



City Council Meeting

September 3, 2019

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



September 3, 2019 City Council Meeting Agenda
6 p.m. at City Hall – 200 N. Lake St. – Cadillac, MI 49601

We are all accountable

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 August 19, 2019.
Support Document III-A

IV. PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Add New Section 10-2 to Chapter 10 of the Cadillac City Code to Allow Certain Recreational Marihuana Establishments Operated in Accordance with State Law.
Support Document IV-A
- B. Public hearing to consider adoption of Ordinance to Add New Section 10-3 to Chapter 10 of the Cadillac City Code to Allow Certain Medical Marihuana Facilities Operated in Accordance with State Law.
Support Document IV-B

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V. COMMUNICATIONS

- A. Zion Lutheran Church Craft Show
Support Document V-A
- B. Friends of the Library
Support Document V-B
- C. Wedding Reception
Support Document V-C
- D. Cadillac Philharmonic Club
Support Document V-D
- E. Northern Lakes CMHA Suicide Awareness Walk & Craft Show
Support Document V-E
- F. Oasis Domestic Violence Awareness Month
Support Document V-F

VI. CITY MANAGER'S REPORT

- A. Request for out-of-state travel.
Support Document VI-A
- B. Travel Policy Amendment.
Support Document VI-B
- C. Cadillac Junction/Final Consent Judgment.
Support Document VI-C

VII. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals.
Support Document VII-A
- B. Adopt Resolution Approving MERS Service Credit Purchase.
Support Document VII-B
- C. Adopt Resolution Regarding Intent to Designate a Commercial Redevelopment District and set a public hearing for October 7, 2019.
Support Document VII-C

VIII. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

- A. Cadillac-Wexford Airport Authority
Support Document VIII-A

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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 – August 19, 2019
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:	Schippers, Spoelman, Engels, King, Mayor Filkins
Council Absent:	None
Staff Present:	Peccia, Roberts, Dietlin, Ottjepka, Wallace, Homier, Wasson

APPROVAL OF AGENDA

2019-170 Approve agenda as amended.

Motion was made by Engels and supported by King to approve the agenda as amended to move Fire Department Promotions from the City Manager's Report to right after the Consent Agenda.

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2019-171 Approve consent agenda as presented.

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

Motion unanimously approved.

FIRE DEPARTMENT PROMOTIONS

Peccia stated three (3) members of the Cadillac Fire Department are being recognized tonight for their recent promotions. He thanked Mike Fisk for serving as acting Captain for quite some time before these promotions were made official.

Adam Ottjepka, Director of Public Safety, provided brief background information on the newly promoted members of the Cadillac Fire Department:

- Lieutenant Blake Meyering
- Captain Chris Koontz
- Captain Steve VanDyk

PUBLIC HEARINGS

A. Public hearing to consider adoption of Joint Planning Commission Ordinance.

Peccia stated as part of the settlement agreement with Clam Lake Township the City is required to establish a Joint Planning Commission. He noted it will consist of seven (7) members with five (5) appointments from the City and two (2) appointments from Clam Lake Township.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

Peccia stated Clam Lake Township will be meeting in mid-September to formalize the adoption of the creation of the Joint Planning Commission. He noted the Joint Planning Commission will likely meet for the first time in October at the earliest.

2019-172 Adopt Ordinance 2019-11.

Motion was made by King and supported by Spoelman to approve the resolution to adopt the Joint Planning Commission Ordinance.

Motion unanimously approved.

B. Public hearing regarding Notice of Intent to Apply to USDA Rural Development for Water System Infrastructure Improvements.

Peccia stated this item involves securing the necessary funding for the development of the new wellfield.

Owen Roberts, Director of Finance, stated on August 20, 2018 the same public hearing was held for this USDA loan. He noted the application was filed shortly after the public hearing. He stated additional land on 44 Road became available, so the application was placed on hold because there were some advantages for the City to acquire the land. He stated the land was purchased by the City in late April 2019 so the second application is being finalized.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

Spoelman asked about the timeline going forward.

Larry Fox, C2AE, explained the timeline is dependent on when the funding is received. He stated it is estimated that funding will be received in March 2020 with construction beginning in July or August 2020 and completed in July or August 2021. He noted in the past year the interest rate decreased from 2.5% to 2.125%.

COMMUNICATIONS

A. Amvets Corn Hole Tournament

2019-173 Approve parking lot closure for Amvets Corn Hole Tournament.

Motion was made by Schippers and supported by King to approve the closure of the parking lot on the south side of The Market from 11:00 am to 8:00 pm on August 25, 2019 for the Amvets Corn Hole Tournament.

Motion unanimously approved.

B. Child Safety Expo

2019-174 Approve street and parking lot closures for Child Safety Expo.

Motion was made by Spoelman and supported by King to approve the closure of Lake St. between Pine St. and the Municipal Complex south parking lot driveway from 2:00 pm to 8:00 pm and the closure of the east parking lot in the Municipal Complex from 12:00 pm to 8:00 pm on September 11, 2019 for the Child Safety Expo.

Motion unanimously approved.

C. Fall Color Train

Bob Matthews stated the October 5th excursion will be pulled by the steam locomotive Pere Marquette 1225 in conjunction with the 50th Anniversary Celebration of the initial restoration that was undertaken by the Michigan State University Railroad Club.

2019-175 Approve street closures for Fall Color Train.

Motion was made by King and supported by Engels to approve the closure of Lake St. between Cass St. and Pine St. at the times requested on October 5, 2019 and October 19, 2019 for the Fall Color Train.

Motion unanimously approved.

D. Rotary Club White Pine Ride

2019-176 Approve parking lot closure for Rotary Club White Pine Ride.

Motion was made by Schippers and supported by Spoelman to approve the closure of the parking lot on Lake St. south of the Rotary Pavilion from 7:00 am to 5:00 pm on September 7, 2019 for the Rotary Club White Pine Ride.

Motion unanimously approved.

E. Fall Color Tour

2019-177 Approve signs for Fall Color Tour.

Motion was made by Spoelman and supported by Schippers to approve the request from the Visitors Bureau for the placement of four (4) directional signs for the Fall Color Tour subject to the conditions noted.

Motion unanimously approved.

APPOINTMENTS

A. Recommendation regarding reappointment to the Cadillac-Wexford Airport Authority.

2019-178 Approve reappointment to the Cadillac-Wexford Airport Authority.

Motion was made by Schippers and supported by Engels to approve the reappointment of Karl Holder to the Cadillac-Wexford Airport Authority for a 2-year term to expire on August 21, 2021.

Motion unanimously approved.

B. Recommendation regarding reappointment to the Downtown Development Authority.

Schippers noted Bill Cinco has been serving on the DDA since 1996.

2019-179 Approve reappointment to the Downtown Development Authority.

Motion was made by Schippers and supported by Engels to approve the reappointment of Bill Cinco to the Downtown Development Authority for a 4-year term to expire on August 16, 2023.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Bids and recommendation regarding Work Trucks.

Peccia stated the Utilities Department is requesting acquisition of two (2) work trucks. He noted two (2) bids were received and the recommendation is to award the purchase to the lowest bidder, Signature Ford-Lincoln, in the amount of \$56,363. He stated funds are available in the FY2020 budget of the Water and Sewer Fund.

2019-180 Award purchase of Work Trucks.

Motion was made by Engels and supported by Schippers to award the purchase of two (2) Work Trucks to Signature Ford-Lincoln in the amount of \$56,363.

Motion unanimously approved.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution to introduce Ordinance to Add New Section 10-2 to Chapter 10 of the Cadillac City Code to Allow Certain Recreational Marihuana Establishments Operated in Accordance with State Law and set a public hearing for September 3, 2019.

City Manager Peccia provided an overview including highlights from the Council's discussion at their first meeting in August to lay the foundation of what the Council has done publicly to date, and what is now before them as they consider setting the public hearings regarding the recreational and medical marihuana ordinances.

Following the overview provided by the City Manager, City Attorney Homier provided a legal update regarding the draft ordinances, and reiterated some of the key issues important for the City Council to discuss, such as how many establishments/facilities should be allowed, where, and what the process might be for the City to consider them.

Following the staff overview and updates, City Council initiated a robust discussion regarding both recreational and medical marihuana. Key topics discussed included how many of each of the different types of establishments/facilities the City should consider allowing; how far away they need to be from each other and/or from residences, schools, or churches; design standards; general location; permitting process and costs.

At the conclusion of the discussion, there was a general consensus that the next draft of both the recreational and medical marihuana ordinances set the number of establishments/facilities within each classification to one (1), with the exception of there being two (2) within the retail/provisioning classification for both recreational and medical marihuana uses.

2019-181 Set public hearing for Ordinance 2019-12.

Motion was made by Spoelman and supported by King to adopt the resolution to introduce Ordinance to Add New Section 10-2 to Chapter 10 of the Cadillac City Code to Allow Certain Recreational Marihuana Establishments Operated in Accordance with State Law and set a public hearing for September 3, 2019.

Motion unanimously approved.

- B. Adopt resolution to introduce Ordinance to Add New Section 10-3 to Chapter 10 of the Cadillac City Code to Allow Certain Medical Marihuana Facilities Operated in Accordance with State Law and set a public hearing for September 3, 2019.

2019-182 Set public hearing for Ordinance 2019-13.

Motion was made by Spoelman and supported by King to adopt the resolution to introduce Ordinance to Add New Section 10-3 to Chapter 10 of the Cadillac City Code to Allow Certain Medical Marihuana Facilities Operated in Accordance with State Law and set a public hearing for September 3, 2019.

Motion unanimously approved.

PUBLIC COMMENTS

Bryan Elenbaas commented on the marihuana discussion and described what he has seen in other cities that allow marihuana establishments.

Don Koshmider expressed support for marihuana establishments.

GOOD OF THE ORDER

Schippers noted the Mayor's Youth Council will meet at 4:00 pm on August 21, 2019. She stated the Mayor's Youth Council will be hosting a Movie in the Park (Wonder Park) on August 31, 2019. She commented about her grandchildren being issued a citation (to go to Culver's for a free ice cream cone) by Officer Straight for wearing their helmets while bike riding. She thanked Officer Straight and the Cadillac Police Department for fostering safety for kids.

Mayor Filkins noted that from 5:30 pm to 7:30 pm on August 21, 2019 the Public Safety Department is partnering with the Mayor's Fit City Challenge, Munson Medical Center, and the Community Foundation to hold a bike rodeo for kids in the community. She noted bikes and helmets have been donated for the event.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. 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
Robert J. Engels
Stephen King

RESOLUTION NO. 2019-_____

**RESOLUTION TO ADOPT ORDINANCE NO. _____,
AN ORDINANCE TO ADD NEW SECTION 10-2 TO CHAPTER 10 OF THE CADILLAC CITY
CODE TO ALLOW CERTAIN RECREATIONAL MARIHUANA ESTABLISHMENTS
OPERATED IN ACCORDANCE WITH STATE LAW**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 3rd day of September, 2019, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, on November 6, 2018, Michigan voters approved Initiated Law 1 of 2018, known as the Michigan Regulation and Taxation of Marihuana Act ("MRTMA"); and

WHEREAS, among other things, the MRTMA makes marihuana legal under state and local law for adults 21 years of age or older, makes industrial hemp legal under state and local law, and controls the commercial production and distribution of marihuana under a system that licenses, regulates, and taxes the businesses involved; and

WHEREAS, Section 6 of the MRTMA authorizes a municipality to completely prohibit or limit the number of marihuana establishments within its boundaries. A "marihuana establishment" under the MRTMA means a marihuana grower, marihuana safety

compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the Michigan Department of Licensing and Regulatory Affairs; and

WHEREAS, the City has considered the potential benefits, challenges, and costs of permitting marihuana establishments within its boundaries and has determined to allow certain marihuana establishments, in limited numbers, subject to certain regulations and zoning requirements to be set by ordinance; and

WHEREAS, on August 19, 2019, the City introduced an ordinance to add section 10-2 to the City Code to allow for certain recreational marihuana establishments in the City in accordance with the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq., and set it for public hearing on September 3, 2019; and

WHEREAS, the City held the duly noticed public hearing on September 3, 2019; and

WHEREAS, following the public hearing, the City has determined that it is in the best interests of the public health, safety, and welfare to adopt the proposed ordinance regulating recreational marihuana establishments.

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

1. Ordinance No. 2019-____, Ordinance to Add New Section 10-2 to Chapter 10 of the Cadillac City Code to Allow Certain Recreational Marihuana Establishments Operated in Accordance with State Law (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)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2019-____, duly adopted at a meeting of the City Council held on the 3rd day of September, 2019.

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. 2019-12

AN ORDINANCE TO ADD NEW SECTION 10-2 TO CHAPTER 10 OF THE CADILLAC CITY CODE TO ALLOW CERTAIN RECREATIONAL MARIHUANA ESTABLISHMENTS OPERATED IN ACCORDANCE WITH STATE LAW

Section 1. Amendment. Chapter 10 of the Cadillac City Code is hereby amended to add new Section 10-2, which shall read in its entirety as follows:

RECREATIONAL MARIHUANA ESTABLISHMENTS

10.2-01 Definitions.

The following words and phrases have the meanings ascribed to them when used in this chapter:

- (a) *Co-location or co-located* means the siting and operation of a combination of multiple establishments or establishment types at a single location.
- (b) *Designated consumption establishment* means a commercial space that is licensed by LARA and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state license.
- (c) *Emergency Rules* means the emergency rules for adult-use marihuana establishments issued by LARA on or about July 3, 2019.
- (d) *Excess marihuana grower* means a license issued by LARA to a person holding five class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.
- (e) *LARA* means the Department of Licensing and Regulatory Affairs and any successor department or agency within the department, including the Marihuana Regulatory Agency.
- (f) *Licensee* means a person holding a state operating license for a marihuana establishment.
- (g) *Marihuana* means all parts of the plant genus cannabis, growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Marihuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made

from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination. Marihuana does not include industrial hemp.

- (h) *Marihuana establishment* means a marihuana grower, marihuana safety compliance establishment, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by LARA under the MRTMA.
- (i) *Marihuana event organizer* means a person licensed to apply for a temporary marihuana event license under the Emergency Rules.
- (j) *Marihuana grower* means a person licensed by LARA to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.
- (k) *Marihuana microbusiness* means a person licensed by LARA to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance establishment, but not to other marihuana establishments.
- (l) *Marihuana processor* means a person licensed by LARA to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.
- (m) *Marihuana retailer* means a person licensed by LARA to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.
- (n) *Marihuana secure transporter* means a person licensed by LARA to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.
- (o) *Marihuana safety compliance establishment* means a person licensed by LARA to test marihuana, including certification for potency and the presence of contaminants.
- (p) *MMMA* means the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, as amended, MCL 333.26424 *et seq.*
- (q) *MMMFLA* means the Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended, MCL 333.27102 *et seq.*
- (r) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 *et seq.*

- (s) *MRTMA rules* means rules, including emergency rules, promulgated by LARA to implement the MRTMA.
- (t) *Prequalification step* or *prequalified* means the portion of the application for a state operating license pertaining to the applicant's financial background and the criminal history of the applicant and other associated persons, as provided by Emergency Rule 6.
- (u) *Stacked grower license* means more than 1 state operating license issued to a single licensee to operate as a grower of class C-1,500 marihuana plants as specified in each license at an establishment.
- (v) *State operating license* or, unless the context requires a different meaning, "*license*" means a license that is issued by LARA under the MRTMA that allows the licensee to operate a marihuana establishment.

