

Peccia stated it would be appropriate to consider a motion to table both items: Adopt Ordinance Amending Chapters 8 and 18 of the City of Cadillac Code and Resolution to Set Fee Schedule for Condemned Buildings and Failure to Obtain Contractor Registration/Permit.

2018-059 Table Items B & C.

Motion was made by King and supported by Engels to table Items B & C, as stated.

Motion unanimously approved.

D. Adopt Resolution for Addition to Local Street System (Warren Street).

Peccia stated Council is being requested to add both Warren and Lincoln Streets to the Local Street System.

Roberts stated every year the City is required to certify its road map. He noted both streets were extended for the purpose of the jail project. He explained Council is being asked to adopt resolutions accepting those streets into the City's Local Street System. He noted the streets will be added to the map and submitted to MDOT. He added it allows the City to collect Motor Vehicle Highway Funds, Act 51 dollars, on these sections of streets. He stated the descriptions are still being finalized and will be added accordingly. He noted the City is actually going to request that both of these become Major Streets due to the emergency nature of the roads.

2018-060 Adopt Resolution for Addition to Local Street System (Warren Street).

Motion was made by King and supported by Schippers to adopt the Resolution for Addition to Local Street System (Warren Street).

Motion unanimously approved.

E. Adopt Resolution for Addition to Local Street System (Lincoln Street).

2018-061 Adopt Resolution for Addition to Local Street System (Lincoln Street).

Motion was made by Spoelman and supported by King to adopt the Resolution for Addition to Local Street System (Lincoln Street).

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

Engels mentioned the upcoming MML Capital Conference.

CLOSED SESSION

Adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with Wexford County Circuit Court Consolidated Case Nos. 13-24803-CH and 17-27610-CZ, TeriDee LLC et al. v Clam Lake Township and Haring Charter Township v City of Cadillac and HOP Family, LLC and City of Cadillac v Haring Charter Township and Clam Lake Township.

2018-062 Adjourn to closed session.

Motion was made by Engels and supported by Schippers to adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with Wexford County Circuit Court Consolidated Case Nos. 13-24803-CH and 17-27610-CZ, *TeriDee LLC et al. v Clam Lake Township*

and Haring Charter Township v City of Cadillac and HOP Family, LLC and City of Cadillac v Haring Charter Township and Clam Lake Township; invite Jeff Dietlin, Director of Utilities.

Motion unanimously approved.

2018-063 Return to open session.

Motion was made by King and supported by Engels to return to open session.

Motion unanimously approved.

Peccia stated it would be appropriate for Council to make a motion appointing no more than two (2) members of the City Council to be in attendance at the mediation on May 1, 2018 regarding Wexford County Circuit Court Consolidated Case Nos. 13-24803-CH and 17-27610-CZ, *TeriDee LLC et al. v Clam Lake Township and Haring Charter Township v City of Cadillac and HOP Family, LLC and City of Cadillac v Haring Charter Township and Clam Lake Township.*

King stated he would be open to attending the mediation.

Schippers stated she believes it would appropriate for Mayor Filkins to attend the mediation. She noted she is also interested in attending.

Spoelman stated she believes all are excellent candidates to attend the mediation.

2018-064 Appoint Council Members to attend mediation.

Motion was made by Schippers and supported by Spoelman to appoint Mayor Filkins and Council Member Schippers to attend the mediation scheduled for May 1, 2018.

Motion unanimously approved.

<u>ADJOURNMENT</u>

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

PUBLIC HEARING NOTES Combined Brownfield Plan 412 Cadillac – 412 S. Mitchell Street

- Public hearing for consideration of Combined Brownfield Plan for the Eligible Property at 412 S. Mitchell Street, as required by Act 381.
- Act 381, Michigan's Brownfield Redevelopment Financing Act provides for the reimbursement over time of certain Eligible Activities on Eligible Property through the capture of increased incremental taxes due to additional private investment.
- Brownfield Eligible Property includes contaminated, blighted, functionally obsolete, or historically designated property.
- Eligible Activities include Environmental (Phase I and Phase II and Baseline Environmental Assessments, due care activities) and Non-Environmental Eligible Activities (lead/asbestos abatement and demolition and, for properties in the City of Cadillac, site preparation and infrastructure).
- The 412 Cadillac Combined Brownfield Plan includes Environmental Eligible Activities of \$17,135 and Non-Environmental Eligible Activities of \$62,100, plus interest and Cadillac Brownfield Redevelopment Authority costs.
- The proposed redevelopment will remove the front portion of the building and remodel the balance for retail or commercial uses, with an anticipated investment of \$225,000.
- Current taxes are \$3,718 and future taxes after investment and Brownfield reimbursement are anticipated to be over \$13,770
- Capture is anticipated for 19 20 years, after which the taxing jurisdictions receive the increased taxes.
- The Combined Brownfield Plan was approved by the CBRA on February 26, 2018 with a recommendation for City Council approval.
- The DDA approved an interlocal agreement on February 28, 2018 to forgo additional local tax capture until the Brownfield obligation is reimbursed.
- A resolution for approval of the Combined Brownfield Plan for the 412 Cadillac redevelopment is presented for City Council consideration.

Date: April 2, 2018

Council Communication

Re: Resolution to rezone parcel with Tax ID#10-048-00-010-00 located on N. Simons Street just east of N. Mitchell Street, from R-3 Single Family Residential to B-3 General Business District.

Introduction

The Planning Commission voted unanimously on February 26, 2018, making the recommendation to City Council for rezoning the parcel with Tax ID#10-048-00-010-00 to B-3 General Business. This will make the parcel consistent in zoning with the two parcels abutting it on the west along North Mitchell Street. The three parcels will then be combined as one parcel prior to construction of the new proposed building. The rezoning application was filed by Cainen Gilde who plans to open an Ace Hardware store.

Requested Council Action

Approve the resolution formally rezoning the above described parcel to B-3 General Business District.

838 N. Mitchell Street at N. Simons Street N SIMONS ST 62' 144' 847 838 Tax ID 10-048-00-010-00 zoned R-3 Zoned B-3 834 108' 832 100'

Prepared By
Community Development
City of Cadillac
Cadillac, MI 49601
231-775-0181

0510203040



Date of Aerials April 2010



Note: This is not a LAND or BOUNDARY LINE SURVEY and may not be used for the construction of any improvements.

City Council

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



Mayor Carla J. Filkins

Mayor Pro-Tem Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

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RESOLUTION ADOPTING ORDINANCE AMENDING 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, on the 2nd day of April, 2018, at 6:00 p.m.

PRESENT:
ABSENT:
The following preamble and resolution was offered byand seconded by
WHEREAS, Mike Johnson (the "Owner") owns real property in the City of Cadillac
legally described as follows:
LOT & VAC ALLEY W OF LOT 10 BLK 213 CHITTENDEN & WHEELERS ADDITION, CITY OF CADILLAC
and whose tax identification number is 10-048-00-008-00 (hereinafter the "Parcel"); and
WHEREAS, the Parcel is currently zoned R-3, Single Family; and

WHEREAS, the Cainen Gilde, HeyHun Holdings, LLC (the "Applicant"), who is looking to purchase the Parcel, submitted an application (the "Application") to the City Planning Commission requesting that the Parcel be rezoned to B-3 General Business District; and

WHEREAS, upon giving notice in accordance with the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 *et seq.* ("MZEA"), the City Planning Commission conducted a public hearing regarding rezoning of the Parcel on February 26, 2018; and

WHEREAS, the City Planning Commission has recommended that the City Council amend the City Zoning Map to rezone the Parcel to B-3 General Business District; and

WHEREAS, the City Council conducted a public hearing regarding the Application on April 2, 2018, after publishing a summary of the ordinance and providing notice of the public hearing in accordance with the City Charter and the MZEA; and

WHEREAS, the City believes it is in the best interests of the health, safety and welfare of the public to adopt the rezoning ordinance.

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

- 1. Ordinance No. 2018-___, An Ordinance Amending City Zoning Map (the "Ordinance," attached as Exhibit A) is hereby adopted.
 - 2. The Ordinance shall be filed with the City Clerk.
- 3. The City Clerk shall publish notice of ordinance adoption in a newspaper of general circulation in the City within fifteen (15) days.
- 4. Any and all resolutions that are in conflict with this Resolution are hereby repealed upon the effective date of the Ordinance but only to the extent to give this Resolution full force and effect.

YEAS: _	 	
NAYS: _		

STATE OF MICHIGAN)	
COUNTY OF WEXFORD)	
	•	f Cadillac, hereby certify this to be a true and adopted at a meeting of the City Council held on
		Sandra Wasson
		Cadillac 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 Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

ORDINANCE NO.

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 R-3, Single Family District zoning designation and established use district as shown on the City Zoning Map for the real property legally described as:

LOT & VAC ALLEY W OF LOT 10 BLK 213 CHITTENDEN & WHEELERS ADDITION, CITY OF CADILLAC

(Tax identification No. 10-048-00-008-00)(the "Parcel")

to the B-3, General 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 thisday of, 2018.	
Sandra Wasson, Clerk	Carla J. Filkins, Mayor

City Council

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



Mayor Carla J. Filkins

Mayor Pro-Tem Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

RESOLUTION NO. 2018-xxx

RESOLUTION TO ADOPT AN ORDINANCE TO AMEND SECTIONS 42-201 AND 42-202(3) OF CHAPTER 42 OF THE CADILLAC CITY CODE TO INCREASE WATER RATES IN THE CITY OF CADILLAC 3%.

At a regular 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 2nd day of April, 2018, at 6:00 p.m.

PRESENT: COUNCIL MEMBERS:	
ABSENT: COUNCIL MEMBER:	

The following preamble and resolution was offered by XXXXXXXX and seconded by XXXXXXXXX.

WHEREAS, the City has established a water supply system for the residents and businesses of the City;

WHEREAS, the City charges for the use of the water system for the purpose of recovering the cost of construction, reconstruction, maintenance, repair, and operation of the system;

WHEREAS, Section 42-374 of the Cadillac City Code provides that City staff or designated parties shall periodically review the charges, rates, fees, rules, and regulations of the water system and report the results of the review to the City Council with respective recommendations for any adjustments;

WHEREAS, pursuant to Article 16, Section 16.3 of the City Charter, the City may fix just and reasonable water rates and other charges from time to time as may be deemed advisable;

WHEREAS, the City staff has reviewed the water supply system rates and has recommended a rate increase of 3%;

WHEREAS, the City wishes to consider increasing rates for the water supply system by 3%;

WHEREAS, the City held a duly noticed public hearing regarding the proposed ordinance on April 2, 2018; and

WHEREAS, the City concludes that adopting the proposed ordinance 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. Ordinance No. 2018-xx, Ordinance to Amend Sections 42-201 and 42-202(3) of Chapter 42 of the Cadillac City Code to Increase Water Rates in the City of Cadillac 3% (the "Ordinance," attached as Exhibit A) is hereby adopted.
 - 2. The Ordinance shall be filed with the City Clerk.
- 3. The City Clerk shall publish a Notice of Adoption and Summary of the Ordinance within seven (7) days after its adoption.
- 4. Any and all resolutions that are in conflict with this Resolution are hereby repealed, but only to the extent to give this Resolution full force and effect.

City of Cadillac Resolution No. 2018-xxx Page 3 of 3

YEAS: COUNCIL MEMBERS:	
NAYS:	
STATE OF MICHIGAN)
COUNTY OF WEXFORD)ss)
	f the City of Cadillac, hereby certify this to be a true and o. 2018-xxx, duly adopted at a regular meeting of the City april, 2018.
	Sandra Wasson
	Cadillac 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 Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

ORDINANCE NO. 2018-03

AN ORDINANCE TO AMEND SECTIONS 42-201 AND 42-202(3) OF CHAPTER 42 OF THE CADILLAC CITY CODE TO INCREASE WATER RATES IN THE CITY OF CADILLAC 3.0%.

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends Section 42-201 of the Cadillac City Code, entitled "Service rates," which shall read as follows:

The rates for water service furnished by the city water supply system shall be as follows:

(1) *Monthly service charges.*

Meter Size (in inches)	Charge (per month)
5/8	\$6.58
3/4	\$9.68
1	\$16.13
1 1/2	\$32.33
2	\$51.56
3	\$112.92
4	\$193.59
6	\$403.36
8	\$580.82

(2) Commodity charge.

Volume (100 cubic-foot unit)	Per Month (per unit)
0 to 600 cu. ft.	\$1.38
601 to 10,000 cu. ft.	\$1.17
10,001 to 100,000 cu. ft.	\$1.04
100,001 to 250,000 cu. ft.	\$0.91
250,001 and above	\$0.79

Section 2.

The City hereby amends Section 42-202(3) of the Cadillac City Code, which shall read as follows:

The rates for providing fire protection sprinklers shall be as follows:

Line Size (in inches)	Charges (per month)
3/4	\$2.35
1	\$4.03
1 ½	\$8.00
2	\$12.91
3	\$28.04
4	\$48.22
6	\$100.63
8	\$145.00
10	\$233.54
12	\$346.16

Section 3.

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

Section 4.

This Ordinance shall take effect July 1, 2018.

City of Cadillac Ordinance No. 2018-03 Page 3 of 3	
Approved this 2nd day of April, 2018.	
Sandra Wasson, Clerk	Carla J. Filkins, Mayor
I, Sandra Wasson, City Clerk of the City of Ca	adillac, Michigan, do hereby certify that Ordinance
No. 2018-03 was published in the Cadillac Ne	ews on the day of, 2018
	Sandra Wasson, 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 Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

RESOLUTION NO. 2018-xxx

RESOLUTION TO ADOPT AN ORDINANCE TO AMEND SECTION 42-374 OF CHAPTER 42 OF THE CITY CODE TO INCREASE SEWER RATES IN THE CITY OF CADILLAC 3%.

At a regular 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 2nd day of April, 2018, at 6:00 p.m.

PRESENT: COUNCIL MEMBERS:_	
ABSENT: COUNCIL MEMBER:	

The following preamble and resolution was offered by $\underline{XXXXXXX}$ and seconded by $\underline{XXXXXXX}$.

WHEREAS, the City has established a sewer supply system for the residents and businesses of the City;

WHEREAS, the City charges for the use of the sewer system for the purpose of recovering the cost of construction, reconstruction, maintenance, repair, and operation of the system;

WHEREAS, Section 42-374 of the Cadillac City Code provides that City staff or designated parties shall periodically review the charges, rates, fees, rules, and regulations of the sewer system and report the results of the review to the City Council with respective recommendations for any adjustments;

WHEREAS, pursuant to Article 16, Section 16.3 of the City Charter, the City may fix just and reasonable sewer rates and other charges from time to time as may be deemed advisable;

WHEREAS, the City staff has reviewed the sewer supply system rates and has recommended a rate increase of 3%;

WHEREAS, the City wishes to consider increasing rates for the sewer supply system by 3%;

WHEREAS, the City held a duly noticed public hearing regarding the proposed ordinance on April 2, 2018; and

WHEREAS, the City concludes that adopting the proposed ordinance 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. Ordinance No. 2018-xx, Ordinance to Amend Section 42-374 of Chapter 42 of the City Code to Increase Sewer Rates in the City of Cadillac 3% (the "Ordinance," attached as Exhibit A) is hereby adopted.
 - 2. The Ordinance shall be filed with the City Clerk.
- 3. The City Clerk shall publish a Notice of Adoption and Summary of the Ordinance within seven (7) days after its adoption.
- 4. Any and all resolutions that are in conflict with this Resolution are hereby repealed, but only to the extent to give this Resolution full force and effect.