10.2-02 Authorized Establishments.

- (a) *Authorization and special use permit required.* No person shall operate a marihuana establishment in the City without an authorization issued by the City pursuant to the provisions of this Ordinance and a special use permit pursuant to this Ordinance and the City Zoning Ordinance.
- (b) *Number of establishments eligible for authorization.* The following numbers of marihuana establishments may be authorized to operate in the City, subject to this Ordinance:
 - (1) Not more than one (1) grower operating under Class A licenses;
 - (2) Not more than one (1) grower operating under Class B licenses;
 - (3) Not more than one (1) grower operating under Class C licenses;
 - (4) Not more than two (2) retailers;
 - (5) Not more than one (1) processor;
 - (6) Not more than one (1) secure transporter;
 - (7) Not more than one (1) safety compliance establishment;
 - (8) Not more than one (1) microbusiness;
 - (9) Zero designated consumption establishments (prohibited in the City);
 - (10) Zero excess marihuana growers (prohibited in the City); and

- (11) Zero temporary marihuana events (prohibited in the City).
- (c) *Co-location and stacked licenses.* Co-location and stacked grower licenses are prohibited in the City.
- (d) *Final authorization from City required.* The authorization process described Section 10-2.03 determines the locations in the City at which establishments may operate. A proposed establishment is not eligible to operate until the Clerk grants final authorization pursuant to Section 10-2.03(d) and until the applicant receives a special use permit under the City Zoning Ordinance and all required approvals and licenses from LARA.

10.2-03 Application for Authorization.

- (a) *Timing of Submission.* Beginning on December 9, 2019, a person may apply for authorization to operate an establishment within the City by complying with the requirements of this section.
- (b) *Required Application Materials.* An application is not considered complete until all of the following are received by the City Clerk:
 - (1) A nonrefundable application fee in an amount established by resolution of the City Council.
 - (2) An advance of the annual administrative fee established in Section 10-2.05(d).
 - (3) A photocopy of a valid, unexpired driver's license or state issued identification card for all owners, directors, and officers of the proposed establishment.
 - (4) A signed application (available in the Clerk's office), which must include all of the following information and documents:
 - (A) If the applicant is an individual, the applicant's name; date of birth; Social Security number; physical address, including residential and any business address; copy of government-issued photo identification; email address; one or more phone numbers, including emergency contact information;
 - (B) If the applicant is not an individual, the names; dates of birth; physical addresses, including residential and any business address; copy of government-issued photo identifications; email address; and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking representative as an emergency contact person; contact information for the emergency contact person; articles of incorporation or organization; assumed name registration; Internal Revenue Service EIN confirmation letter; copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership

agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation;

- (C) The name, address, tax identification number, and current zoning designations of the proposed marihuana establishment;
- (D) The name and address of the current property owner of record;
- (E) If the current property owner is different than the applicant (e.g. where the applicant has a lease, option, land contract, or other future interest in the property), the property owner's signature is required in addition to the applicant's.
 - a. An applicant may submit applications for multiple properties.
 - b. However, only one application shall be submitted per property, unless the applications are for proposed co-located establishments.
- (F) The proposed establishment type;
- (G) A complete list of all marihuana permits and licenses held by the applicant;
- (H) Written consent for the City to inspect the establishment at any time during normal business hours to ensure compliance with applicable laws and regulations;
- (I) A location area map of the marihuana establishment and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana establishment's building) to the closest real property comprising a public or private elementary, vocational or secondary school;
- (J) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MRTMA (including documents submitted for prequalification);
- (K) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MMFLA, if applicable;
- (L) A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MRTMA;
- (M) Any other information reasonably requested by the City relevant to the processing or consideration of the application.

- (c) *Initial receipt period set by resolution.* For any establishment type subject to numerical limitations under Section 10-2.02, the City shall establish an initial receipt period that will commence on December 9, 2019, and will end on January 31, 2020.
- (d) *Clerk action upon receipt.* The Clerk will accept and receive any complete application that includes the information and documents required by Section 10-2.03(b), unless the City has already received an application for the same property from another applicant. Upon receiving a complete application, the Clerk will time- and date-stamp the application and inform the applicant of the following:
- (1) The number of existing establishments of the proposed establishment type currently operating within the City;
 - (2) The number of pending applications for the desired establishment type; and
 - (3) The process by which an applicant will be selected pursuant to subparagraph (e).
- (e) *Conditional authorization and competitive process.* The Clerk will conditionally authorize establishments as follows:
- (1) If, after close of business on the end date of the initial receipt period, the City has received more applications for a given establishment type than would be permitted under Section 10-2.02, the City will decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with the MRTMA in the City. The City will provide applicants with twenty-one (21) calendar days' notice that the applicants must provide supplemental written information and documentation to the City indicating whether the applicant satisfies each of the following criteria:

Scoring category	Available points
Background of the applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses issued by LARA; current medical marihuana facility license status in the City; history of compliance with City and state regulations associated with existing medical marihuana facility licenses held in the City; and residency in the City, county, or region.	Twenty (20) points
Human resources, including the number of full-time equivalent employees; the percent of such employees that are residents of the City; and the proposed minimum rate of pay for all employees.	Twenty (20) points
Physical investment, including the applicant's proposed tangible capital investment; the current and proposed condition of the proposed location; and the applicant's ownership stake in the physical location of the establishment.	Twenty (20) points

Area impact, including the proximity of the establishment to properties zoned or used residentially; and plans for litter control, loitering, neighborhood outreach, noise mitigation, odor mitigation, resident safety, and traffic mitigation.	Ten (10) points
Business operations, including a business plan; charitable giving plan; financing plan; marketing and promotion plan, with an emphasis on reducing exposure to minors; and strategic plan.	Ten (10) points
Establishment design, including the provision of glazing, landscaping, and screening above City minimum requirements; the use of durable building materials; compliance with the Americans with Disabilities Act; and implementation of Crime Prevention Through Environmental Design (CPTED) principles.	Ten (10) points
Energy efficiency, including Energy Star certification; Michigan Energy Code compliance; use of energy from carbon-free sources; and use of WaterSense fixtures.	Five (5) points
Infrastructure impact, including the utilization of green infrastructure or low-impact development design principles to manage stormwater; and the provision of non-motorized transportation infrastructure in excess of City requirements.	Five (5) points

- (2) Upon timely receipt of the supplemental information described in subparagraph (1), the City Council or its designees shall assign points for the criteria that are satisfied pursuant to the chart in subparagraph (1) and shall, based on the resulting scores, select applicants who are best suited to operate in compliance with the MRTMA in the City. The City shall notify the selected applicants that they have been granted conditional authorization. In the event of a tie score, the City Council or its designee shall select the applicant who, based on the totality of the circumstances, the City finds is best suited to operate in compliance with the MRTMA.
- (3) If an applicant does not timely submit the supplemental information described in subparagraph (1), then the application shall be discarded and shall not be considered under subparagraph (2).
- (4) For any establishment type not subject to numerical limits under Section 10-2.02, or otherwise not subject to the competitive process described in subsection (e)(1), the Clerk will conditionally authorize establishments in the order in which applications are received.
- (5) Once the Clerk has issued conditional authorizations for all of the establishments of a given establishment type that would be permitted under Section 10-2.02, the Clerk will place subsequent applications at the end of the waiting list for that establishment type. Applications shall be included on the waiting list in the order designated by the City Council or its designees under subparagraph (2).

- (f) *Final authorization.* The Clerk will grant final authorization for the establishment if the applicant:
- (1) Submits the paperwork for the establishment-specific step of the application for a state operating license to LARA within 30 days of receiving conditional authorization;
 - (2) Submits an application for special use authorization pursuant to the City Zoning Ordinance within 30 days of receiving conditional authorization;
 - (3) Obtains special use authorization within 6 months of receiving conditional authorization; and
 - (4) Receives all required operating licenses and approvals from LARA within 18 months after conditional authorization is granted.
- (g) *Expiration of conditional authorization.* If the applicant for a conditionally authorized establishment fails to satisfy any of the deadlines established above, the conditional authorization will expire. The City Council may extend any of the deadlines upon a showing of good cause.
- (h) *Waiting list and refund of administrative fee.* The Clerk will keep and maintain the waiting lists established pursuant to subsection (e) until the maximum number of establishments of the type to which the list pertains are operating in the City (at which time the Clerk will discard the waiting list). If a conditional authorization for a proposed establishment of that establishment type expires, the Clerk will conditionally authorize the next application on the waiting list. Upon discarding the waiting list, the Clerk will refund the advance of the annual administrative fee established in section 10-2.05(e) to all applicants remaining on the waiting list.
- (i) *Newly available authorizations.*
- (1) For establishment types for which the maximum number of establishments specified in Section 10-2.02 are operating in the City, an authorization will become available when:
 - (A) The state operating license for an establishment with final authorization expires or is revoked by LARA; or
 - (B) This chapter is amended to authorize additional establishments of that establishment type.
 - (2) When an authorization becomes available as described in subsection (h)(1), the City Clerk will select a date within the next 60 days on which the City will begin accepting applications from interested persons, and will publish notice of the selected date in a newspaper of general circulation.

- (3) On the selected date, the Clerk will begin accepting applications using the same process described in subsections (c) and (d) above. If multiple applications are received on that date, the City Council or its designee will request supplemental information and conduct a competitive selection process as outlined in section 10-2.03(e) above.

10.2-04 Relocation of Establishments, Transfers of Licenses, and Expansion of Grow Operations.

- (a) An existing establishment may be moved to a new location in the City, subject to applicable zoning regulations, prior City Council approval, and approval by LARA. In deciding whether to approve a new location for an existing establishment, the City Council shall consider the following nonexclusive factors:
 - a. The impact of the establishment's new location on traffic, parking, public safety, noise, and aesthetics;
 - b. The impact of the establishment's new location on the community as a whole; and
 - c. The existing establishment's compliance with City ordinances and with state law and administrative rules.
- (b) A license for an existing establishment may be transferred to a new licensee that intends to continue operating at the same location, subject to approval by City Council and LARA.
- (c) A licensee may expand growing operations by upgrading the class of the license (e.g., from class A to class B, or from class B to class C), subject to all the limitations (including limitations on the number of establishment types) set forth in Section 10-2.02. To do so, the licensee must submit a new application to the City satisfying the requirements in 10-2.03(a), which shall include payment of the application fee and an advance of any additional annual administrative fee. The application shall be conditionally approved upon receipt of all required materials and compliance with this Ordinance, the MRTMA, and all requirements imposed by LARA.

10.2-05 General Regulations.

- (a) *Submission of supplementary information to the City.* Applicants for City authorization and persons operating existing establishments in the City must provide the City Clerk with copies of all documents submitted to LARA in connection with the initial license application, subsequent renewal applications, or investigations conducted by LARA. The documents must be provided to the Clerk within 7 days of submission to LARA, and may be submitted electronically to the City unless otherwise requested by the Clerk.

- (b) *Compliance with applicable laws and regulations.* Adult-use marihuana establishments must be operated in compliance with the MRTMA, MRTMA rules, all conditions of the establishment's state operating licenses, and all applicable City ordinances. Compliance with the foregoing does not create immunity from prosecution by federal authorities or other authorities of competent jurisdiction.
- (c) *No consumption on premises.* No smoking, inhalation, or other consumption of marihuana shall take place on or within the premises of any establishment. It shall be a violation of this chapter to engage in such behavior, or for a person to knowingly allow such behavior to occur. Evidence of all of the following gives rise to a rebuttable presumption that a person allowed the consumption of marihuana on or within a premises in violation of this section:
 - (1) The person had control over the premises or the portion of the premises where the marihuana was consumed;
 - (2) The person knew or reasonably should have known that the marihuana was consumed; and
 - (3) The person failed to take corrective action.
- (d) *Annual fee.* A licensee must pay a fee of \$5,000, for each license used within the City in order to help defray administrative and enforcement costs. The initial annual fee(s) must be paid to the City Clerk when the application for City approval is submitted. In each subsequent year, fees are due on the date on which the licensee submits an application to LARA for renewal of the state operating license.

10.2-06 Violations.

- (a) *Request for revocation of state operating license.* If at any time an authorized establishment violates this chapter or any other applicable City ordinance, the City Council may request that LARA revoke or refrain from renewing the establishment's state operating license.
- (b) *Civil infraction.* It is unlawful to disobey, neglect, or refuse to comply with any provision of this chapter. A violation of this chapter is a municipal civil infraction. Each day the violation continues shall be a separate offense. Notwithstanding any other provision of this ordinance to the contrary, violators shall be subject to the following fines:
 - (1) First violation = \$500
 - (2) Second offense = \$2,500
 - (3) Each subsequent offense = \$5,000

- (c) *Other remedies.* The foregoing sanctions are in addition to the City's right to seek other appropriate and proper remedies, including actions in law or equity.

10.2-07 Policy Review in 2020.

On or before December 31, 2020, City staff shall submit a report to the City Council regarding the administration of this ordinance and the provisions of the zoning ordinance pertaining to adult-use marihuana, and regarding any other pertinent information relating to the operation of adult-use marihuana establishments in the City. The report may include proposed ordinance amendments or other proposed policy changes.

10.2-08. Application to Certain Transferred Area.

Notwithstanding the foregoing provisions of this Ordinance, the following provisions shall apply to the real property ("Transferred Area") that is the subject of the Agreement for the Conditional Transfer of Property dated August 19, 2019 ("Act 425 Agreement"), and recorded with the Wexford County Register of Deeds, and that is also the subject of a Consent Judgment entered by the Wexford County Circuit Court on ____, 2019, in Case Nos. 13-24803-CH and 17-27610-CZ:

Marihuana establishments shall be permitted on the Transferred Area only in accordance with the Act 425 Agreement, Consent Judgment, and related documents and exhibits. The terms of the Act 425 Agreement and Consent Judgment supersede any conflicting provisions of this Ordinance with respect to the Transferred Area.

Section 2. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 30 days after its adoption.

YEAS: Council Member(s) _____

NAYS: Council Member(s) _____

ABSTAIN: Council Member(s) _____

ABSENT: Council Member(s) _____

CERTIFICATION

As the City Clerk of the City of Cadillac, Wexford County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Cadillac City Council at a regular meeting held on _____, 2019.