City of Cadillac Resolution No. 2018-xxx Page **3** of **3**

YEAS: COUNCIL MEMBERS: _	
NAYS:	
STATE OF MICHIGAN))ss
COUNTY OF WEXFORD)
	of the City of Cadillac, hereby certify this to be a true and No. 2018-xxx, duly adopted at a regular meeting of the City f April, 2018.
	Sandra Wasson
	Cadillac 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 Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

ORDINANCE NO. 2018-04

AN ORDINANCE TO AMEND SECTION 42-374 OF CHAPTER 42 OF THE CITY CODE TO INCREASE SEWER RATES IN THE CITY OF CADILLAC 3%.

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends Section 42-374 of the Cadillac City Code, entitled "Monthly wastewater user services charges," which shall read as follows:

No free service shall be furnished by the system to the city or to any person, firm or corporation, public or private, or to any public agency or instrumentality.

(1) *Metered users.*

a. *Base Rate.* The base rate for metered users is as follows:

Meter Size (in inches)	Service Charge (per month)
5/8	\$10.61
3/4	\$15.95
1	\$26.56
1 1/2	\$53.11
2	\$85.00
3	\$186.08
4	\$318.79
6	\$664.27
8	\$956.51

b. *Commodity charges*. A charge of \$2.46 per 100 cubic feet of metered water used will be charged each month.

- (2) *Unmetered users (flat rate).* Unmetered users will be charged according to the following rate schedule:
 - a. Room charge: Count living, dining, bedrooms and kitchens. **DO NOT COUNT** bathrooms, halls, storage closets. This charge includes lavatories, dishwashing, laundry, and all other domestic uses except bathtubs, showers and toilets.

Rooms	Per Month	
1 to 3 rooms, inclusive	\$9.18	
4 to 6 rooms, inclusive	\$10.29	
7 to 8 rooms, inclusive	\$12.14	
Each additional room	\$1.68	

- b. For each additional bathtub or shower, add \$4.40 per month.
- c. For each additional toilet, add \$4.84 per month
- (3) *Surcharges.* Additional charges will be in accordance with the following schedule:

Parameter	Parameter Surcharge (per month-per pound)	Base Concentration (in mg/L)	
Suspended Solids	\$0.35	215	
Biochemical oxygen demand	\$0.51	185	
Phosphorus	\$3.44	10	
Nitrogen	\$8.04	20	
Total organic carbon	\$2.89	600	
Chemical oxygen demand	\$1.24	600	
Total chlorides	\$0.65	600	

- (4) *Unmetered users with private water systems.* The monthly wastewater user service charges for those homes, businesses and other customers who do not have city water available, and are using a private water supply system shall be as follows:
 - a. All commercial, industrial, and institutional accounts shall have a water meter installed. The meter shall be installed under the direction of the city utilities department. The cost of installation shall be borne by the owner. The cost of replacement shall be borne by the utilities department.

City of Cadillac Ordinance No. 2018-04 Page 3 of 4

- b. All residential customers shall be given the option of having a water meter installed as provided for above, or the residential customer shall be billed a flat rate sewer charge equal to the average billing as determined on an annual basis.
- c. The average monthly residential sewer bill, as of July 1, 2018, is a charge of \$27.83.
- (5) Watering adjustment basis.
 - a. For all residential users, charges for sewer for the months of May, June, July, August and September shall be computed for each account based on the average metered water consumption for the base period of the preceding October, November, December January and February. If no previous base history is available, a citywide residential average will be used.
 - b. For all other users, a separate meter may be purchased and installed at owner's expense, which will be utilized for watering only with the billing to reflect that amount.

Section 2.

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

Section 3

Sandra Wasson, Clerk	Carla J. Filkins, Mayor	
Approved this 2nd day of April, 2018.		
A 1.1: 2 11 (A 1.2040		
This Ordinance shall take effect July 1, 201	8.	
<u>section s</u> .		

Page 4 of 4	
I, Sandra Wasson, City Clerk of the City of Cadillac,	Michigan, do hereby certify that Ordinance
No. 2018-04 was published in the Cadillac News on	the, 2018.
- S	Sandra Wasson, City Clerk

City of Cadillac

Ordinance No. 2018-04



200 N. Lake Street Cadillac MI 49601 Phone (231) 775-0181 www.cadillac-mi.net

Form 3

Today's Date 3-5-18

MUST BE OFFICIALLY OF BY:

Updoked *5/19 2 ske

Banner Request Form

Monday Banner Start Date	11612018	Monday Banner End Date	.0412312018
		unless it is a Holiday, then it w	
~ /		ed for <u>one week at a time</u> per	form)
	ssault Awaren	155 MONTH	
Organization ORSIS	· · · · · · · · · · · · · · · · · · ·	Contact Person <u>(</u>	outney Cirone
Contact Phone 231-775-729	9×12 Contact Email_	Courtney Cirone Deadl	Uacoásis-frc.org
<u>City o</u>	f Cadillac & State	of Michigan Guideline	<u>\$:</u> (
Banner requested date is a m			
Banner picture or a design pro	oof is <u>attached with th</u>	ils request form or it will not i	pe approved.
The City reserves the right to	determine when the	banner is hung during incleme	nt weather.
The City is not responsible fo	r any damages to the	banner.	
Banner requested is for a rea	sonable and public pu	rpose.	
Banner does not display any			ise, promote the sale of, or
publicize any merchandise of the legend may contain the n			nor an abidotte allegations of
and promotion of the sale of t			nor an opvious advertising of
The lettering of the sponsor's		and the second s	single line or two-inches if or
more than one line.	diamina an altabatimada.		arribrational and maintains
Banner does not contain an a	ddress or directions to	location.	
Banner meets all the design s	pecifications on the ba	ack of this form.	
The banner will be delivered to	,	• • • • • • • • • • • • • • • • • • • •	s to be displayed.
City Garage is located at 1001			
Banner will be picked up with			
			•
Form must be mailed or delivered to t	he above address or e	mailed to: javila@cadillac-mi	not (No Faxes accepted)
I understand and agree to these requi			Grant and the Contract of the
			andre o tare o established
Print Name Cartney Cirone	Signature		Date 03 15 118
			· · · · · · · · · · · · · · · · · · ·
Request will be reviewed & you will	be notified if additional		
**********		**************	*******
Palacete	For Office t		
Streets	Date Approved Date Approved	Comments Comments	200 2 1 1 2 2 1 1 1 1 2 1 2 1 2 1 2 1 2
State of Michigan	Date Approved	An an are a mile at	
City Council	Date Approved	Comments	
	- Shee California	Achite Pilipine	
4			



SEXUAL ASSAULT AWARENESS MONTH







Today's Date __

City Received Date

MUST BE OFFICIALLY CITY DATESTAMP

Banner Kequest Form		
Monday Banner Start Date 4/23/18 Monday Banner End Date 4/30/ 18		
(Banners are installed and removed on Mondays unless it is a Holiday, then it will be the following day) (Banners may only be requested for one week at a time per form)		
Reason for Banner Advertising of upcoming concert		
Organization Catilice Area Symphony Orchestra contact Person L= MacCord, Res		
Contact Phone Contact Email		
City of Cadillac & State of Michigan Guidelines:		
Banner requested date is a minimum of 2 months prior to display date requested.		
Banner picture or a design proof is <u>attached with this request form</u> or it will not be approved.		
The City reserves the right to determine when the banner is hung during inclement weather.		
The City is not responsible for any damages to the banner.		
Banner requested is for a reasonable and public purpose.		
Banner does not display any legend or symbol which may be construed to advertise, promote the sale of, or publicize any merchandise or commodity, or be political in nature.		
The legend may contain the name of the sponsor paying for the banner if such is not an obvious advertising of		
and promotion of the sale of the sponsor's goods or services.		
The lettering of the sponsor's name or a logo does not exceed three inches if on a single line or two-inches if on		
more than one line. Banner does not contain an address or directions to location.		
Banner meets all the design specifications on the back of this form.		
The banner will be delivered to City Garage a minimum of <u>1 week before</u> banner is to be displayed.		
City Garage is located at 1001 6 th Street and hours. Call Street Supervisor at (231)920 -7800 to schedule time. Banner will be picked up within 1 week after being displayed; if it is not picked up, the banner will be disposed of		
Form must be mailed or delivered to the above address or emailed to: publicworks@cadillac-mi.net (No Faxes accepted)		
I understand and agree to these requirements & understand if these are not met the request will be denied.		
Print Name Lz Macland Signature 3 Will Macland Date 9 12417		
Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.		
For Office Use Only		
Streets Date Approved Comments		
City Manager Date Approved Comments		
State of Michigan Date Approved Comments City Council Date Approved Comments		
City Council Date Approved Comments		

Concert The Westend 18 Community Awaitonium



Today's Date <u>2-2</u>	26-18
City Received Date	RECEIVED
	FEB 2 6 2018

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

	Please Submit 30-days Prior to Event Date	
Event_	Earth Day	
Organi	ization Wexford County Progressive Scontact Number	
Date o	of Event: 4/22/18 Set-up Time: 12 AM M Starting Time: 1 AM M Endin	g Time: L) AMPM
	Special Requests: Please Circle	
6	Electricity Water Wind Screens Sound System	Movie Screen/Projector System
		novie screen/Projector System
Usage	Rules	
1.	Profanity and offensive language is strictly prohibited.	
2.	Noise must be limited to levels that do not disturb the peace, and must be lowered at t	he City's request.
3.	No decorations, props, or appurtenances shall be used or placed in a manner that will o	
	(including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly proground.	phibited, along with the use of stakes in the
4.	Movies/programs shown at the Pavilion are at the discretion of the City, and proper lice	ensing to show copyrighted material is
	required. One potential resource is www.swank.com. MPAA ratings of G and PG are ap	propriate.
5.	Any signage or decorations must be removed immediately following any event.	
6.	No vehicles are permitted on sidewalks or grass. However, the sidewalk immediately so	outh of the pavilion can be utilized for
	temporary parking for the purpose of drop-off and/or pick-up of equipment only. Parki	ng is prohibited on Lake Street, even if it
	has been closed for the event.	
7.	The sale of food and non-alcoholic beverages may require an additional license. (Code	of Ordinances-Chapter 28)
8.	The consumption or sale of alcoholic beverages requires approval of City Council. (Code	e of Ordinances-Chapter 26)
9.	Fees - A \$35 non-refundable deposit is required to reserve the date and time of the eve	ent, and Rental Fees of \$30 per hour are
	due 30-days prior to the event date.	
Lunde	erstand and agree to comply with these rules, and acknowledge that the City reserves the	right to change or cancel any event or
	ram that is not in compliance with them.	- The state of the state of the state of
Pi OBi	Signature	
	Form must be mailed or delivered to Cadillac City Hall, Attention Public Wor	ks Department-Events at
	200 N. Lake Street in Cadillac, MI 49601 (Faxes will not be a	
Print N	Name Tiyi Schippers_ Total Fees Required:Total Fees Paid: _	Date <u>2 124 18</u>
	Request will be reviewed & you will be notified if additional information is needed and, For Office Use Only	or if request is approved or denied.
Parks	Comments	Date Approved
Streets	S Comments	Date Approved
Comm	nunity Dev Comments	Date Approved
City Po	olice Comments	Date Approved
City Fi	re Comments	Date Approved



City Council _

Today's Date 2-	26-18
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City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

www.cadillac-mi.net		
City	/ Park (Fountain) Re	quest Form
Reason for Request Earl	n Day Event 4-2	12-18
Organization Wexford	County Progressive	Contact Person Tiyi Schippers
Contact Phone		2 contact reson 17 7 Contact
Contact Phone_	Contact Email	
	City of Cadillac Guid	delines:
Please read the following ar	nd initial to acknowledge your un	derstanding
The Park is for public us	e	-
The City does not provid	e any tents, tables, chairs, rugs, exter	nsion cords etc
15 The fountain may not be	operating due to equipment break d	downs or weather conditions such as wind
I understand and agree t	to these requirements and understan	d if these are not met the request will be denied
	Special Reques	sts:
Electricity		
Picnic Tables		
Use of private tent		
Use of private chairs		
Form must be mailed or brough	nt to: (Email or Fax will not be accept	ted)
Cadillac City Hall		
Attn: Public Works	Department-Events	
200 N. Lake Street		•
Cadillac, MI 49601 Print Name Tyi Schippe	Signature light of	Pate 2 126/18
	Ü	
Reguest will be reviewed & yo	u will be notified if additional information	on is needed and/or if request is approved or denied.
***************************************	For Office Use Only	
Public Works	Comments	Date Approved
City Clerk	Comments	Date Approved
City Manager	Comments	Date Approved

Comments_

Date Approved_



Today's Date	2-26-18	
--------------	---------	--

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date Nay Event 4-22-18 Reason for Request Earth Contact Person Tivi Schippers Contact Phone Contact Email Date: 4 /22/ 18 **Street Closures** Street Name LAKE Beginning Location CASS Ending Location HARRIS Beginning Time 12:00 AM/PM Ending Time 4:30 AM/PM Beginning Location Ending Location Street Name Beginning Time __: __AM/PM Ending Time __: __AM/PM Beginning Location Ending Location Street Name Beginning Time __: __AM/PM Ending Time __: __AM/PM Beginning Location Ending Location Street Name Beginning Time __: __AM/PM Ending Time __: __AM/PM Date ___/__/___ **Parking Lot Closures** Lot Location Street Nearest Cross Street Beginning Time : AM/PM Ending Time : AM/PM Street ____ Nearest Cross Street ___ Lot Location Beginning Time : AM/PM Ending Time : AM/PM Street Nearest Cross Street Lot Location Beginning Time __:__AM/PM Ending Time ___:__ Form must be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net (No Faxes accepted) I understand and agree to these requirements & understand if these are not met the request will be denied. Print Name Tixi Schippers Signature 1145 Date 2 126/18 Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied. ------For Office Use Only Streets _____ Date Approved Comments Date Approved Comments Parks _____ Date Approved Comments Fire ______ Police Date Approved Comments City Manager_____ Date Approved Comments Date Approved City Council Comments

Date: April 2, 2018

Council Communication

Re: CAPS Ecology Club and the US Forest Service request to install bat boxes on city property

Introduction

The Cadillac Area Public Schools Ecology Club in collaboration with the U.S. Forest Service is working on a multi-year project to educate the public about bats and other species of native wildlife and vegetation. In the spring and fall of 2018 they plan to construct and install bat boxes in strategic locations near bodies of water and other suitable locations to study bats in their habitat. They want the public to understand the contribution bats make to their ecosystem. Accordingly, the CAPS Ecology Club is requesting permission for placement of up to six bat boxes on city owned public property in 2018 and 2019.

Following are five sites being considered for the six boxes.

- Maple Hill Cemetery
- West of the Sound Garden in the area fenced in by CAPS
- The large wetland east of Cheryl's Landing and west of North Shore Condominiums
- Kenwood Park in the area north of North Boulevard and not near the picnic areas. Access to one location is off West Division Street.
- Diggins Hill park area

There will be other bat boxes installed in the greater Cadillac area outside the city. Please see the additional attached information from Consumers Energy and the Ecology Club.

Requested Council Action

Consider granting permission for the CAPS Ecology Club to install up to six bat boxes on city owned public property in the areas described.

Mike Coy

From:

Richard D. Castle <RICHARD.CASTLEJR@cmsenergy.com>

Sent:

Saturday, March 10, 2018 9:13 AM

To:

Brabazon, Debraann - FS; quistla1@msu.edu; Sara A. Hankins; Al Dumond; Mike Coy; D-A Brabazon (langwoodgardens@hotmail.com); browng11@michigan.gov; Adam Sharp;

Anessa Liptak; Anna Marie Seitter; Chloe Rose Savoia; Daniel Trautner; Ed Shaw;

Elizabeth "Lizzy" Kennard (ekennard17@yahoo.com); emily baughan; Huber, Philip -FS; Jordan Leatherman; Joshua fauble; Juli-Ann Lang; Kathleen Keen; Kathleen Kelso; Kelsie Johnston; KenzieForeman; Madesyn Edenburn; Maggie K Staub; Makayla McQueer; Mart Williams; Michele.Cook@cadillac.k12.mi.us; Nathan Kitler; Olivia Hamilton; Olivia Sabin;

Sara Keinath; Sawyer McClure; Scott Slavin; shaina Squires

(shaina.biller@cadillac.k12.mi.us); Spencer richardson; Taylor Mcbrian; Taylor Mitchell;

teresa williams

Cc:

Peterson, Chris A -FS; Arbogast, Kenneth -FS RE: Notes from Ecology Club Presentation

Subject:

Debraann and Cadillac Ecology Club,

Thank you for allowing Consumers Energy to participate and we wish you the best of luck pursuing your project. You have a great proposal and the backing of many key stakeholders and I fully expect you will be successful. The Cadillac area is fortunate to have a team that is dedicated to making the environment better for the community.