Date: _____, 2019

Carla Filkins, Mayor

Date: _____, 2019

Sandra Wasson, City Clerk

Introduced: _____, 2019

Adopted: _____, 2019

Published: _____, 2019

Effective: _____, 2019

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
Robert J. Engels
Stephen King

RESOLUTION NO. 2019-_____

**RESOLUTION TO ADOPT ORDINANCE NO. _____,
AN ORDINANCE TO ADD NEW SECTION 10-3 TO CHAPTER 10 OF THE CADILLAC CITY
CODE TO ALLOW CERTAIN MEDICAL MARIHUANA FACILITIES OPERATED IN
ACCORDANCE WITH STATE LAW**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 3rd day of September, 2019, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended, MCL 333.27102 *et seq.* ("MMFLA"), provides that municipality may adopt an ordinance to authorize one or more types of medical marihuana facilities within its boundaries and to limit the number of each type of marihuana facility; and

WHEREAS, the MMFLA further provides that a municipality may adopt other ordinances relating to medical marihuana facilities within its jurisdiction, including zoning regulations; and

WHEREAS, the City has considered the potential benefits, challenges, and costs of permitting medical marihuana facilities within its boundaries and has determined to allow

certain medical marihuana facilities, in limited numbers, subject to certain regulations and zoning requirements to be set by ordinance; and

WHEREAS, on August 19, 2019, the City introduced an ordinance to add section 10-3 to the City Code to allow for certain medical marihuana facilities in the City in accordance with the MMFLA and set it for public hearing on September 3, 2019; and

WHEREAS, the City held the duly noticed public hearing on September 3, 2019; and

WHEREAS, following the public hearing, the City has determined that it is in the best interests of the public health, safety, and welfare to adopt the proposed ordinance regulating medical marihuana facilities.

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

1. Ordinance No. 2019-____, Ordinance to Add New Section 10-3 to Chapter 10 of the Cadillac City Code to Allow Certain Medical Marihuana Facilities Operated in Accordance with State Law (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)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2019-____, duly adopted at a meeting of the City Council held on the 3rd day of September, 2019.

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. 2019-13

AN ORDINANCE TO ADD NEW SECTION 10-3 TO CHAPTER 10 OF THE CADILLAC CITY CODE TO ALLOW CERTAIN MEDICAL MARIHUANA FACILITIES OPERATED IN ACCORDANCE WITH STATE LAW

Section 1. Amendment. Chapter 10 of the Cadillac City Code is hereby amended to add new Section 10-3, which shall read in its entirety as follows:

MEDICAL MARIHUANA FACILITIES

10.3-01 Definitions.

The following words and phrases have the meanings ascribed to them when used in this chapter:

- (a) *Administrative Rules* means the administrative rules for medical marihuana facilities issued by LARA on or about November 27, 2018.
- (b) *Co-location or co-located* means the siting and operation of a combination of multiple facilities or facility types at a single location.
- (c) *LARA* means the Department of Licensing and Regulatory Affairs and any successor department or agency within the department, including the Bureau of Medical Marihuana Regulation, Medical Marihuana Licensing Board, and/or the Marihuana Regulatory Agency.
- (d) *Licensee* means a person holding a state operating license for a medical marihuana facility.
- (e) *Marihuana* means all parts of the plant genus cannabis, growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Marihuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination. Marihuana does not include industrial hemp.

- (f) *Medical marihuana facility* means a medical marihuana grower, medical marihuana safety compliance facility, medical marihuana processor, medical marihuana secure transporter, medical marihuana provisioning center, or any other type of medical marihuana-related business licensed by LARA under the MMFLA.
- (g) *Medical marihuana grower* means a commercial entity located in this state and licensed by LARA that cultivates, dries, trims, or cures and packages marihuana for sale to a processor, provisioning center, or another grower.
- (h) *Marihuana processor* means a commercial entity located in this state and licensed by LARA that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center or another processor.
- (i) *Medical marihuana provisioning center* means a commercial entity located in this state and licensed by LARA that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. *Provisioning center* includes any commercial property where medical marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a registered primary caregiver to assist a qualifying patient connected to the caregiver through LARA's medical marihuana registration process in accordance with the MMMA is not a provisioning center for purposes of this Ordinance.
- (j) *Medical marihuana secure transporter* means a commercial entity located in this state and licensed by LARA that stores marihuana and transports marihuana between marihuana facilities for a fee.
- (k) *Medical marihuana safety compliance facility* means a commercial entity licensed by LARA that takes marihuana from a medical marihuana facility or receives marihuana from a registered primary caregiver, tests the marihuana for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the medical marihuana facility.
- (l) *MMMA* means the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, as amended, MCL 333.26424 *et seq.*
- (m) *MMFLA* means the Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended, MCL 333.27102 *et seq.*
- (n) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 *et seq.*
- (o) *Prequalification step* or *prequalified* means the portion of the application for a state operating license pertaining to the applicant's financial background and the criminal history of the applicant and other associated persons.

- (p) *Stacked grower license* means more than 1 state operating license issued to a single licensee to operate as a grower of class C-1,500 marihuana plants as specified in each license at an facility.
- (q) *State operating license* or, unless the context requires a different meaning, "*license*" means a license that is issued by LARA under the MMFLA that allows the licensee to operate a medical marihuana facility.

10.3-02 Authorized Facilities.

- (a) *Authorization and special use permit required.* No person shall operate a medical marihuana facility in the City without an authorization issued by the City pursuant to the provisions of this Ordinance and a special use permit pursuant to this Ordinance and the City Zoning Ordinance.
- (b) *Number of facilities eligible for authorization.* The following numbers of medical marihuana facilities may be authorized to operate in the City, subject to this Ordinance:
 - (1) Not more than one (1) grower operating under Class A licenses;
 - (2) Not more than one (1) grower operating under Class B licenses;
 - (3) Not more than one (1) grower operating under Class C licenses;
 - (4) Not more than two (2) provisioning centers;
 - (5) Not more than one (1) processor;
 - (6) Not more than one (1) secure transporter;
 - (7) Not more than one (1) safety compliance facilities;
- (c) *Co-location and stacked licenses.* Co-location and stacked grower licenses are prohibited in the City.
- (d) *Final authorization from City required.* The authorization process described Section 10-3.03 determines the locations in the City at which facilities may operate. A proposed facility is not eligible to operate until the Clerk grants final authorization pursuant to Section 10-3.03(d) and until the applicant receives a special use permit under the City Zoning Ordinance and all required approvals and licenses from LARA.

10.3-03 Application for Authorization.

- (a) *Timing of Submission.* Beginning on December 9, 2019, a person may apply for authorization to operate a medical marihuana facility within the City by complying with the requirements of this section.
- (b) *Required Application Materials.* An application is not considered complete until all of the following are received by the City Clerk:
 - (1) A nonrefundable application fee in an amount established by resolution of the City Council.
 - (2) An advance of the annual administrative fee established in Section 10-3.05(d).
 - (3) A photocopy of a valid, unexpired driver's license or state issued identification card for all owners, directors, and officers of the proposed facility.
 - (4) A signed application (available in the Clerk's office), which must include all of the following information and documents:
 - (A) If the applicant is an individual, the applicant's name; date of birth; Social Security number; physical address, including residential and any business address; copy of government-issued photo identification; email address; one or more phone numbers, including administrative contact information;
 - (B) If the applicant is not an individual, the names; dates of birth; physical addresses, including residential and any business address; copy of government-issued photo identifications; email address; and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking representative as an administrative contact person; contact information for the administrative contact person; articles of incorporation or organization; assumed name registration; Internal Revenue Service EIN confirmation letter; copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation;
 - (C) The name, address, tax identification number, and current zoning designations of the proposed medical marihuana facility;
 - (D) The name and address of the current property owner of record;
 - (E) If the current property owner is different than the applicant (e.g. where the applicant has a lease, option, land contract, or other future interest in the property), the property owner's signature is required in addition to the applicant's.

- a. An applicant may submit applications for multiple properties.
 - b. However, only one application shall be submitted per property.
 - (F) The proposed facility type;
 - (G) A complete list of all marihuana permits and licenses held by the applicant;
 - (H) Written consent for the City to inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations;
 - (I) A location area map of the marihuana facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana facility's building) to the closest real property comprising a public or private elementary, vocational, or secondary school;
 - (J) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MMFLA (including documents submitted for prequalification);
 - (K) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MRTMA, if applicable;
 - (L) A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MMFLA;
 - (M) Any other information reasonably requested by the City relevant to the processing or consideration of the application.
- (c) *Initial receipt period set by resolution.* For any facility type subject to numerical limitations under Section 10-3.02, the City shall establish an initial receipt period that will commence on December 9, 2019, and will end on January 31, 2020.
 - (d) *Clerk action upon receipt.* The Clerk will accept and receive any complete application that includes the information and documents required by Section 10-3.03(b), unless the City has already received an application for the same property from another applicant. Upon receiving a complete application, the Clerk will time- and date-stamp the application and inform the applicant of the following:
 - (1) The number of existing facilities of the proposed facility type currently operating within the City;

- (2) The number of pending applications for the desired facility type; and
 - (3) The process by which an applicant will be selected pursuant to subparagraph (e).
- (e) *Conditional authorization and random selection process.* The Clerk will conditionally authorize facilities as follows:
- (1) If, after close of business on the end date of the initial receipt period, the City has received more applications for a given facility type than would be permitted under Section 10-3.02, the City will decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with the MMFLA in the City. The City will provide applicants with twenty-one (21) calendar days' notice that the applicants must provide supplemental written information and documentation to the City indicating whether the applicant satisfies each of the following criteria:

Scoring category	Available points
Background of the applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses issued by LARA; current medical marihuana facility and/or adult-use marihuana establishment license status in the City; history of compliance with City and state regulations associated with existing marihuana facility or establishment licenses held in the City; and residency in the City, county, or region.	Twenty (20) points
Human resources, including the number of full-time equivalent employees; the percent of such employees that are residents of the City; and the proposed minimum rate of pay for all employees.	Twenty (20) points
Physical investment, including the applicant's proposed tangible capital investment; the current and proposed condition of the proposed location; and the applicant's ownership stake in the physical location of the facility.	Twenty (20) points
Area impact, including the proximity of the facility to properties zoned or used residentially; and plans for litter control, loitering, neighborhood outreach, noise mitigation, odor mitigation, resident safety, and traffic mitigation.	Ten (10) points
Business operations, including a business plan; charitable giving plan; financing plan; marketing and promotion plan, with an emphasis on reducing exposure to minors; and strategic plan.	Ten (10) points
Facility design, including the provision of glazing, landscaping, and screening above City minimum requirements; the use of durable building materials; compliance with the Americans with Disabilities Act; and implementation of Crime Prevention Through Environmental Design (CPTED) principles.	Ten (10) points

Energy efficiency, including Energy Star certification; Michigan Energy Code compliance; use of energy from carbon-free sources; and use of WaterSense fixtures.	Five (5) points
Infrastructure impact, including the utilization of green infrastructure or low-impact development design principles to manage stormwater; and the provision of non-motorized transportation infrastructure in excess of City requirements.	Five (5) points

- (2) Upon timely receipt of the supplemental information described in subparagraph (1), the City Council or its designees shall assign points for the criteria that are satisfied pursuant to the chart in subparagraph (1) and shall, based on the resulting scores, select applicants who are best suited to operate in compliance with the MMFLA in the City. The City shall notify the selected applicants that they have been granted conditional authorization. In the event of a tie score, the City Council or its designee shall select the applicant who, based on the totality of the circumstances, the City finds is best suited to operate in compliance with the MMFLA the City.
- (3) If an applicant does not timely submit the supplemental information described in subparagraph (1), then the application shall be discarded and shall not be considered under subparagraph (2).
- (4) For any facility type not subject to numerical limits under Section 10-3.02, or otherwise not subject to the competitive process described in subsection (e)(1), the Clerk will conditionally authorize facilities in the order in which applications are received.
- (5) Once the Clerk has issued conditional authorizations for all of the facilities of a given facility type that would be permitted under Section 10-3.02, the Clerk will place subsequent applications at the end of the waiting list for that facility type. Applications shall be included on the waiting list in the order designated by the City Council or its designees under subparagraph (2).
- (f) *Final authorization.* The Clerk will grant final authorization for the facility if the applicant:
 - (1) Submits the paperwork for the facility-specific step of the application for a state operating license to LARA within 30 days of receiving conditional authorization;
 - (2) Submits an application for special use authorization pursuant to the City Zoning Ordinance within 30 days of receiving conditional authorization; and
 - (3) Obtains special use authorization within 6 months of receiving conditional authorization.

- (4) Receives all required operating licenses and approvals from LARA within 18 months after conditional authorization is granted;
- (g) *Expiration of conditional authorization.* If the applicant for a conditionally authorized facility fails to satisfy any of the deadlines established above, the conditional authorization will expire. The City Council may extend any of the deadlines upon a showing of good cause.
- (h) *Waiting list and refund of administrative fee.* The Clerk will keep and maintain the waiting lists established pursuant to subsection (e) until the maximum number of facilities of the type to which the list pertains are operating in the City (at which time the Clerk will discard the waiting list). If a conditional authorization for a proposed facility of that facility type expires, the Clerk will conditionally authorize the next application on the waiting list. Upon discarding the waiting list, the Clerk will refund the advance of the annual administrative fee established in section 10-3.05(e) to all applicants remaining on the waiting list.
- (i) *Newly available authorizations.*
 - (1) For facility types for which the maximum number of facilities specified in Section 10-3.02 are operating in the City, an authorization will become available when:
 - (A) The state operating license for an facility with final authorization expires or is revoked by LARA; or
 - (B) This chapter is amended to authorize additional facilities of that facility type.
 - (2) When an authorization becomes available as described in subsection (h)(1), the City Clerk will select a date within the next 60 days on which the City will begin accepting applications from interested persons, and will publish notice of the selected date in a newspaper of general circulation.
 - (3) On the selected date, the Clerk will begin accepting applications using the same process described in subsections (c) and (d) above. If multiple applications are received on that date, the City Council or its designee will request supplemental information and conduct a competitive selection process as outlined in section 10-3.03(e) above.

10.3-04 Relocation of Facilities, Transfers of Licenses, and Expansion of Grow Operations.

- (a) An existing facility may be moved to a new location in the City, subject to applicable zoning regulations, prior City Council approval, and approval by LARA. In deciding whether to approve a new location for an existing facility, the City Council shall consider the following nonexclusive factors:

- a. The impact of the facility's new location on traffic, parking, public safety, noise, and aesthetics;
 - b. The impact of the facility's new location on the community as a whole; and
 - c. The existing facility's compliance with City ordinances and with state law and administrative rules.
- (b) A license for an existing facility may be transferred to a new licensee that intends to continue operating at the same location, subject to approval by City Council and LARA.
- (c) A licensee may expand growing operations by upgrading the class of the license (e.g., from class A to class B, or from class B to class C), subject to all the limitations (including limitations on the number of facility types) set forth in Section 10-3.02. To do so, the licensee must submit a new application to the City satisfying the requirements in 10-3.03(a), which shall include payment of the application fee and an advance of any additional annual administrative fee. The application shall be conditionally approved upon receipt of all required materials and compliance with this Ordinance, the MMFLA, and all requirements imposed by LARA.

10.3-05 General Regulations.