Do not he sitate to reach out to Consumers Energy if you have any questions!

Regards,

Richard Castle

Natural Resources Administrator

Renewable Generation

Office: (231)779-5507 Mobile: (231)735-3619

Fax: (231)779-1007

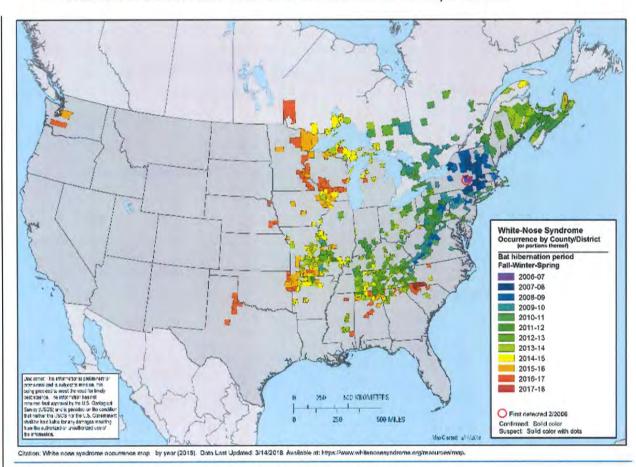
Email: richard.castlejr@cmsenergy.com

Consumers Energy

Count on Us

CAPS ECOLOGY CLUB SERVICE PROJECT 2018

- The Ecology Club is a cooperative effort between the Cadillac Senior High School and the United States Forest Service created to expose youth, ages 15 through 19, enrolled in Cadillac Area Public Schools to environmental studies, careers and professionals.
- After learning about the benefits of bats, students desired to create a Bat Box Community Service Project placing bat boxes at strategic locations for the benefit of the Cadillac lakeside community.
- Significant decrease in bat populations in the Midwest and the Northeast due to a fungus, called Pseudogymnoascus destructans, or Pd.
- Students would engage in monitoring the boxes for habitation, wear and tear and the potential to create a curriculum component for use by the local schools.
- Boxes would be built by students and stakeholders using funding through donations and grants.
- Placement of the bat boxes would be at the discretion of the City if Cadillac.



CAPS ECOLOGY CLUB SERVICE PROJECT 2018

Narrative for ECO Club:

Bats represent greater than 20% of the world's mammal diversity. Of the more than 200 Species of bats located around the world, 9 make Michigan their home. The Hoary Bat, The Big Brown Bat, The Tricolored Bat also known as the Eastern Pipistrelle Bat, the Indiana Bat, The Silver haired Bat and the Red Bat.

Bats forage at twilight periods such as dusk to dawn and often at night eating anywhere from 500 to 1,000 insects in a single hour.

Multiply that by 4 hours nightly and you have a considerable amount of insects consumed in just one night by one bat.

Multiply that number by 20 bats and you are looking at a considerable decrease in flying insects in a single night.

Bats also benefit farmers by controlling insects that damaging crops.

However, in 2007, the bats that hibernate in caves and mines have been experiencing significant population declines due to an emergent disease called White Nose Syndrome, that has spread from the northeastern to the central United States at an alarming rate. The fungus, called *Pseudogymnoascus destructans*, or Pd, has killed millions of insect-eating bats in 31 states and five Canadian provinces.

In Michigan the following bats are potentially affected and risk being impacted by WNS. The Little
Brown Bat, The Northern Long Eared bat, the Big Brown Bat, the Indian Bat, and The Tri-colored Bat.

Just west of here on the Manistee River, Tippy Dam has a hollow chamber that is the largest
hibernaculum of bats in Michigan. More than 20,000 bats overwinter there and return to our landscape
in the warmer months to breed and forage. Providing them day roosting habitat encourages their
nocturnal patrols in our area and controls insect numbers.

CAPS ECOLOGY CLUB SERVICE PROJECT 2018

The Ecology club proposes installing up to as many as 24 4-chambered bat boxes over the next two to four years in various locations in and around the Cadillac lakeside community. The boxes would be mounted on posts 12 to 15 feet high in secluded areas. The boxes would provide bats with an opportunity to roost during the day closer to food sources and create more diverse wildlife habitat in our community. With the rise of WNS in our state, this project would proactively help bats survive.

The Ecology club proposes installing up to as many as 24 4-chambered bat boxes over the next two to four years in various locations in and around the Cadillac lakeside community. Mounted on posts 12 to 15 feet high in secluded areas would provide bats with an opportunity to roost closer to food sources and create a more diverse landscape in our community. With the rise of WNS in our state, it would also provide the species with a proactive approach to helping this important mammal potentially survive.

Stakeholders on board with the concept include the Cadillac High School, the Michigan Department of Conservation and Natural Resources, The Carl T Johnson Hunting and Fishing Center, the US Forest Service and Consumers Electric. We are seeking to engage our great city of Cadillac in our efforts.

As we expand our benefits of bats to our local community, we hope that others will join us in supporting our efforts.

Council Communication

Re: Ordinance Amending Fire & Property Maintenance Codes

During the February 19th, 2018 meeting of the City Council, the public hearing was conducted for the proposed updating of the City's Property Maintenance and Fire Codes. After the hearing, the City Council tabled the issue so that staff could clarify certain aspects of what was proposed.

In the days that followed the meeting on the 19th, the Fire Department contacted multiple interested parties and also hosted an outreach night that was attended by nearly a dozen people to help provide and collect information on what was proposed in addition to what had already been discussed during the City Council meeting. During the outreach session, areas of concern were identified and discussed. After the outreach session, the Fire Department revisited the ordinance amendments and has updated the original proposal in response to the information received during the additional outreach and previous Council meeting.

On March 19th, the ordinance amendment was brought to the City Council for consideration, however additional concerns were raised and the issue was tabled for a second time. Minor revisions to the original proposal were made subsequently to accommodate public feedback, and the packet includes a copy of the ordinance with altered areas showing in bold font. A brief presentation will be provided during the meeting.

Recommended Action

Approve the Resolution to Adopt Ordinance Amending Chapters 8 and 18 of the City of Cadillac Code.

City Council

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



Mayor Carla J. Filkins

Mayor Pro-Tem Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

RESOLUTION NO. 2018 - _____

RESOLUTION TO ADOPT ORDINANCE AMENDING CHAPTERS 8 AND 18 OF THE CITY OF CADILLAC CODE

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 2nd day of April, 2018, at 6:00 p.m.

PRESENT:	
ABSENT:	
The following preamble and resolution was offered byseconded by	and

WHEREAS, the International Code Council, Inc. has issued its 2015 International Fire and Property Maintenance Codes (the "2015 Codes"); and

WHEREAS, the 2015 Codes regulate and govern the safeguarding of life and property from conditions hazardous to life or property in the occupancy of buildings and premises; and

WHEREAS, the City wishes to consider adopting an ordinance to amend Chapters 8 and 18 of the Cadillac City Code to adopt the 2015 Codes by reference, as amended and to consolidate existing City of Cadillac Code provisions/regulations into the 2015 Codes; and

WHEREAS, at its meeting on February 5, 2018, the City introduced an Ordinance to amend Chapters 8 and 18 of the City Code; and

WHEREAS, on February 19, 2018, the City held a public hearing to consider adoption of the Ordinance; and

WHEREAS, following the public hearing and after further consideration, the City has determined it is in the best interests of the health, safety and welfare of City residents to adopt the Ordinance with certain amendments.