- (a) *Submission of supplementary information to the City.* Applicants for City authorization and persons operating existing facilities in the City must provide the City Clerk with copies of all documents submitted to LARA in connection with the initial license application, subsequent renewal applications, or investigations conducted by LARA. The documents must be provided to the Clerk within 7 days of submission to LARA, and may be submitted electronically to the City unless otherwise requested by the Clerk.
- (b) *Compliance with applicable laws and regulations.* Medical marijuana facilities must be operated in compliance with the MMFLA, MMFLA administrative rules, all conditions of the facility's state operating licenses, and all applicable City ordinances. Compliance with the foregoing does not create immunity from prosecution by federal authorities or other authorities of competent jurisdiction.
- (c) *No consumption on premises.* No smoking, inhalation, or other consumption of marijuana shall take place on or within the premises of any facility. It shall be a violation of this chapter to engage in such behavior, or for a person to knowingly allow such behavior to occur. Evidence of all of the following gives rise to a rebuttable presumption that a person allowed the consumption of marijuana on or within a premises in violation of this section:
 - (1) The person had control over the premises or the portion of the premises where the marijuana was consumed;

- (2) The person knew or reasonably should have known that the marihuana was consumed; and
- (3) The person failed to take corrective action.
- (d) *Annual fee.* A licensee must pay a fee of \$5,000, for each license used within the City in order to help defray administrative and enforcement costs. The initial annual fee(s) must be paid to the City Clerk when the application for City approval is submitted. In each subsequent year, fees are due on the date on which the licensee submits an application to LARA for renewal of the state operating license.

10.3-06 Violations.

- (a) *Request for revocation of state operating license.* If at any time an authorized facility violates this chapter or any other applicable City ordinance, the City Council may request that LARA revoke or refrain from renewing the facility's state operating license.
- (b) *Civil infraction.* It is unlawful to disobey, neglect, or refuse to comply with any provision of this chapter. A violation of this chapter is a municipal civil infraction. Each day the violation continues shall be a separate offense. Notwithstanding any other provision of this ordinance to the contrary, violators shall be subject to the following fines:
 - (1) First violation = \$500
 - (2) Second offense = \$2,500
 - (3) Each subsequent offense = \$5,000
- (c) *Other remedies.* The foregoing sanctions are in addition to the City's right to seek other appropriate and proper remedies, including actions in law or equity.

10.3-07 Policy Review in 2020.

On or before December 31, 2020, City staff shall submit a report to the City Council regarding the administration of this ordinance and the provisions of the zoning ordinance pertaining to medical marihuana, and regarding any other pertinent information relating to the operation of medical marihuana facilities in the City. The report may include proposed ordinance amendments or other proposed policy changes.

10.3-08. Application to Certain Transferred Area.

Notwithstanding the foregoing provisions of this Ordinance, the following provisions shall apply to the real property ("Transferred Area") that is the subject of the Agreement for the Conditional Transfer of Property dated August 19, 2019 ("Act 425 Agreement"), and recorded with the Wexford County Register of Deeds, and that is also the subject of a Consent Judgment entered

by the Wexford County Circuit Court on _____, 2019, in Case Nos. 13-24803-CH and 17-27610-CZ:

Medical marihuana facilities shall be permitted on the Transferred Area only in accordance with the Act 425 Agreement, Consent Judgment, and related documents and exhibits. The terms of the Act 425 Agreement and Consent Judgment supersede any conflicting provisions of this Ordinance with respect to the Transferred Area.

Section 2. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 30 days after its adoption.

YEAS: Council Member(s) _____
NAYS: Council Member(s) _____
ABSTAIN: Council Member(s) _____
ABSENT: Council Member(s) _____

CERTIFICATION

As the City Clerk of the City of Cadillac, Wexford County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Cadillac City Council at a regular meeting held on _____, 2019.

Date: _____, 2019

Carla Filkins, Mayor

Date: _____, 2019

Sandra Wasson, City Clerk

Introduced: _____, 2019

Adopted: _____, 2019

Published: _____, 2019

Effective: _____, 2019

Date: September 3, 2019

Council Communication

Re: Zion Lutheran Church Craft Show

Introduction

Zion Lutheran Church is asking to place three yard-type signs with dimensions of three feet by three feet square in the City Right-Of-Way for four days advertising their Craft Show on October 16th through the 19th. The Craft Show benefits the work they do with Project Christmas.

The locations they are requesting are;

1. At South Mitchell Street and Pearl Street intersection on the west side.
2. On South Mitchell Street across from Pearl Street on the east side near Maple Hill Cemetery.
3. At Sunnyside Drive and Pearl Street intersection.

The sign copy will read;

**FALL CRAFT SHOW
ZION LUTHERAN
CHURCH
THIS SATURDAY
9AM to 3PM**

Staff Comments

This request is identical to the temporary sign request council received in 2018 from Zion Lutheran Church.

Requested Council Action

Consider granting permission for the Zion Lutheran Church to place one sign at each of the locations listed above from October 16th through October 19th.

CITY OF CADILLAC MICHIGAN

200 Lake Street
Cadillac, MI 49601
Phone (231) 775-0181

Mike Coy

Pd. 8/19/19 FW
CASH

SIGN PERMIT APPLICATION/PERMIT

Permit #	Office Use Only
Zoning District <u>R-2</u>	Date
Approved By: <u>Mike Coy</u>	Fee: Permanent \$20.00 OR Temporary \$10.00

Applicant's Name Zion Lutheran Church Phone 231-775-9821

Address 350 Pearl St

① Site Address Pearl + Mitchell Site Pearl + Sunnyside
Business Name

Property Owner's Name Road Right of Way

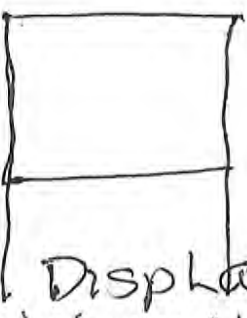
Address ① east side ② west side

Sign Type (W, Po, Pr, R, M) _____ Perm _____ Temp ☒ Days _____

Purpose (I, B, D) Craft Show Value _____ Height 3' x 3'

Setback(s) _____ stakes 5'

For Wall Signs: Building Height _____ Width _____

SHOW SIGN COPY	SKETCH	
FALL Craft Show Zion Lutheran Church This Saturday 9am to 2pm TOTAL DISPLAY AREA <u>3x3</u>		30'
		26'
		22'
		H
		E
		I
		G
		H
		T
		10'
6'		
2'		
Display October 16-19 Craft Show Oct 19, 2019		

I hereby certify that the proposed work is authorized by the property owner and will comply with all local and state laws. This permit will become null and void if work is not started within six months from date of permit.

APPLICANT'S SIGNATURE Barbara Jo Taylor DATE 8-18-2019

Date: September 3, 2019

Council Communication

Re: Friends of the Library

Introduction

The Friends of the Library are asking to place yard type signs and sandwich board signs in the City Right-Of-Way for the days that they have scheduled to have their book sales in 2019 and 2020. The next one scheduled will be from October 24th through the 26th of this year and they have four planned in 2020 (schedule attached). These three-day events benefit the library and reading programs the Friends of the Library sponsor. Included in the Friends of the Library temporary Sign Permit application is additional information describing their request. Staff has told representatives for the Friends of the Library that council approval is not needed for signs placed on library property if the signs meet the dimensional standards in the ordinance.

The locations the group is requesting are;

1. At South Lake Street and the West Chapin Street intersection.
2. In the tree lawn right-of-way (ROW) in front of the library and along the public parking lot located farther south.
3. On W. Chapin Street near Mitchell Street and Chemical Bank.

The sign copy will read;

**CADILLAC LIBRARY
USED BOOK SALE**

“DATE & TIME OF SALE”

Requested Council Action

Consider granting permission for the Friends of the Library to place signs at the locations listed above during the hours of the sale on the dates shown in the schedule provided.



200 Lake Street
Cadillac, MI 49601
Phone: (231) 775-0181

SIGN PERMIT APPLICATION/PERMIT

Office Use Only	Permit # <u>2/-19</u> Date _____
Zoning District <u>B-1</u>	Fee (CIRCLE ONE) Permanent \$20.00 Temporary \$10.00
Approved By <u>Mike Coy</u>	

Pl. 8/23/19
CK #1042
FW

Applicant's Name Jicki Long for the Friends of the Library Phone 231-884-1663

Address 4118 Lake St, Cadillac MI

Site Address 411 S Lake St Bus. Name Friends of the Cadillac Wexford

Property Owner's Name Cadillac Wexford Public Library

Address 411 S. Lake St, Cadillac MI 49601

Circle Sign Type (Wall, Pole, Projecting, Monument) If Temp? Days _____

Purpose: (Institution, Business, Display) Value _____ Height _____

Setback(s) _____

For Wall Signs: Weight _____ Building Height _____ Width _____

SHOW SIGN COPY, AN ATTACHED CONCEPT OR SKETCH IS PREFERRED

	H	--	
	E	--	18'
	I	--	
	G	--	14'
	H	--	
	T	--	10'
		--	
		--	6'
		--	
			--
TOTAL DISPLAY AREA _____		DIMENSIONS: HGT _____ WIDTH _____	

I hereby certify that the proposed work is authorized by the property owner and will comply with all local and state laws. This permit will become null and void if work is not started within six months from date of permit.

APPLICANT'S SIGNATURE X Jicki Long DATE 8/21/19

See Attached

Friends of the Library Book Sale Schedule [REDACTED]

October 24 – 26, 2019

January 30 - February 1, 2020

April 23 – 25, 2020

July 16 – 18, 2020

September 31 - October 3, 2020

Friends of the Library Book Sale Signs

Two Sided Yellow Signs: 42" x 25

1. **Placement on the Cadillac Wexford Public Library (CWPL) lawn near the corner of Lake St. and the Large Library Sign.**
2. **Placement near the city parking lot, which is by the CWPL parking lot (on the parking lot side of the sidewalk).**



Friends of the Library Book Sale Signs

Two White Sandwich Board Signs: 38" x 24

Placement for both signs will be on the street side of the sidewalk in front the Cadillac Wexford Public Library. These signs will not be near the driveway where they could obstruct the view of drivers entering or leaving the library.



Friends of the Library Book Sale Signs

One Yellow Sandwich Board Signs: 41" x 24"

Placement for this sign will be on the lawn of Chemical Bank on Mitchell Street (on the bank side of the sidewalk).





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

Today's Date _____

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Request Planning Guide

This form must be completed and return to the City 60 days before an event. Additionally a representative for the event must meet with City Event Team to verify all details for the event before going to City Council for approval. Failure to comply will result in a denial of your event. Please call (231) 775-0181 x 120 if you have questions.

Applicant Name (Print) Greg Bosscher Contact Address _____

_____ Contact Email _____

Sponsoring Organization _____ ☒ Private ☐ Non-Profit _____

Purpose of Event Wedding reception Approx # of Attendees 200

Beginning Date: 10/11/19 Ending Date: 10/13/19

Reoccurring: YES ☐ NO ☒

1st Day Friday Set-up AS soon as possible AM/PM Start _____ AM/PM End _____ AM/PM Clean-up _____ AM/PM

2nd Day Saturday Set-up _____ AM/PM Start _____ AM/PM End 11:00 AM/PM Clean-up _____ AM/PM

3rd Day Sunday Set-up _____ AM/PM Start _____ AM/PM End _____ AM/PM Clean-up 4:00 AM/PM

4th Day _____ Set-up _____ AM/PM Start _____ AM/PM End _____ AM/PM Clean-up _____ AM/PM

Please answer the following questions:

- YES ☒ NO ☐ Will you be requesting permission to close any streets or parking lots?
YES ☐ NO ☒ Will you be requesting permission to display any off site signage?
YES ☐ NO ☒ Will you be requesting permission to display a banner over Mitchell Street?
YES ☐ NO ☒ Will you be requesting permission to reserve any of the City of Cadillac facilities

Please Circle

Market at Cadillac Commons

Rotary Pavilion

City Park

Cadillac Commons Plaza

- YES ☐ NO ☒ Will you be requesting permission to have a parade?
YES ☐ NO ☒ Will you be requesting permission to hold any races?
YES ☒ NO ☐ Will you be requesting permission to serve alcoholic beverages?
YES ☐ NO ☒ Will your event include use of generators, food trucks, grills, fireworks display, or a tent/membrane structure?

If you answered YES to any of the above questions, additional form(s) must be completed for each one. All forms must be completely filled out and all information provided before requests will be brought to City Council for approval.

Forms can be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

All events require liability insurance: Required Min. general aggregate amount of \$1,000,000, naming the City of Cadillac as Certificate Holder and as additionally insured



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

Today's Date 8-2-19

City Received Date

Alcoholic Beverage Request Form

Event Name Boscher/Dutay Wedding

Requesting Organization Greg & Michele Boscher

Contact Person(s) Greg Boscher

Contact Email

Date of Event 10-12-19 Approx. number of participating groups 200 people

Starting Time 8:30 pm Ending Time 11 pm

City of Cadillac & State of Michigan Guidelines:

Wind screens will be down and doors closed - Private event

- Double fence
- Inspection of site

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 Greg Boscher Signature My best Date 8/2/19

Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.



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

Today's Date 6-1-19

City Received Date

The Market at the Cadillac Commons Reservation Form

Event Bosscher Wedding Please Submit 60-days Prior to Event Date

Special Requests: Please Circle

Electricity/Lights

Heat

Wind Screens

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 the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Market, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Any signage or decorations must be removed immediately following any event.
5. The sale of food and non-alcoholic beverages may require an additional license. (Code of Ordinances-Chapter 28)
6. The consumption or sale of alcoholic beverages requires approval of City Council. (Code of Ordinances-Chapter 26)
7. Quilted floor **MUST BE** protected at all times please make sure tables; chairs and etc. are equipped with rubber or felt protection.

Reservation Fees:

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

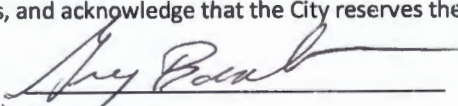
Reoccurring Events: Events that are a minimum of once a week, for four consecutive weeks or more

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

All Fee options require a deposit of \$25 that will be applied to your total cost to hold your date(s), and would only be refunded if event was denied for any reason.

Market Hours 7:00 AM through 11:00 PM

I understand and agree to comply with these rules, and acknowledge that the City reserves the right to change or cancel any event or program that is not in compliance with them.