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

- 1. Ordinance No. 2018-____, Ordinance Amending Chapters 8 and 18 of the City of Cadillac Code (the "Ordinance," attached as Exhibit A) is hereby adopted.
 - 2. The Ordinance shall be filed with the City Clerk.
- 3. The City Clerk is directed to publish a Notice of Adoption within seven (7) days after its adoption.
- 4. 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)ss)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2018- _____, duly adopted at a regular meeting of the City Council held on the 2nd day of April, 2018.

Sandra Wasson
Cadillac City Clerk

City Council

Mayor Carla J. Filkins

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



Mayor Pro-Tem Shari Spoelman

Councilmembers Tiyi Schippers Stephen King Robert I. Engels

ORDINANCE NO. 2018-____

ORDINANCE AMENDING CHAPTERS 8 AND 18 OF THE CITY OF CADILLAC **CODE**

THE CITY OF CADILLAC ORDAINS:

Section 1. Amendment of Chapter 8, Article V

Chapter 8, Article V, Section 8-121 of the City Code is hereby amended as follows:

Sec. 8-121. Adoption of 2015 International Property Maintenance Code.

The city hereby adopts by reference the 2015 International Property Maintenance Code issued by International Code Council, Inc., except those sections herein deleted or amended.

Chapter 8, Article V, Section 8-124 of the City Code is hereby amended to incorporate the following amendments to the 2015 International Property Maintenance Code:

Sec. 8-123. Amendments.

Section 101.1: These regulations shall be known as the "International Property Maintenance Code of **the City of Cadillac**," hereinafter referred to as "this code."

Section 103.1: This code shall be enforced by the City Manager or their designee. The City Manager or their designee shall be known as the code official.

Section 103.2: Appointment. This section is deleted in its entirety.

Section 103.5: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by resolution of the City Council.

Section 107.6: It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such until the provisions of the compliance order or notice have been complied with; or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgage or lessee a true copy of any compliance order or notice issued by the code official a signed and notarized statement acknowledging the receipt of such compliance order or notice and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation. A violation of this section shall be deemed a misdemeanor offense.

Section 108.8: The owner of any structure placarded pursuant to Section 108.4 is responsible for paying a monthly, non-refundable administrative fee while the placard remains on the structure. The administrative fee shall be established by resolution of the City Council in an amount sufficient to defray the cost incurred by the City to monitor the structure for the purpose of preventing public safety hazards. The owner or party in interest whose name appears on the City's real property tax assessment records shall be notified of the amount owed by first class mail at the address shown on the City's real property tax assessment records. After 30 days, any unpaid amount shall be reported to the City Assessor for placement on the next tax roll of the City and imposition of a lien against the property, as permitted by State law.

Section 111.1 through Section 111.8: These sections are deleted in their entirety and are replaced by the following:

Section 111.1: Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to a hearing before the city's Construction Code Board of Appeals as established in Article II of the Cadillac City Code.

Section 111.2: Appeal to Circuit Court. Any person aggrieved by a decision of the Construction Code Board of Appeals under Section 111.1 may appeal said decision to the circuit court.

Section 112.4: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine in an amount to be established by resolution of the City Council.

Section 202: (Add definitions)

ABANDONED VEHICLE. A vehicle which has remained on private property for a period of time so as to appear to be abandoned and which remains on private property for a period of 48 hours.

INOPERABLE VEHICLE. A vehicle, which is incapable of performing the function for which it was manufactured because of damage, missing or malfunctioning parts or equipment, or for any other reason. The term "inoperable vehicle" shall include junk vehicles and scrap vehicles. A historic motor vehicle, duly registered and certified as such as prescribed by the Michigan Vehicle Code, Public Act No. 300 of 1949 (MCL 257.1 et seq.), shall not be deemed an inoperable vehicle. Vehicles presently in use and subject to routine maintenance (oil change, tire rotation, etc.) shall not be deemed inoperable.

RECREATIONAL VEHICLE. A motorized or nonmotorized vehicle that is not generally used as a primary means of transportation and is generally used for recreational purposes. The term "recreational vehicle" includes, but is not limited to a motor home, motorcoach, trailer, camper, watercraft, snowmobile, offroad motorcycle, quad runner, dune buggy, offroad vehicle, personal aircraft or plane.

Section 302.4: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. In addition to the remedies otherwise provided, any costs incurred by the City in the destruction or maintenance of weeds in violation of this Ordinance may be placed on the next tax roll of the City and the City may impose a lien against the property, as permitted by State law. (The remainder of this section shall be in effect as written.)

Section 302.8: Except as provided for in other regulations, no inoperative, **abandoned** or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo a major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes and subject to obtaining an operational permit from the fire code official pursuant to the International Fire Code.

Mobile homes must be located within a licensed mobile home park or within a designated area, properly zoned, such as a mobile home district.

Storage of recreational vehicles is limited to those recreational vehicles owned by the owner of record, renter or legal occupant of property.

Recreational vehicles shall be stored or parked within the confines of the rear or side yard areas with a minimum three-foot setback from side or rear lot lines. On lake front property, the yard abutting the lake shall be considered as the rear yard for the enforcement of this section. The code enforcement officer shall determine if rear lot storage is possible for purposes of this section.

Recreational vehicles shall not be connected to sanitary facilities or permanent water connections, and shall not be occupied for a period to exceed 72 hours.

The code enforcement officer may, upon written request, grant a one-time extension of 72 hours renewal for occupancy.

Section 304.14: During the period from April 1 through October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved rightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door

used for insect control shall have a self-closing device in good working condition. (The remainder of this section shall be in effect as written.)

Section 602.3: Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat for the occupants thereof shall supply heat **at all times** to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. (The remainder of this section shall be in effect as written.)

Section 602.4: Indoor occupiable work spaces shall be supplied with heat at all times to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied. (The remainder of this section shall be in effect as written.)

(Added) Section 704.2.5: Carbon monoxide alarms. Existing residential occupancies shall be equipped with carbon monoxide alarms. Alarms shall be installed outside of each separate dwelling unit sleeping area in the immediate vicinity of the sleeping area. Alarms shall receive power from building wiring where such wiring is served from a commercial source. When primary power is interrupted, the alarm shall receive back-up power from a battery.

Exception: Alarms having a 10-year sealed battery may be used in lieu of a wired alarm.

Chapter 8, Article V, section 8-127 of the City Code entitled "Violations" is hereby amended to read as follows in its entirety:

Sec. 8-127. - Violations.

Any violation of this Article or the 2015 International Property Maintenance Code shall be punishable as a municipal civil infraction **unless otherwise specified**.

Section 2. Amendment of Chapter 18, Article II.

Chapter 18, Article II, Section 18-19 of the City Code shall hereby be amended as follows:

Sec. 18-19. Adoption of 2015 International Fire Code.

The city hereby adopts by reference the **2015** International Fire Code issued by International Code Council, Inc., except those sections herein deleted or amended.

Chapter 18, Article II, Section 18-22 of the City Code is hereby amended to incorporate the following amendments to the 2015 International Fire Code:

Section 101.1. Title. These regulations shall be known as the "Fire Code of **the City of Cadillac**," hereinafter referred to as "this code."

Section 103.2. Appointment. This section is deleted in its entirety.

Section 108.1. Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to a hearing before the city's Construction Code Board of Appeals as established in Article II of the Cadillac City Code.

Any person aggrieved by a decision of the Construction Code Board of Appeals may appeal said decision to the circuit court.

Section 109.3. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a **civil infraction**, **unless otherwise specified**. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred (\$100.00), plus costs, for the first offense, not less than two-hundred fifty dollars (\$250.00), plus costs, for the second offense, and not less than five-hundred dollars (\$500.00), plus costs, for each repeat offense thereafter.

Section 113.3. Work commencing before registered contractor status or permit issuance. A person, company, and/or building owner who commences or authorizes any work, activity or operation regulated by this code without first registering with the Authority Having Jurisdiction where required by this code or before obtaining the necessary permits may be subject to an additional fee established by resolution of the City Council which shall be in addition to the required permit fees.