Signature

Form must be mailed/ernailed or delivered to Cadillac City Hall, Attention Events Coordinator at

200 N. Lake Street in Cadillac, MI 49601

javila@cadillac-mi.net

Print Name Greg Bosscher Total Fees Required: 300 Total Fees Paid: 300 Date 6/1/19



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

Today's Date 7-9-19

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Banner Request Form

Monday Banner Start Date 10/8/19

Monday Banner End Date 10/15/19

(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 To publicize Philharmonic Awards Program
Organization Cadillac Philharmonic Club Contact Person Beverly Rowland
Contact Phone 231-775-0620 Contact Email browlandt@charter.net

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 **attached with this request form** 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 **1 week before** banner is to be displayed.
City Garage is located at 1001 6th 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: 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 Beverly Rowland Signature Beverly Rowland Date 7/9/19

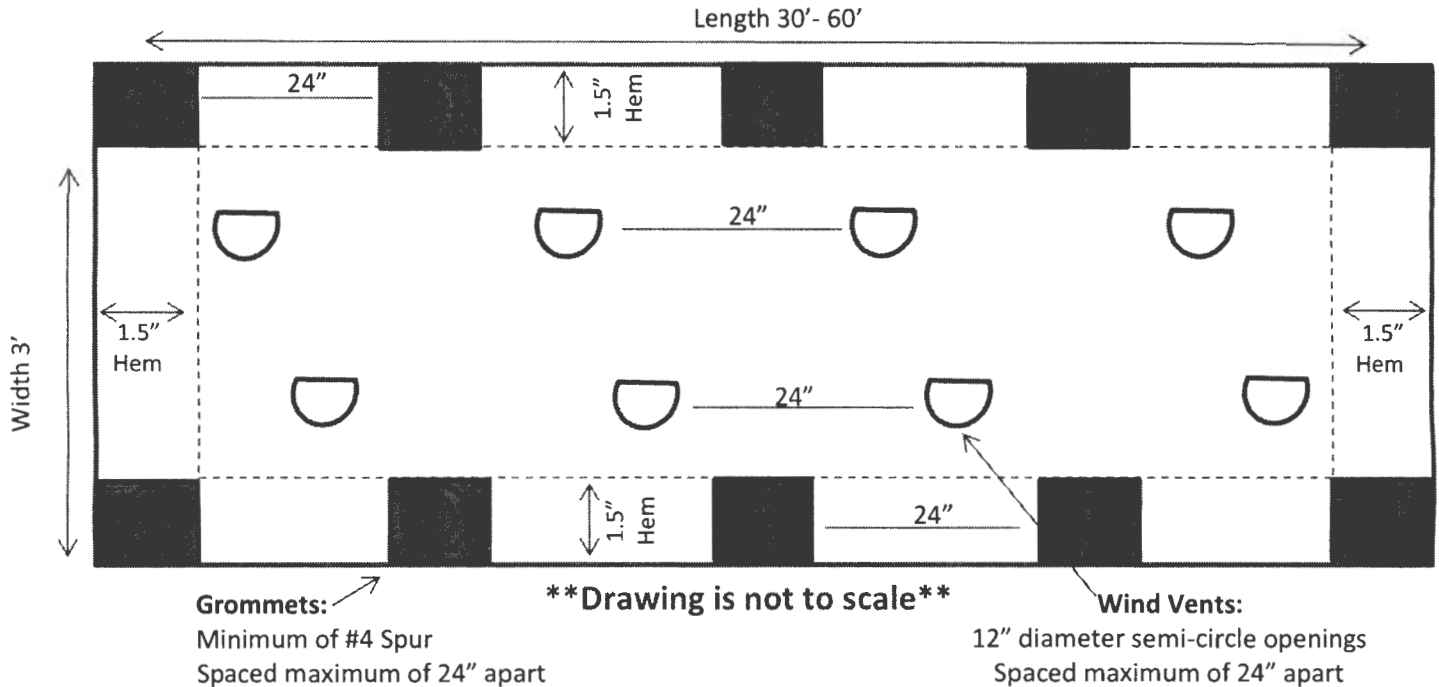
Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.

For Office Use Only

Streets _____	Date Approved _____	Comments _____
City Manager _____	Date Approved _____	Comments _____
State of Michigan _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____

Banner Specifications

- Banner must be made of a minimum of 18 oz. vinyl or of comparable material
- Hem must be 1.5" double folded and stitched on inside & outside
- Grommets must be a minimum of #4 Spur and not more than 24" apart along top & bottom
- Wind Vents must 12-18" semi-circle openings and not be more than 24" apart



**Attach a photo of the banner or provide a detailed design proof
(Request will not be approved without a proof or picture)**





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

Today's Date 3-13-2019

City Received Date



Request Planning Guide

This form must be completed and return to the City 60 days before an event. Additionally a representative for the event must meet with City Event Team to verify all details for the event before going to City Council for approval. Failure to comply will result in a denial of your event. Please call (231) 775-0181 x 120 if you have questions.

Applicant Name (Print) Courtney Miller Contact Address 527 Cobb St. Cadillac, MI
Contact Phone(s) 231-876-3280 Contact Email Courtney.miller@nrcmh.org
Sponsoring Organization NLCMHA ☐ Private ☒ Non-Profit
Purpose of Event Suicide Awareness Walk/Event Approx # of Attendees 120-140

Beginning Date: 9/14/19 Ending Date: 9/14/19 Reoccurring: YES ☐ NO ☒
1st Day _____ Set-up 8:00 AM/PM Start 9:00 AM/PM End 4:00 AM/PM Clean-up 5:00 AM/PM
2nd Day _____ Set-up _____ AM/PM Start _____ AM/PM End _____ AM/PM Clean-up _____ AM/PM
3rd Day _____ Set-up _____ AM/PM Start _____ AM/PM End _____ AM/PM Clean-up _____ AM/PM
4th Day _____ Set-up _____ AM/PM Start _____ AM/PM End _____ AM/PM Clean-up _____ AM/PM

Please answer the following questions:

YES ☒ NO _____ Will you be requesting permission to close any streets or parking lots?
YES _____ NO ☒ Will you be requesting permission to display any off site signage?
YES _____ NO ☒ Will you be requesting permission to display a banner over Mitchell Street?
YES _____ NO ☒ Will you be requesting permission to reserve any of the City of Cadillac facilities

Please Circle

Market at Cadillac Commons Rotary Pavilion City Park Cadillac Commons Plaza

YES _____ NO ☒ Will you be requesting permission to have a parade?
YES _____ NO ☒ Will you be requesting permission to hold any races?
YES _____ NO ☒ Will you be requesting permission to serve alcoholic beverages?
YES _____ NO ☒ Will your event include use of generators, food trucks, grills, fireworks display, or a tent/membrane structure?

If you answered YES to any of the above questions, additional form(s) must be completed for each one. All forms must be completely filled out and all information provided before requests will be brought to City Council for approval.

Forms can be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

All events require liability insurance: Required Min. general aggregate amount of \$1,000,000, naming the City of Cadillac as Certificate Holder and as additionally insured



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

Today's Date 3-13-2009

City Received Date

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Please Submit 30-days Prior to Event Date

Event Suicide Awareness Walk Event

Special Requests: Please Circle

Electricity

Water

Wind Screens

Sound System

Movie Screen/Projector System**

**Weather Dependent

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 the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Pavilion, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Movies/programs shown at the Pavilion are at the discretion of the City, and proper licensing to show copyrighted material is required. One potential resource is www.swank.com. MPAA ratings of G and PG are appropriate.
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 south of the pavilion can be utilized for temporary parking for the purpose of drop-off and/or pick-up of equipment only. Parking 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 of Ordinances-Chapter 26)
9. **Sound System Fees** - \$20 per hour for use of our sound board and sound technician.

Reservation Fees:

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

Reoccurring Events: Events that are a minimum of once a week, for four consecutive weeks or more

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

All Fee options require a deposit of \$25 that will be applied to your total cost to hold your date(s), and would only be refunded if event was denied for any reason.

I understand and agree to comply with these rules, and acknowledge that the City reserves the right to change or cancel any event or program that is not in compliance with them.

Courtney Miller
Signature

Form must be mailed/emailed or delivered to Cadillac City Hall 200 N. Lake Street in Cadillac, MI 49601 javila@cadillac-mi.net

Print Name Courtney Miller Total Fees Required: 50.00 Total Fees Paid: 50.00 Date 3/13/19

Could be \$70 if the band
can play



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

Today's Date _____

City Received Date

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Please Submit 30-days Prior to Event Date

Event Suicide Awareness Walk & Craft Show

Special Requests: Please Circle

Electricity

Water

Wind Screens

Sound System

Movie Screen/Projector System**

**Weather Dependent

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 the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Pavilion, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Movies/programs shown at the Pavilion are at the discretion of the City, and proper licensing to show copyrighted material is required. One potential resource is www.swank.com. MPAA ratings of G and PG are appropriate.
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 south of the pavilion can be utilized for temporary parking for the purpose of drop-off and/or pick-up of equipment only. Parking 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 of Ordinances-Chapter 26)
9. Sound System Fees - \$20 per hour for use of our sound board and sound technician. - 6 hours needed

Reservation Fees:

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

Reoccurring Events: Events that are a minimum of once a week, for four consecutive weeks or more

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

All Fee options require a deposit of \$25 that will be applied to your total cost to hold your date(s), and would only be refunded if event was denied for any reason.

I understand and agree to comply with these rules, and acknowledge that the City reserves the right to change or cancel any event or program that is not in compliance with them.

Catherine Miller
Signature

Form must be mailed/emailed or delivered to Cadillac City Hall 200 N. Lake Street in Cadillac, MI 49601 javila@cadillac-mi.net

Print Name Aaron Fader Total Fees Required: 120.00 Total Fees Paid: 120.00 Date / /

- Prior form filled out & turned in w/ Reservation fee.



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

Today's Date 3-13-2019

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request Suicide Awareness Walk / event
Contact Person Courtney Miller
Contact Phone (231) 816-3280 Contact Email Courtney.Miller@nicmb.org

Date: <u>3/14/19</u>		Street Closures	
Street Name <u>S. Lake St</u>	Beginning Location <u>W. Harris</u>	Ending Location <u>E Cass St</u>	
	Beginning Time <u>9:00</u> AM/PM	Ending Time <u>4:00</u> AM/PM	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time ____:____ AM/PM	Ending Time ____:____ AM/PM	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time ____:____ AM/PM	Ending Time ____:____ AM/PM	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time ____:____ AM/PM	Ending Time ____:____ AM/PM	

Parking Lot Closures	
Lot Location _____	Street _____ Nearest Cross Street _____
	Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM
Lot Location _____	Street _____ Nearest Cross Street _____
	Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

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 Courtney Miller Signature Courtney Miller Date 3/13/19

Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.



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

Today's Date _____

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

All City Parks Request Form

Reason for Request suicide Coalition walk / Craft show
Organization Northern Lakes CMH - HSLC Contact Person Aaron Fader
Contact Phone 231-876-3221 Contact Email aaron.fader@nlicmh.org
Date 9-14-2019 Times 8am- 5pm

City Parks

Please Check One

- ☒ Downtown "Fountain" City Park
- ☐ Cadillac Commons Plaza
- ☐ Sound Garden
- ☐ The Bridge
- ☐ Naval Reserve Flower Open Space
- ☐ Tree Zoo Gazebo

City of Cadillac Guidelines:

Please read the following and initial to acknowledge your understanding

- AM All Parks are for public use
- AM The City does not provide any tents, tables, chairs, rugs, extension cords etc
- AM The fountain may not be operating due to equipment break downs or weather conditions such as wind
- AM I understand and agree to these requirements and understand if these are not met the request will be denied.
- AM Not all parks have space for tents, chairs etc.
- AM If needing speakers or microphone fee may be required (\$15)

Form must be emailed, mailed or brought to:

Cadillac City Hall
Attn: Public Works Department-Events
200 N. Lake Street
Cadillac, MI 49601

Print Name Courtney miller Signature Courtney miller Date 9/25/2019



Non-Profit Rotary Sign Request Form

Northern Lakes CMHA-
Name of Non-profit Organization

4-25-2019
Today's Date

Ann Fader
Contact Person

231-876-3221
Telephone Number

Please fill in the boxes below with the requested message.
Make sure to leave an empty box for any spaces.

S	U	I	C	I	D	E							
A	W	A	R	E	N	E	S	S		W	A	I	R
C	R	A	F	T		S	H	O	W	9	/	1	4

*Please note that priority will be given to events taking place at the Rotary Pavillion or in City Park, your message may be removed prior to your Display End Date accordingly, and the City of Cadillac has the right to deny or modify requests at any time. Requests must be submitted 15 days prior to the display date requested.

9-8-2019

Display Start Date

9-15-2019

Display End Date

Courtney Miller

Requestor Signature

4-25-2019

Date

For city use only

Approved _____

Denied _____

Modified _____

Parks Supervisor Signature

Date

September 3, 2019

Council Communication

Re: Northern Lakes Community Mental Health – “Suicide Awareness Walk”

On Saturday September 14th the Northern Lakes Community Mental Health Agency will be having a suicide awareness walk along the Keith McKellop Walkway. They are asking for permission to tie ribbons on the walkway bridge that spans the Clam River during their walk on September 14th.

1. Ribbons will be removed on Monday September 23rd

Requested Council Action

Council is asked to approve the request of the Northern Lakes Community Mental Health Agency to tie ribbons on the bridge/walkway over the Clam River starting on September 14th and removing them on September 23rd.

September 3, 2019

Council Communication

Re: Oasis recognition of October as Domestic Violence Awareness Month

As noted by the attached request, Oasis has requested permission to wrap the light poles along two blocks of Mitchell Street with a purple ribbon and a small sign in the middle to identify October as Domestic Violence Awareness Month. Attached is a photo of what the teal colored ribbons looked like on the light poles for the request Oasis made in April acknowledging Sexual Assault Awareness Month. Zip ties will be used to better secure the ribbons for weather proofing. The dates the ribbons will be in place are from October 1, through October 31st, 2019. There are 22 light poles in this two-block area.

Staff has reviewed the request and supports the program subject to the following conditions;

1. The program shall run from October 1, through October 31st, 2019.
2. All displays shall be maintained throughout the period of display and secured. Ribbons and signs worn from inclement weather will be removed prior to October 31st.

Requested Council Action

Council is asked to approve the request of Oasis to place the ribbons on our light poles in a two-block area of Mitchell Street from Cass Street north to Spruce Street with the above conditions.



CADILLAC AREA OASIS Family Resource Center

118 S. Mitchell St. Cadillac, MI 49601
Administrative 231-775-7299 Crisis 231-775-7233



April 26, 2019

City Council
c/o Mike Coy
200 N. Lake Street
Cadillac, MI 49601

Dear City Council,

The Oasis Family Resource Center, located Downtown Cadillac, would like to propose for your approval a street project to collaborate October as Domestic Violence Awareness Month. The project would consist of wrapping the light poles with a purple ribbon and a small sign in the middle of the ribbon that says Domestic Violence Awareness Month. We are hoping to do a two block area on Mitchell St. on both sides of street. This is basically the same of what we did last April with teal ribbons for Sexual Assault Awareness Month.

Every year we see hundreds of men, women and children who have experienced domestic violence at some point in their lives. Fortunately, we have a variety of services and educational programs to help clients who come to our agency daily. In addition, Oasis Family Resource Center is spreading awareness to Cadillac by creating an eye catching street art for people in the community to see. With ribbons on the light poles, both pedestrians and drivers will see them.

The request of this project would run from October 1 through the 31st. The ribbons are cloth and wire and would be fine in the weather and we will laminate the card that will be attached.

Thank you for your consideration to this project and please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marli Wendel".

Marli Wendel
231.775.7299
marli.wendel@cadillacoasis-frc.org

September 3, 2019

Council Communication

Re: Out of State Travel Request

The City of Cadillac's Travel Expense Reimbursement Policy requires that the City Council consent to any work-related out-of-state travel for City employees.

The City currently has one (1) travel request that is being presented for Council consideration:

1. **Annual International Association of Chiefs of Police (IACP) Conference and Exposition** – The Director of Public Safety has requested to attend this Conference, which is taking place this October in Chicago, Illinois. The Director is an active member of the IACP and the MACP (Michigan chapter), and this event provides leaders with the opportunity to learn new strategies, connect with resources, and network with law enforcement professionals from around the world.

The 2019 Conference will include sessions on, but not limited to the following areas:

- At-Risk Populations: Persons with mental illness, elderly, and/or homeless
- Community-Police Relations, Social Justice, and Public Trust
- Drugs and their impact on the community
- Leadership Challenges
- Officer Safety and Wellness/Officer Suicide
- Police Culture and Morale
- Police Recruitment and Retention
- Response to active threats
- Use of Force
- Violent Crime

In accordance with our current travel policy, the City Manager has reviewed and is recommending approval of this out-of-state travel request. Costs of the conference are anticipated to be approximately \$2,000, and the FY2020 budget has adequate appropriations.

Recommended Action

It is recommended that the City Council approve the out-of-state travel request for the Director of Public Safety as presented above.

September 3, 2019

Council Communication

Re: Travel Policy Amendment

Originally created in 1983, the section pertaining to out-of-state travel in our Travel Policy was:

Out of State Travel

- a. Out of state travel may be authorized in advance, but only by the City Manager.
- b. The same policy applies for meals, lodging, and use of vehicles.

In 2013, following a concern raised by Council regarding out-of-state travel in the Police Department, the section was amended to the following:

Out of State Travel

- a. Out of state travel may be authorized in advance, but only by approval of the City Manager with consent of Council.
- b. The same policy applies for meals, lodging, and use of vehicles.

At this time it is being requested to amend the section to the following:

Out of State Travel

- a. Out of state travel ~~may~~ **must** be authorized in advance, ~~but only by~~ **subject to** approval of the City Manager ~~with consent of City Council~~.
- b. The same policy applies for meals, lodging, and use of vehicles.

The purpose of the amendment is to reinstate administrative authority with the City Manager to authorize out-of-state travel.

Recommended Action

Amend the policy section in accordance with the request above.

STATE OF MICHIGAN

IN THE 28TH JUDICIAL CIRCUIT FOR THE COUNTY OF WEXFORD

TERIDEE LLC, a Michigan limited liability company; THE JOHN F. KOETJE TRUST, u/a/d 5/14/1987, as amended; and THE DELIA KOETJE TRUST, u/a/d 5/13/1987, as amended,

Case No. 13-24803-CH

Honorable William M. Fagerman

FINAL CONSENT JUDGMENT

Plaintiffs/Counter-Defendants,

v

CLAM LAKE TOWNSHIP, a Michigan municipal corporation; and HARING CHARTER TOWNSHIP, a Michigan municipal corporation,

Defendants/Counter-
Plaintiffs/Third-Party Plaintiffs,

v

THE CITY OF CADILLAC, TERIDEE FAMILY, LLC, and THE HOP FAMILY, LLC

Third-Party Defendants

CITY OF CADILLAC,

Case No. 17-27610-CZ

Plaintiffs,

Honorable William M. Fagerman

v

HARING CHARTER TOWNSHIP AND CLAM LAKE TOWNSHIP,

Defendants.

Brion B. Doyle (P67870)
Randall W. Kraker (P27776)
Varnum, LLP
Attorneys for TeriDee, LLC and the Koetje
Trusts
P.O. Box 352
Grand Rapids, MI 49501-0352
(616) 336-6000

Jeffrey D. Smith (P31101)
Christopher J. Zdarsky (P81809)
Attorneys for The Hop Family, LLC
Honigman LLP
650 Trade Centre Way, Suite 200
Kalamazoo, MI 49002-0402
269-337-7724

Ronald M. Redick (P61122)
Mika Meyers PLC
Attorneys for Clam Lake Township
and Haring Charter Township
900 Monroe Avenue, NW
Grand Rapids, MI 49503
(616) 632-8000

Michael D. Homier (P60318)
Foster Swift Collins & Smith PC
Attorneys for the City of Cadillac
1700 E Beltline Ave. NE, Ste. 200
Grand Rapids, MI 49525
(616) 726-2200

At a session of said Court, held in the city of Cadillac,
County of Wexford, State of Michigan, on
_____ 2019.

PRESENT: HON. WILLIAM M. FAGERMAN
Circuit Court Judge

Introduction

Pursuant to the terms of an Interim, Stipulated Order of Settlement that was entered by the Court on June 28, 2019, the Parties to these consolidated lawsuits, Clam Lake Township (“Clam Lake”); Haring Charter Township (“Haring”); the City of Cadillac (“City”); TeriDee, LLC (“TeriDee”); The John F. Koetje Trust u/a/d 5/14/1987, as amended and The Delia Koetje Trust, u/a/d/ 5/13/1987, as amended (collectively referred to as the “Koetje Trusts”); and, The Hop Family, LLC (“Hop Family”), have been implementing a comprehensive settlement that has resulted in, *inter alia*, the termination

of Act 425 Agreements between Clam Lake and Haring, and the enactment of a new Act 425 Agreement between Clam Lake and the City that was executed on August 19, 2019 and which was filed with the Wexford County Clerk on August 21, 2019 and the Secretary of State, Office of the Great Seal on August 20, 2019 (the “City/Clam Lake Act 425 Agreement”). With these predicate settlement steps having been completed, the Parties now hereby stipulate and agree, as evidenced by the signatures of their attorneys, as set forth below, to the entry of this Final Consent Judgment.

Consent Judgment Terms

The Court, having reviewed and considered this Final Consent Judgment, and having determined that it represents a reasonable resolution of the pending disputes between the Parties; and the Court being otherwise advised in the premises.

IT IS HEREBY ORDERED, as follows:

1. The Parties shall not file any legal or administrative action, appeal, claim, lawsuit, or referendum petition challenging the validity of the City/Clam Lake Act 425 Agreement or attempting to invalidate or set aside that Agreement. Notwithstanding the foregoing, TeriDee and/or Hop Family may file a legal or administrative action challenging the validity of any (i) amendment to the City/Clam Lake Act 425 Agreement, or (ii) other subsequent agreement entered into between Clam Lake and the City; provided, however, that any extension of the City/Clam Lake Act 425 Agreement on its same terms, after its initial 50-year term, shall not be considered an amendment or a subsequent agreement under this provision.

2. The Parties shall not aid, encourage, conspire, or cooperate with any third-party for the purpose of having the third party challenge the validity of the City/Clam Lake Agreement or attempt to invalidate or set aside that Agreement.

3. If a third party files any legal or administrative action challenging the validity of the City/Clam Lake Act 425 Agreement or attempting to invalidate or set aside that Agreement, then Clam Lake and the City are required to reasonably participate, in good faith, in a defense against such action, including, if necessary, by appealing any adverse decisions to the Circuit Court, Court of Appeals and Michigan Supreme Court, as applicable. TeriDee and Hop Family shall be subject to the same obligations if they are named as a party in any such action. Each Party shall be responsible for its own costs and attorney fees related to such defense and/or appeal.

4. No Party may take an appeal, to the Michigan Court of Appeals or otherwise, from this final Consent Judgment or any other order previously entered in these coordinated lawsuits, and each Party represents and agrees that it waives any and all such appeals.

5. The burdens and benefits of this Final Consent Judgment shall be binding on the representatives, successors, assigns, and grantees of each Party.

6. The Parties hereby dismiss all pending claims/counter-claims/third-party claims, with prejudice, in Case No. 13-24803-CH and Case No. 17-27610-CZ, and hereby agree to a full and mutual release as to all claims which were brought or which could have been brought in Case No. 13-24803-CH and/or Case No. 17-27610-CZ.

7. The City shall dismiss, with prejudice, its pending appeal in Court of Appeals Case No. 340852.

8. TeriDee and the Koetje Trusts shall dismiss, with prejudice, their pending appeal in Court of Appeals Case No. 340854.

9. TeriDee and the Koetje Trusts shall confirm that SBC Docket 13-AP-2 has been deemed closed by the State Boundary Commission, and if it is not closed, shall withdraw their annexation petition filed in SBC Docket 13-AP-2. TeriDee and the Koetje Trusts shall not seek annexation of all or any portion of the Cadillac Junction territory conditionally transferred to the City under the City/Clam Lake Act 425 Agreement so long as the City/Clam Lake Act 425 Agreement remains in effect, whether during its initial term or any extended term thereof.

10. The City/Clam Lake Act 425 Agreement and this Final Consent Judgment shall run with the land and shall be recorded on all lands within the area conditionally transferred to the City under the City/Clam Lake Act 425 Agreement, so as to bind all current and future landowners.

11. The City, TeriDee, Koetje Trust and Hop Family (and their successors and assigns) hereby forever waive and release the Townships from any and all claims arising from or relating to the validity and/or enforceability of the zoning and development regulations that are applied under or pursuant to the terms of the City/Clam Lake Act 425 Agreement and the First Amended Cadillac Junction Development Agreement that is a part thereof. However, subject to paragraph 12 immediately below, TeriDee and Hop Family (and their successors and assigns) are not releasing the City or the City/Clam Lake Joint

Planning Commission from future zoning or development regulations/decisions made for Cadillac Junction by the City or by the City/Clam Lake Joint Planning Commission if such zoning or development regulations/decisions were not already prescribed by the City/Clam Lake Act 425 Agreement or the First Amended Cadillac Junction Development Agreement that is a part thereof.

12. TeriDee, Koetje Trust and Hop Family (and their successors and assigns) hereby forever waive and release the City/Clam Lake Joint Planning Commission from any and all claims arising from or relating to a decision made by the City/Clam Lake Joint Planning Commission for the Cadillac Junction property if the decision was subsequently ratified or otherwise made final by action of the City Council, in which case a claim may be brought only against the City, and not against the City/Clam Lake Joint Planning Commission.

13. If the City/Clam Lake Act 425 Agreement is invalidated, the terms of this final Consent Judgment will be of no further force or effect, and the rights of all Parties will be preserved to continue pursuing their respective claims and defenses in these consolidated lawsuits, notwithstanding any statute of limitations. The Wexford County Circuit Court shall maintain jurisdiction for that purpose.

14. The City is hereby made subject to a City Utility Service Boundary, by which the City is enjoined, during the term of the City/Clam Lake Act 425 Agreement, or during any extension period thereof, from extending any type of City utility service into lands that are now within the jurisdiction of Clam Lake or Haring, except as follows:

(a) City utilities may be extended into lands that are now within the jurisdiction of Haring upon the mutual consent of the City and Haring.

(b) City utilities may be extended into lands that are now within the jurisdiction of Clam Lake upon the mutual consent of the City and Clam Lake.

(c) City utilities may be extended into lands that are now within the jurisdiction of the Lake Mitchell Sewer Authority, which includes portions of Clam Lake, upon the mutual consent of the City and the Lake Mitchell Sewer Authority.

(d) City wastewater services may be provided to the lands that are now within the Clam Lake Downtown Development Authority, as provided under the terms of the City/Clam Lake Act 425 Agreement.

(e) City water services may be provided to the lands that are now within the Clam Lake Downtown Development Authority, as provided under the terms of the City/Clam Lake Act 425 Agreement.

(f) City utilities may be located within Clam Lake along the White Pine Trail; however, no services from those utilities shall be provided by City to any properties within Clam Lake except upon the mutual consent of the City and Clam Lake.

15. No further development shall take place within the Cadillac Junction development until all parties named in the First Amended Cadillac Junction Development Agreement (Exhibit E of the City/Clam Lake Act 425 Agreement) have executed the First Amended Cadillac Junction Development Agreement and the same has been recorded at the Wexford County Register of Deeds.

16. So long as the City/Clam Lake Act 425 Agreement remains in effect, including during any extended term thereof, the City is enjoined from providing a notice of non-renewal under Section 6.1 of the Sanitary Sewer Service Contract (“Sewer Contract”) that is included as Exhibit G of the City/Clam Lake Act 425 Agreement, or from otherwise discontinuing the provision of Sewer Services to the Service Area under the terms of the Sewer Contract. Clam Lake is likewise enjoined during the term of the Act 425 Agreement and any renewal thereof from providing a notice of non-renewal under the Sewer Contract, or from otherwise entering into a contract with any other entity or municipality to provide Sewer Services within the Service Area as those terms are defined in the Sewer Contract.

17. So long as the City/Clam Lake Act 425 Agreement remains in effect, including during any extended term thereof, the City is enjoined from providing a notice of non-renewal under Section 6.1 of the Water Service Contract (“Water Contract”) that is included as Exhibit H of the City/Clam Lake Act 425 Agreement, or from otherwise discontinuing the provision of Water Services to the Service Area under the terms of the Water Contract. Clam Lake is likewise enjoined during the term of the City/Clam Lake Act 425 Agreement and any renewal thereof from providing a notice of non-renewal under the Water Contract, or from otherwise entering into a contract with any other entity or municipality to provide Water Services within the Service Area as those terms are defined in the Water Contract. This section 17 shall not apply, however, if Clam Lake and City are no longer bound by the Water Contract under the terms of Section 10.5 of the City/Clam Lake Act 425 Agreement.

18. The Parties shall not (a) initiate a referendum on the creation of the Joint Planning Commission contemplated by the City/Clam Lake Act 425 Agreement, or (b) seek to otherwise invalidate the Joint Planning Commission or the ordinances creating it. In addition, the Parties shall not aid, encourage, conspire, or cooperate with any third-party for the purpose of having the third party (a) initiate a referendum on the creation of the Joint Planning Commission contemplated by the City/Clam Lake Act 425 Agreement, or (b) seek to otherwise invalidate the Joint Planning Commission or the ordinances creating it.

19. The City and Clam Lake shall take all necessary actions to implement Section 9.4 of the City/Clam Lake Act 425 Agreement, with regard to the regulation of medical “marihuana facilities,” as that term is defined and used by the Michigan Medical Marihuana Facilities Licensing Act (“MMFLA”), Public Act 281 of 2016, as amended, MCL 333.27101, *et seq.*, and recreational “marihuana establishments,” as that term is defined and used in the Michigan Regulation and Taxation of Marihuana Act (“MRTMA”), Initiated Law 1 of 2018, as amended, MCL 333.27951, *et seq.*, including, as necessary, by the adoption of appropriate ordinances to prohibit marihuana establishments, where such a prohibition is required by the terms of Section 9.4 of the City/Clam Lake Act 425 Agreement. In the absence of such prohibiting ordinances having been adopted, the Court hereby orders and declares that the provisions of Section 9.4 of the City/Clam Lake Act 425 Agreement, so long as they remain in effect, shall have the same force and effect of an ordinance, insofar as those provisions relate to prohibiting certain marihuana establishments on all or portions of the Transferred Area that are subject to the City/Clam

Lake Act 425 Agreement. The Court further orders and declares that the City and Clam Lake are enjoined, so long as the City/Clam Lake Act 425 Agreement remains in effect, including during any renewal term, from allowing medical marihuana facilities on any portion of the Transferred Area, if doing so would be contrary to the provisions of Section 9.4 of the City/Clam Lake Act 425 Agreement.