Section 901.1. Scope. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems. Violations of this Section 901 shall be deemed misdemeanors, punishable by a fine of not more than five-hundred dollars (\$500.00) or imprisonment not exceeding ninety (90) days.

(Added) Section 901.11: Registered Fire Protection Contractor. All fire protection system contractors performing inspection, testing, maintenance, repair, modification, or installation activities of any fire protection system shall be required to register with the Authority Having Jurisdiction. Mandatory registration shall be

a one-time requirement and shall be completed prior to commencing work on any fire protection system. The penalty for violation of this provision shall be in accordance with Section 113.3.

Section 903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in **the Michigan Building Code.**

1031.1 *General*. The means of egress for buildings or portions thereof shall be maintained in accordance with this section. Violations of this Section 1031 shall be deemed misdemeanors, punishable by a fine of not more than five-hundred dollars (\$500.00) or imprisonment not exceeding ninety (90) days.

Section 3. Amendment of Section 16-208 of City Code.

Section 16-208 of the City Code is hereby amended to remove the definition of "vehicle," "abandoned vehicle," "inoperable vehicle" and "recreational vehicle" as those definitions shall hereafter be incorporated into the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 4. Amendment of Section 16-209 of City Code.

Section 16-209 of the City Code is hereby amended to remove paragraphs (4) and (5) regarding inoperable and abandoned vehicles as those regulations shall hereafter be incorporated into the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 5. Repealer of Sections 16-210 & 16-213 of City Code.

Section 16-210 and 16-213 of the City Code regarding dismantling of vehicles and storage of recreational vehicles are hereby repealed in their entirety as those regulations shall hereafter be incorporated into the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 6. Repealer of Chapter 16 Article V of City Code.

Chapter 16 Article V of the City Code regarding weed control is hereby repealed in its entirety and the City hereby incorporates the provisions regarding weed control in the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 7. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. 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 8. Repealer.

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 9. Effective Date.

This Ordinance shall take effect twenty (20) days after its adoption.		
Approved this day of	, 2018.	
Sandra Wasson, Clerk	Carla Filkins, Mayor	
I, Sandra Wasson, City Clerk of the	City of Cadillac, Michigan, do hereby certify that a summary	
of Ordinance No. 2018 wa , 2018.	s published in the Cadillac News on the day of	
	Sandra Wasson, 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 Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

ORDINANCE NO. 2018-____

ORDINANCE AMENDING CHAPTERS 8 AND 18 OF THE CITY OF CADILLAC CODE

THE CITY OF CADILLAC ORDAINS:

Section 1. Amendment of Chapter 8, Article V

Chapter 8, Article V, Section 8-121 of the City Code is hereby amended as follows:

Sec. 8-121. Adoption of 2015 International Property Maintenance Code.

The city hereby adopts by reference the 2015 International Property Maintenance Code issued by International Code Council, Inc., except those sections herein deleted or amended.

Chapter 8, Article V, Section 8-124 of the City Code is hereby amended to incorporate the following amendments to the 2015 International Property Maintenance Code:

Sec. 8-123. Amendments.

Section 101.1: These regulations shall be known as the "International Property Maintenance Code of the City of Cadillac," hereinafter referred to as "this code."

Section 103.1: This code shall be enforced by the City Manager or their designee. The City Manager or their designee shall be known as the *code official*.

Section 103.2: Appointment. This section is deleted in its entirety.

Section 103.5: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be established by resolution of the City Council.

Section 107.6: It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such until the provisions of the compliance order or notice have been complied with; or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgage or lessee a

true copy of any compliance order or notice issued by the code official a signed and notarized statement acknowledging the receipt of such compliance order or notice and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation. A violation of this section shall be deemed a misdemeanor offense.

Section 108.8: The owner of any structure placarded pursuant to Section 108.4 is responsible for paying a monthly, non-refundable administrative fee while the placard remains on the structure. The administrative fee shall be established by resolution of the City Council in an amount sufficient to defray the cost incurred by the City to monitor the structure for the purpose of preventing public safety hazards. The owner or party in interest whose name appears on the City's real property tax assessment records shall be notified of the amount owed by first class mail at the address shown on the City's real property tax assessment records. After 30 days, any unpaid amount shall be reported to the City Assessor for placement on the next tax roll of the City and imposition of a lien against the property, as permitted by State law.

Section 111.1 through Section 111.8: These sections are deleted in their entirety and are replaced by the following:

Section 111.1: Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to a hearing before the city's Construction Code Board of Appeals as established in Article II of the Cadillac City Code.

Section 111.2: Appeal to Circuit Court. Any person aggrieved by a decision of the Construction Code Board of Appeals under Section 111.1 may appeal said decision to the circuit court.

Section 112.4: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine in an amount to be established by resolution of the City Council.

Section 202: (Add definitions)

ABANDONED VEHICLE. A vehicle which has remained on private property for a period of time so as to appear to be abandoned and which remains on private property for a period of 48 hours.

INOPERABLE VEHICLE. A vehicle, which is incapable of performing the function for which it was manufactured because of damage, missing or malfunctioning parts or equipment, or for any other reason. The term "inoperable vehicle" shall include junk vehicles and scrap vehicles. A historic motor vehicle, duly registered and certified as such as prescribed by the Michigan Vehicle Code, Public Act No. 300 of 1949 (MCL 257.1 et seq.), shall not be deemed an inoperable vehicle. Vehicles presently in use and subject to routine maintenance (oil change, tire rotation, etc.) shall not be deemed inoperable.

RECREATIONAL VEHICLE. A motorized or nonmotorized vehicle that is not generally used as a primary means of transportation and is generally used for recreational purposes. The term "recreational vehicle" includes, but is not limited to a motor home, motorcoach, trailer, camper, watercraft, snowmobile, offroad motorcycle, quad runner, dune buggy, offroad vehicle, personal aircraft or plane.

Section 302.4: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. In addition to the remedies otherwise provided, any costs incurred by the City in the destruction or maintenance of weeds in violation of this Ordinance may be placed on the next tax roll of the City and the City may impose a lien against the property, as permitted by State law. (The remainder of this section shall be in effect as written.)

Section 302.8: Except as provided for in other regulations, no inoperative, abandoned or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo a major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes and subject to obtaining an operational permit from the fire code official pursuant to the International Fire Code.

Mobile homes must be located within a licensed mobile home park or within a designated area, properly zoned, such as a mobile home district.

Storage of recreational vehicles is limited to those recreational vehicles owned by the owner of record, renter or legal occupant of property.

Recreational vehicles shall be stored or parked within the confines of the rear or side yard areas with a minimum three-foot setback from side or rear lot lines. On lake front property, the yard abutting the lake shall be considered as the rear yard for the enforcement of this section. The code enforcement officer shall determine if rear lot storage is possible for purposes of this section.

Recreational vehicles shall not be connected to sanitary facilities or permanent water connections, and shall not be occupied for a period to exceed 72 hours.

The code enforcement officer may, upon written request, grant a one-time extension of 72 hours renewal for occupancy.

Section 304.14: During the period from April 1 through October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved rightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door

used for insect control shall have a self-closing device in good working condition. (The remainder of this section shall be in effect as written.)

Section 602.3: Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat for the occupants thereof shall supply heat at all times to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms. (The remainder of this section shall be in effect as written.)

Section 602.4: Indoor occupiable work spaces shall be supplied with heat at all times to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied. (The remainder of this section shall be in effect as written.)

(Added) *Section 704.2.5:* Carbon monoxide alarms. Existing residential occupancies shall be equipped with carbon monoxide alarms. Alarms shall be installed outside of each separate dwelling unit sleeping area in the immediate vicinity of the sleeping area. Alarms shall receive power from building wiring where such wiring is served from a commercial source. When primary power is interrupted, the alarm shall receive back-up power from a battery.

Exception: Alarms having a 10-year sealed battery may be used in lieu of a wired alarm.