20. Subject to the provisions of Paragraph 13 above, all pending claims, counter-claims and third-party claims in Case No 13-24803-CH and Case No. 17-27610-CZ are hereby dismissed with prejudice. The Stipulation and Order to Further Modify November 3, 2017 Preliminary Injunction entered by the Court on June 4, 2019, is hereby terminated and is of no further force and effect.

21. This Final Consent Judgment constitutes a final judgment that resolves all pending claims and closes the case; provided, however, that the Court shall maintain continuing jurisdiction in accordance with Paragraph 13 above and for the purpose of enforcing this Final Consent Judgment, including, without limitation, by ordering specific performance of any term(s) thereof and/or enjoining any activity undertaken in violation thereof.

IT IS SO ORDERED.

Honorable William M. Fagerman
Circuit Court Judge

APPROVED AS TO FORM AND SUBSTANCE:

Date: September __, 2019

Varnum, LLP
Attorneys for TeriDee and the Koetje
Trusts

By:

Brion B. Doyle (P67870)

Date: September __, 2019

Mika Meyers PLC
Attorneys for Clam Lake and Haring
Townships

By:

Ronald M. Redick (P61122)

Date: September __, 2019

Foster Swift Collins & Smith PC
Attorneys for the City of Cadillac

By:

Michael D. Homier (P60318)

Date: September __, 2019

Honigman LLP
Attorneys for The Hop Family, LLC

By:

Christopher J. Zdarsky (P81809)

September 3, 2019

Council Communication

*Re: Resolution - MERS Authorized Signatories for Contracts & Service Credit
Purchase*

The Municipal Employees' Retirement System (MERS) requires participating municipalities to establish, by resolution, authorized signatories for MERS contracts and service credit purchases. MERS has provided the city with their resolution template for approval (attached).

The city recommends establishing the position of Mayor as authorized signatory for MERS contracts and service credit purchases.

Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mers-michigan.org

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution applies to reporting unit(s) # 01 of the participating municipality listed below.

WHEREAS, the City of Cadillac ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

WHEREAS, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

WHEREAS, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

WHEREAS, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. Mayor

Optional additional job positions:

2. _____

3. _____

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on September 3, 2019.

Authorized signature (must be currently in a position named above): _____

Name: Carla J. Filkins

Title: Mayor

Witness signature: _____

Witness name: _____

Witness title: _____

September 3, 2019

Council Communication

Re: Resolution - MERS Service Credit Purchase

The Executive Director of the Cadillac Housing Commission has made application to the Municipal Employees' Retirement System (MERS) to purchase 5 years of service credit. In order to process the application, a resolution of the city's governing body must be provided. The Cadillac Housing Commission has allowed the service credit purchase to move forward to City Council by resolution #615 (attached) on August 19, 2019.

There is no financial burden, present or future, for the City associated with this request. It is recommended that the City Council adopt a motion to approve the Governing Body Resolution as set forth in the Application for Additional Service Credit Purchase for Carrie Ferguson dated 8/12/2019.

Application for Additional Service Credit Purchase

Section 1: Service Credit Purchase Cost Estimate

With the approval of the employer and the local governing body, participants can purchase additional service credit to help meet an early retirement eligibility provision or to increase their pension benefit. Unlike MERS-to-MERS or Act 88 time, purchased service credit generally cannot be used to reach vesting.

This estimate is only valid for two months after September 1, 2019, the effective date of this calculation.

The cost to purchase service credit for each individual is based on many factors. Below is the information that MERS used to prepare this estimate. Please review the following information for accuracy. If any is incorrect, this estimate may not be correct.

Participant Information

Carrie J

Ferguson

Date of Birth:

Age:

FAC as of calculation date: \$55,855.77

Employer Information

Cadillac, City of

8301 / 11

Benefit Program

Benefit B-2

Early Reduced (.5%) at Age 50 with 25 Years or Age 55 with 15 Years

Benefit FAC-5 (5 Year Final Average Compensation)

10 Year Vesting

Defined Benefit Normal Retirement Age - 60

Service Credit

Earned service credit as of calculation date: 0 years, 8 months

Vesting Only Service:

Other Governmental Service used for

Eligibility (MERS or Act 88):

Type of Credited Service to be Purchased: Generic

Amount of additional service requested: 5 years, 0 months (may not be used for vesting)

Benefit Impact

	Earliest Eligibility Retirement Date	Retirement Age	Projected FAC	X	Service Credit	X	Benefit Multiplier	=	Annual Benefit
Before Proposed Purchase	10/1/2029	60 years 0 months	\$80,962.04		10 years 9 months		2%		\$17,406.84
After Proposed Purchase	10/1/2029	60 years 0 months	\$80,962.04		15 years 9 months		2%		\$25,503.00

Estimated Cost of This Service Credit Purchase: \$46,719.00

The total cost is due in full at the time of purchase and may be paid by either the participant or employer. You may be eligible to transfer assets from other accounts to make a payment for the purchase, such as: 457 Deferred Compensation Plans; 401 plans; 403(b) plans; and some IRAs (traditional and SIMPLE). To initiate this transfer complete the form *Certification of Qualified Fund Rollover to MERS* (form number F-38). Send signed, approved Application for Additional Service Credit to MERS prior to sending any payment.

NOTE: Special Conditions Applicable to this Calculation can be found at the end of this application

Section 2: Calculation Assumptions

1. Projected Earliest Eligible Retirement Date

This date is calculated using the participant's date of birth, the amount of service credit reported by the employer, and other service credit that we have on record (such as MERS-to-MERS or Act 88 time). If any of this data is incomplete or inaccurate this can affect the cost estimate. If the participant chooses to retire on a different date, it may increase/decrease the actual cost.

2. Projected Final Average Compensation (FAC)

Future increases in the FAC are assumed to be a 3.75% annual increase. This calculation is dependent on the wages reported by the employer to MERS. If the actual increases end up being different than the assumption, it may increase/decrease the actual cost.

3. Projected Service Credit

It is assumed the participant will continue to work until the earliest date for unreduced retirement benefits unless a specific termination date is shown. Any deviation from the earliest eligibility date may increase/decrease the actual cost.

4. Benefit Program

The current benefit plan provisions are used to calculate the cost of purchasing service credit. If the participant transfers into a different division and is eligible for a benefit plan with different provisions, then the cost may differ from the initial calculation. Likewise costs may differ if the municipality adopts different benefits in the future for any participant that has purchased service credit. These changes will be reflected in the actuarial valuation required to adopt any benefit increase.

5. Investment Assumption

The current investment return assumption for service credit purchase is 6.75%.

6. Mortality Rate

Assumptions are made on the life expectancies of the participant and their surviving spouse, using tables generated by actuarial professionals.

Section 3: Certification and Authorization

PARTICIPANT CERTIFICATION

I certify the above information is correct and accurate. If this is a purchase of qualifying "other governmental" service, I certify the service has not and will not be recognized for the purposes of obtaining or increasing a pension under another defined benefit retirement plan.


Participant Signature

8-13-19
Date

GOVERNING BODY RESOLUTION

By Resolution of its Governing Body, at its meeting on _____, as provided by the MERS Plan Document, and in accordance with the employer's policy, the employer hereby authorizes the participant named above to make a service credit purchase from MERS as described above. The employer understands this is an estimated cost, calculated using actuarial assumptions approved by the Retirement Board. Any difference between the assumptions and actuarial experience will affect the true cost of the additional service to the employer. The calculation assumptions are outlined above and the employer understands and agrees it is accountable for any difference between estimated and actual costs.

Signature of Authorized Official

Date

Title

MERS Use Only

Payment Received:	Participant Payment:
Service Credit:	ER Payment:
Signed:	

Special Conditions Applicable to this Calculation

Cost calculation is based on the assumption that participant is eligible to continue employment until earliest unreduced retirement date without the service credit purchase. If participant is not eligible to continue employment, contact MERS as the service credit purchase could incur significant additional employer liability.

CADILLAC HOUSING COMMISSION

RESOLUTION #615

**MERS Additional Years of Service
Purchased by Executive Director**

BOARD MEMBERS PRESENT: Commissioner Dolack
Commissioner Puruleski
Commissioner Frost
Commissioner Olmsted

BOARD MEMBERS ABSENT: Commissioner Coffey

The following resolution was offered by Commissioner Puruleski
and supported by Commissioner Dolack.

BE IT RESOLVED, by the Cadillac Housing Commission that:

Whereas, the Executive Director requests to make a change to her MERS retirement plan by purchasing five additional years of service:

Whereas, the Cadillac Housing Commission understands this change will be at the expense to the Executive Director, Carrie Ferguson.

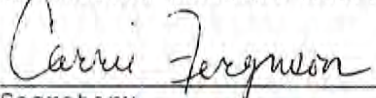
Therefore, be it resolved to allow the Executive Director to acquire five more years of service towards her retirement plan and present this change to City Council for approval.

AYES: Commissioners Frost, Dolack, Puruleski, Olmsted

NAYS: None

ABSENT: Commissioner Coffey

RESOLUTION DECLARED ADOPTED ON August 19, 2019 by President Olmsted.


Secretary


President

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
Robert J. Engels
Stephen King

RESOLUTION NO. _____

**RESOLUTION REGARDING INTENT TO DESIGNATE A COMMERCIAL REDEVELOPMENT
DISTRICT; NOTICE OF PUBLIC HEARING**

(CADILLAC WEST COMMERCIAL REDEVELOPMENT DISTRICT NO. 1)

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held at the City Hall, 200 North Lake Street, Cadillac, Michigan 49601, on the 3rd day of September, 2019, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Section 5 of Act 255 of the Public Acts of Michigan of 1978, as amended ("Act 255"), provides that the City Council may, on its own initiative, designate one or more commercial redevelopment districts within the City; and

WHEREAS, the City wishes to adopt a resolution designating the property described on **Exhibit A** as the Cadillac West Commercial Redevelopment District No. 1; and

WHEREAS, there exists a need for the Cadillac West Commercial Redevelopment District No. 1 in the City; and

WHEREAS, the establishment of a Cadillac West Commercial Redevelopment District No. 1 is consistent with the City's master plan and the economic development goals

of the City; and

WHEREAS, the public health, safety and welfare will be served by designating a commercial redevelopment district in the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Council wishes to designate a commercial redevelopment district under Act 255 known as the “Cadillac West Commercial Redevelopment District No. 1” (the “CRD”) consisting of certain parcels of land, the descriptions of which are set forth in the attached **Exhibit A**, and which descriptions are incorporated by reference.

2. The City tentatively proposes that the CRD remain in effect for a period of up to twelve (12) years, or the maximum permitted under the Act, whichever is greater.

3. The City Council shall hold a public hearing at a meeting of the City Council at 6:00 p.m. on October 7, 2019 at the City Hall in the City at which any owner of real property within the proposed CRD, any other resident or taxpayer of the City, and any other interested parties (including taxing authorities), may appear and be heard.

4. The City Clerk shall cause to be published a notice of public hearing in a newspaper of general circulation within the City at least one time prior to the public hearing. The publication shall be at least 10 days prior to the time set for the public hearing, and a proof of publication of such notice shall be filed with the City Clerk.

5. The City Clerk, not less than 10 days prior to the public hearing, shall give the owners of all real property within the proposed CRD written notice by certified mail of the public hearing. At least 10 days before the public hearing on October 7, 2019 and before the City adopts a resolution designating the CRD, the notice of public hearing shall also be provided to the City Assessor and to the governing body of each taxing unit that levies ad valorem property taxes within the proposed CRD.

6. The form of the notice of hearing to be mailed and published shall be substantially as set forth in **Exhibit B**, with such modifications as are deemed necessary by the City Manager to ensure that notice is provided to property owners within the proposed CRD and to other interested parties.

7. All actions heretofore taken by City officials, employees, and agents with respect to the proposed CRD and proceedings under Act 255 are hereby ratified and confirmed.

8. All resolutions or portions of resolutions that are inconsistent with this Resolution are hereby repealed.

YEAS: _____

NAYS: _____

THE RESOLUTION WAS DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, the undersigned, the duly qualified and acting City Clerk of the City of Cadillac, Wexford County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the City Council at a meeting held on the 3rd day of September, 2019, at 6:00 p.m.

Sandra Wasson, City Clerk

EXHIBIT A

**CITY OF CADILLAC
COUNTY OF WEXFORD, MICHIGAN**

**DESCRIPTION OF LAND TO BE INCLUDED WITHIN PROPOSED
CADILLAC WEST COMMERCIAL REDEVELOPMENT DISTRICT NO. 1**

DISTRICT BOUNDARY

THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THAT PART OF GOVERNMENT LOT 4 OF SECTION 6, T21N, R9W, LYING EASTERLY OF THE EASTERLY LINE OF STATE HIGHWAY M-115 AND WESTERLY OF A LINE BEING 500 FEET EASTERLY OF THE EAST LINE OF SAID HIGHWAY M-115, AND SOUTHERLY OF THE CITY LIMITS OF THE CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN.

AND

THAT PART OF GOVERNMENTS LOTS 3 AND 4 OF SECTION 7, T21N, R9W, LYING EASTERLY OF THE EASTERLY LINE OF STATE HIGHWAY M-115 AND WESTERLY OF A LINE BEING 500 FEET EASTERLY OF THE EAST LINE OF SAID HIGHWAY M-115, CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN.

AND

THAT PART OF GOVERNMENTS LOTS 3 AND 4 OF SECTION 7, T21N, R9W, LYING WESTERLY AND SOUTHERLY OF THE WEST LINE OF STATE HIGHWAY M-115 AND SOUTHERLY OF THE SOUTH LINE OF STATE HIGHWAY M-55 AND NORTHERLY OF A LINE BEING 500 FEET WESTERLY AND 500 SOUTHERLY OF THE WEST LINE OF SAID HIGHWAY M-115 AND THE SOUTHERLY LINE OF SAID HIGHWAY M-55, CITY OF CADILLAC, WEXFORD.

AND

THAT PART OF GOVERNMENTS LOTS 3 OF SECTION 7, T21N, R9W, LYING WESTERLY OF THE WEST LINE OF STATE HIGHWAY M-115 AND NORTHERLY OF THE NORTH LINE OF STATE HIGHWAY M-55, CITY OF CADILLAC, WEXFORD.

AND

THAT PART OF GOVERNMENT LOT 4 OF SECTION 6, T21N, R9W, LYING WESTERLY OF THE WESTERLY LINE OF STATE HIGHWAY M-115, CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN

**EXHIBIT B
CITY OF CADILLAC
COUNTY OF WEXFORD, MICHIGAN**

NOTICE OF PUBLIC HEARING

CADILLAC WEST COMMERCIAL REDEVELOPMENT DISTRICT NO. 1

NOTICE IS HEREBY GIVEN that the City Council of the City of Cadillac, Wexford County, Michigan, wishes to designate a Cadillac West Commercial Redevelopment District No. 1 (the "CRD"), pursuant to Act 255 of the Public Acts of Michigan of 1978, as amended.