Chapter 8, Article V, section 8-127 of the City Code entitled "Violations" is hereby amended to read as follows in its entirety:

Sec. 8-127. - Violations.

Any violation of this Article or the 2015 International Property Maintenance Code shall be punishable as a municipal civil infraction unless otherwise specified.

Section 2. Amendment of Chapter 18, Article II.

Chapter 18, Article II, Section 18-19 of the City Code shall hereby be amended as follows:

Sec. 18-19. Adoption of 2015 International Fire Code.

The city hereby adopts by reference the **2015** International Fire Code issued by International Code Council, Inc., except those sections herein deleted or amended.

Chapter 18, Article II, Section 18-22 of the City Code is hereby amended to incorporate the following amendments to the 2015 International Fire Code:

Section 101.1. Title. These regulations shall be known as the "Fire Code of the City of Cadillac," hereinafter referred to as "this code."

Section 103.2. Appointment. This section is deleted in its entirety.

Section 108.1. Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to a hearing before the city's Construction Code Board of Appeals as established in Article II of the Cadillac City Code.

Any person aggrieved by a decision of the Construction Code Board of Appeals may appeal said decision to the circuit court.

Section 109.3. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a civil infraction, unless otherwise specified. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than one hundred (\$100.00), plus costs, for the first offense, not less than two-hundred fifty dollars (\$250.00), plus costs, for the second offense, and not less than five-hundred dollars (\$500.00), plus costs, for each repeat offense thereafter.

Section 113.3. Work commencing before registered contractor status or permit issuance. A person, company, and/or building owner who commences or authorizes any work, activity or operation regulated by this code without first registering with the Authority Having Jurisdiction where required by this code or before obtaining the necessary permits may be subject to an additional fee established by resolution of the City Council which shall be in addition to the required permit fees.

Section 901.1. Scope. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems. Violations of this Section 901 shall be deemed misdemeanors, punishable by a fine of not more than five-hundred dollars (\$500.00) or imprisonment not exceeding ninety (90) days.

(Added) Section 901.11: Registered Fire Protection Contractor. All fire protection system contractors performing inspection, testing, maintenance, repair, modification, or installation activities of any fire protection system shall be required to register with the Authority Having Jurisdiction. Mandatory registration shall be a one-time requirement

and shall be completed prior to commencing work on any fire protection system. The penalty for violation of this provision shall be in accordance with Section 113.3.

Section 903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in the Michigan Building Code.

1031.1 *General*. The means of egress for buildings or portions thereof shall be maintained in accordance with this section. Violations of this Section 1031 shall be deemed misdemeanors, punishable by a fine of not more than five-hundred dollars (\$500.00) or imprisonment not exceeding ninety (90) days.

Section 3. Amendment of Section 16-208 of City Code.

Section 16-208 of the City Code is hereby amended to remove the definition of "vehicle," "abandoned vehicle," "inoperable vehicle" and "recreational vehicle" as those definitions shall hereafter be incorporated into the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 4. Amendment of Section 16-209 of City Code.

Section 16-209 of the City Code is hereby amended to remove paragraphs (4) and (5) regarding inoperable and abandoned vehicles as those regulations shall hereafter be incorporated into the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 5. Repealer of Sections 16-210 & 16-213 of City Code.

Section 16-210 and 16-213 of the City Code regarding dismantling of vehicles and storage of recreational vehicles are hereby repealed in their entirety as those regulations shall hereafter be incorporated into the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 6. Repealer of Chapter 16 Article V of City Code.

Chapter 16 Article V of the City Code regarding weed control is hereby repealed in its entirety and the City hereby incorporates the provisions regarding weed control in the International Property Maintenance Code of the City of Cadillac pursuant to Section 1 above.

Section 7. Validity and Severability.

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. 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 8. Repealer.

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 9. Effective Date.

This Ordinance shall take effect twenty (20) days after its adoption.		
Approved this day of	, 2018.	
Sandra Wasson, Clerk	Carla Filkins, Mayor	
of Ordinance No. 2018 wa	City of Cadillac, Michigan, do hereby certify that a summary as published in the Cadillac News on the day of	
, 2018.		
	Sandra Wasson, City Clerk	

Council Communication

Re: Resolution Setting Fees for Contractors and Condemned Housing

During the February 19th, 2018 meeting of the City Council, the public hearing was conducted for the proposed updating of the City's Property Maintenance and Fire Codes. After the hearing, the City Council tabled the issue so that staff could clarify certain aspects of what was proposed.

Part of what was proposed included provisions requiring fire protection system contractors to register with the City. Additionally, individuals who own condemned structures that were not actively working to bring them into compliance with City Code would also have to pay a fee to the City. A resolution establishing a progressive fee for failing to register and/or acquire a fire department permit when required and a monthly fee assessed to the owners of condemned structures that increases after a designated period of time is being proposed. Tables of the proposed fee structures have been provided below:

Failure to Obtain Contractor Registration/Permitting under Section 113.3 of Fire Code	
1 st Offense (per calendar year)	\$100
2 nd Offense (per calendar year)	\$250
3 rd Offense and Subsequent Offenses (per calendar year)	\$500

Administrative Condemned Housing Placarding Fees under Section 108.8 of Property Maintenance Code	
1 st Six Months of Inactivity	\$50/month
Seven Months or More of Inactivity	\$100/month

Recommended Action

Adopt the Resolution to Set Fee Schedule for Condemned Buildings (Section 108.8 of Property Maintenance Code) and Failure to Obtain Contractor Registration/Permit (Section 113.3 of Fire Code).

City Council

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



Mayor Carla J. Filkins

Mayor Pro-Tem Shari Spoelman

Councilmembers
Tiyi Schippers
Stephen King
Robert J. Engels

RESOLUTION NO. 2018-___

RESOLUTION TO SET FEE SCHEDULE FOR CONDEMNED BUILDINGS (SECTION 108.8 OF PROPERTY MAINTENANCE CODE) AND FAILURE TO OBTAIN CONTRACTOR REGISTRATION/PERMIT (SECTION 113.3 OF FIRE CODE).

At a regular 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 2nd day of April, 2018, at 6:00 p.m.

PRESENT:	
ABSENT:	
The following preamble and resolution was offered byseconded by	and

WHEREAS, the City of Cadillac ("City") has adopted regulations in Chapters 8 and 18 of the City Code within the City's Property Maintenance and Fire Codes regarding fees for placarding condemned buildings (Section 108.8 of Property Maintenance Code) and for failing to obtain contractor registration/permitting before commencing work under the Fire Code (Section 113.3 of Fire Code); and

WHEREAS, Sections 108.8 and 113.3 of the Property Maintenance and Fire Codes respectively authorize the City Council to, by resolution, set fees required to be paid in these circumstances; and

WHEREAS, the City wishes to adopt a fee schedule for (1) placarding condemned buildings under Section 108.8 of Property Maintenance Code and (2) for failing to obtain

contractor registration/permitting before commencing work in the City under the Fire Code.

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

1. The following fee schedule is hereby adopted for placarding condemned buildings under Section 108.8 of Property Maintenance Code:

Administrative Condemned Housing Placarding Fees under Section 108.8 of Property Maintenance Code		
1st Six Months of Inactivity	\$50/month	
Seven Months or More of Inactivity	\$100/month	

2. The following fee schedule is hereby adopted for failing to obtain contractor registration/permitting before commencing work in the City under the Fire Code:

Failure to Obtain Contractor Registration/Permitting under Section 113.3 of Fire Code		
1st Offense (per calendar year)	\$100	
2 nd Offense (per calendar year)	\$250	
3 rd Offense and Subsequent Offenses (per calendar year)	\$500	

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: _			
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$N\Delta VC$			

STATE OF MICHIGAN	
) ss
COUNTY OF WEXFORD)
I, Sandra Wasson, City C	lerk of the City of Cadillac, hereby certify this to be a true and
complete copy of Resolut	tion No. 2018, duly adopted at a regular meeting of the City
Council held on the 2nd d	ay of April, 2018.
	Sandra Wasson
	Cadillac City Clerk