The City Council has tentatively determined that the following described parcels shall be included within the CRD: see attached Table.

TAKE NOTICE that the City Council of the City of Cadillac will hold a public hearing at a meeting of the City Council on October 7, 2019 at 6:00 p.m., at the City Hall, 200 North Lake Street, Cadillac, Michigan 49601, to hear and consider any objections to the proposed CRD and all other matters relating to the CRD. Any owners within the proposed CRD and any other resident or taxpayer in the City, or other interested party, may appear and be heard at the public hearing.

All interested persons may attend and participate. Persons with disabilities needing assistance to participate may call the City of Cadillac office at (231) 775-0181. A reasonable advance notice is necessary for accommodation.

This Notice was authorized by the City Council of the City of Cadillac.

Sandra Wasson, City Clerk
City of Cadillac
200 North Lake Street
Cadillac, MI 49601
(231) 775-0181

Tax ID Number	Address	Owner	Owner Address
10-042-00-001-00	SUNSET AV	Clarence & Betty Hoffman Trust	396 Davenport Lane, Cadillac, MI 49601
10-042-00-002-00	392 S LAKE MITCHELL DR	Felix Family Trust	5590 Stony View Dr. NE, Belmont, MI 49306
10-042-00-003-00	E M-55 HWY	Brenda J. Dunham	7225 Timberlane, Cheboygan, MI 49721
10-042-00-003-01	*	Brenda J. Dunham	7225 Timberlane, Cheboygan, MI 49721
10-042-00-004-00	*	Brenda J. Dunham	7225 Timberlane, Cheboygan, MI 49721
10-042-00-005-01	290 S LAKE MITCHELL DR	Richard L. & Kristie L Vos	14824 24th Ave., Marne, MI 49435
10-042-00-006-01	294 S LAKE MITCHELL DR	Larry L. Klein	3217 E. Wintergreen Dr., Saginaw, MI 48603
10-042-00-007-00	298 S LAKE MITCHELL DR	Jeffrey M. & Josephine A. Hermanson	298 S. Lake Mitchell Dr., Cadillac, MI 49601
10-042-00-008-00	308 S LAKE MITCHELL DR	Kevin Hall	111 Ohio Ave., Cadillac, MI 49601
10-081-00-001-00	181 E LAKE MITCHELL DR	Susan L Knaisel Trust	181 S. Lake Mitchell Dr.
10-103-00-003-00	6087 E M-115 HWY	Michigan Dept. of Natural Resources	Michigan Dept. of Natural Resources, Grants Administration, Lansing, MI 48909-8235
10-103-00-004-00	6083 E M-115 HWY	Cadillac Development Corp.	PO Box 246, Cadillac, MI 49601
10-103-00-004-01	6001 E M-115 HWY		
10-103-00-004-02	6001 E M-115 HWY	Lake Cadillac Hospitality, INC	5900 M-115 Hwy., Cadillac, MI 49601
10-103-00-004-03	6001 E M-115 HWY	Cadillac West Development Group	6001 E M-115, Cadillac, MI 49601
10-103-00-005-00	NORTH BLVD	City of Cadillac	200 N. Lake Street, Cadillac MI 49601
10-103-00-006-00	E M-115 HWY	Michigan Dept. of Natural Resources	Mitchell State Park, Cadillac, MI 49601
10-104-00-001-00	W M-55 HWY		
10-104-00-003-00	2403 SUNNYSIDE DR	Larry & Mary Burke	2403 Sunnyside Drive, Cadillac, MI 49601
10-104-00-004-00	SUNNYSIDE DR	Larry & Mary Burke	2403 Sunnyside Drive, Cadillac, MI 49601
10-104-00-005-00	2501 SUNNYSIDE DR	Prachi Hospitality, LLC	2501 Sunnyside Dr., Cadillac, MI 49601
10-104-00-007-00	SUNNYSIDE DR	Willa W Fagerman Trust	1434 Sunnyside Dr. Cadillac, MI 49601

Tax ID Number	Address	Owner	Owner Address
10-104-00-009-00	2601 SUNNYSIDE DR	Christopher Erickson	2601 Sunnyside Dr., Cadillac, MI 49601
10-104-00-010-01	2605 SUNNYSIDE DR	Joseph S. Gretzinger	2605 Sunnyside Dr., Cadillac, MI 49601
10-104-00-011-00	2607 SUNNYSIDE DR		
10-104-00-013-00	2701 SUNNYSIDE DR	Diane J. Patterson	2701 Sunnyside Dr., Cadillac, MI 49601
10-104-00-014-00	2705 SUNNYSIDE DR	Nathan & Larene M. Garlets	2705 Sunnyside Dr., Cadillac, MI 49601
10-104-00-016-00	*	Bapa Motel Inc.	6080 E M-55 HWY, Cadillac, MI 49601
10-104-00-017-00	2713 SUNNYSIDE DR	Christophoe A Czekai	2713 Sunnyside Dr., Cadillac, MI 49601
10-104-00-018-00	SUNNYSIDE DR	Schmidt Land Company	402 Front Street, Traverse City, MI 49685
10-104-00-019-00	2721 SUNNYSIDE DR	Schmidt Land Company	402 Front Street, Traverse City, MI 49685
10-104-00-020-00	6080 E M-55 HWY	Bapa Motel Inc.	6080 E M-55 HWY, Cadillac, MI 49601
10-104-00-022-00	2811 SUNNYSIDE DR	Ricks Carwash Inc.	19829 Hoxville Rd., Wellston, MI 49689
10-104-00-024-00	2604 SUNNYSIDE DR	Buisch & O'Neill	2604 Sunnyside Dr., Cadillac, MI 49601
10-104-00-026-00	6240 E M-115 HWY	Joseph E. Host	6240 E M-115 HWY, Cadillac, MI 49601
10-104-00-029-00	2704 SUNNYSIDE DR	Blarney Castle Inc.	12218 West Street, Bear Lake, MI 49614
10-104-00-031-00	2716 SUNNYSIDE DR	Blarney Castle Inc.	P.O. Box 246, Bear Lake, MI 49614
10-104-00-033-00	2718 SUNNYSIDE DR	Blarney Castle Inc.	P.O. Box 246, Bear Lake, MI 49614
10-104-00-035-00	2722 SUNNYSIDE DR	Shirley Schafer ET AL	1202 S. Lake Mitchell Dr., Cadillac, MI 49601
10-104-00-039-00	6224 E M-115 HWY	Blarney Castle Inc.	P.O. Box 246, Bear Lake, MI 49614
10-104-00-041-00	W M-55 & M-115 HWY	Michigan Dept. of Transportation	P.O. Box 30050, Lansing, MI 48909
10-104-00-044-00	6184 E M-115 HWY	Three Broke Dudes LLC	3867 Windwood Dr. NE, Rockford, MI 49341
10-104-00-046-00	2816 SUNNYSIDE DR	Gina L. Jones	2385 S. 30th Ave., Sears, MI 49679
10-104-00-046-01	2814 SUNNYSIDE DR	Randall E & Deborah L. Myers	108 Shore Ln., Cadillac, MI 49601
10-104-00-047-00	2820 SUNNYSIDE DR	Joseph P. Thompson	4765 Forest Ridge Dr, Cadillac, MI 49601
10-104-00-048-00	301 S LAKE MITCHELL DR	Krishna Cadillac Inc.	301 S. Lake Mitchell Dr., Cadillac, MI 49601
10-104-00-052-00	301 S LAKE MITCHELL DR	HALLHK, LLC	111 Ohio Ave., Cadillac, MI 49601
10-104-00-054-00	217 S LAKE MITCHELL DR	Susan L Knaisel Trust	181 S. Lake Mitchell Dr.

Tax ID Number	Address	Owner	Owner Address
10-104-00-055-00	6120 E M-115 HWY	William J Sr. & Marlene N. Walraven	PO. Box 797, Harrison, MI 48625
10-104-00-056-00	209 E LAKE MITCHELL DR	Susan L Knaisel Trust	181 S. Lake Mitchell Dr.
10-104-00-057-00	197 E LAKE MITCHELL DR	Susan L Knaisel Trust	181 S. Lake Mitchell Dr.
10-104-00-058-00	199 E LAKE MITCHELL DR	Susan L Knaisel Trust	181 S. Lake Mitchell Dr.
10-104-00-059-00	LAKESHORE DR	Susan L Knaisel Trust	181 S. Lake Mitchell Dr.
10-104-00-061-00	6101 E M-115 HWY	A&H Investments	109 E. Broadway, Mt. Pleasant, MI 48858
10-104-00-065-00	6121 E M-115 HWY	Dedari LLC	9833 Ramsdell Dr. NE, Rockford, MI 49341
10-104-00-067-00	*	Michigan Dept. of Natural Resources	Michigan Dept. of Natural Resources, Grants Administration, Lansing, MI 48909-8235
10-104-00-069-00	162 LEISURE RD	Gerald Lee & Nancy Jean Vollmar	507 Arbutus Dr., Cadillac, MI 49601
10-104-00-071-00	158 LEISURE RD	Volmar Rentals LLC	507 Arbutus Dr., Cadillac, MI 49601
10-104-00-073-00	154 LEISURE RD	Volmar Rentals LLC	507 Arbutus Dr., Cadillac, MI 49601
10-104-00-075-00	E M-115 HWY	Consumers Energy	One Energy Plaza, Jackson, MI 49201-9938
10-104-00-077-00	6183 E M-115 HWY	Peterson Services Inc.	9550 E 50 Mile Road, Cadillac, MI 49601
10-104-00-079-00	E M-115 HWY	Michael Blacmer	6319 M-115 HWY
10-104-00-079-01	6231 E M-115 HWY	McDonalds Corporation	PO Box 589, Traverse City, MI 49685
10-104-00-081-00	6319 E M-115 HWY	Michael Blacmer	6319 M-115 HWY
10-104-00-085-00	2404 SUNNYSIDE DR	Michael Blacmer	6319 M-115 HWY
10-104-00-085-01	2420 SUNNYSIDE DR	Primos Holdings LLC	2420 Sunnyside Dr., Cadillac, MI 49601

WEXFORD COUNTY AIRPORT AUTHORITY

MINUTES

Meeting of Wednesday June 12, 2019

1. Meeting was called to order at 6:00 PM by Osborn
Present: Osborn, King, Paquin, Barron, Paul and Holder
Also present: Manager Bob Johnson
Lucinda Rathbun (record minutes)
2. Introduction of Guests: Brian Potter representing Wexford County.
3. Public Comment- None
4. Additions or Deletions to the Agenda: None
5. Approval of April 2019 Minutes
April minutes were presented.

MOTION by Holder to approve April 2019 Minutes
Supported by King. All in Favor. Motion carried.

6. Treasurer's Report

Treasurer will make adjustments to layout of Profit & Loss Statement. Received letter from State 5/20/19 requesting explanation of excess expenditures. Letter has been received the past few years, Treasurer will contact State and our local accounting firms to determine what is generating this letter in hopes to prevent further letters. Treasurer has asked for a 30-day extension from the State to gather information. Discussion about budget issues and procedures.

Filters for fuel farm need to be replaced. Discussion about how this needs to be done annually.
MOTION by King to Change the filter as needed annually for \$3,096.88. Supported by Paul. All in Favor. Motion carried.

MOTION by Paquin to accept Treasurer's Report. Supported by Barron. All in Favor. Motion carried.

7. Committee Reports
 - a. Finance Committee-did not meet
 - b. Personnel Committee-did not meet
 - c. Facilities Committee-did not meet
 - d. By-Law Committee-did not meet

8. President's Report-President absent

9. Manager's Report

Written report submitted. Discussion about Gear Box on snowblower, John Deere replacement and Northwest Soaring Club electric bill.

MOTION by Holder to Pay Northwest Soaring Club by check quarterly for the electricity use as determined by the Manager. Supported by King. All in Favor. Motion carried.

MOTION by Holder to Spend \$2100 for the Gear Box on snowblower. Supported by Paquin. All in Favor. Motion carried.

10. New Business

a. New John Deere

Discussed under Manager's Report. Tabled until next meeting

Action: Manager to put together information for next meeting to evaluate best option.

11. Old Business

a. Northwest Soaring Club, new Launch Operation Proposal

MOTION by Holder to table the Operation Proposal from the Northwest Soaring Club. Supported by King. All in Favor. Motion carried.

b. Update on Gear Box on John Deere Tractor
addressed during Treasurer's Report

c. Reimbursing Northwest Soaring for monthly increase in electric bill
addressed during Manager's Report

12. Public Comment-None

13. Board Member Comments

King- will miss the next meeting; vacation July 4th thru the 17th.

Paquin-nothing

Barron-nothing

Paul-requests when there isn't a quorum that the County representative is notified

Holder-working on the budget

Osborn-asked if anyone will be missing for the next meeting; King is only one that will be absent

Operation White Pine handout presented. All agree to help financially with this event.

Action: Holder will expense purchases for Operation White Pine.

14. Next Meeting date is July 10, 2019 at 6:00 PM

15. Adjournment

MOTION by King to adjourn at 6:47 PM. Supported by Holder. All in Favor. **Motion carried.**

Prepared by Lucinda Rathbun

Lucinda Rathbun

Action Items: 10a, 13

WEXFORD COUNTY AIRPORT AUTHORITY

MINUTES

Meeting of Wednesday July 10, 2019

1. Meeting was called to order at 6:04 PM by Holder

Present: Paquin, Barron and Paul

Absent: Hill, Osborn and King

Also present: Manager Bob Johnson

Lucinda Rathbun (record minutes)

2. Introduction of Guests: Brian Potter representing Wexford County.

3. Public Comment- Potter commented that he and the County Administrator visited the airport and the Administrator expressed concern about audit and getting proposed budget to the county timely.

4. Additions or Deletions to the Agenda:

- a. Roll grass runway and taxiway, very rough sod.

- b. Annual hangar inspection to prevent maintenance issues.

- c. Snow plowing around/between hangars needs improvement.

- d. Water/ice INSIDE hangers due to snow/ice buildup.

- e. Sand on ramp causes propeller erosion and hangar contamination.

Manager indicated that he will address items a thru e.

- f. Meeting with County Administrator.

5. Approval of June 2019 minutes.

June minutes were presented.

**MOTION by Paul to approve June 2019 minutes as presented. Supported by Paquin. All in Favor.
Motion Carried.**

6. Treasurer's Report

Holder advised that he will be changing the format of the Profit/Loss Statement. The Airport budget needs to be presented to the County by the middle of August before the County Appropriations are completed. This has not been the prior practice of this Board. Holder received word from the State that the deadline for their requested information has been extended to 7/21/2019. Holder indicated that he will be diligent with completing State's request. This board needs to set dates to complete budget process.

**MOTION by Barron to accept Treasurer's Report. Supported by Paul. All in Favor.
Motion carried.**

7. Committee Reports

- a. Finance Committee-did not meet
- b. Personnel Committee-did not meet
- c. Facilities Committee-did not meet
- d. By-Law Committee-did not meet

8. President's Report-President absent

9. Manager's Report

Written report submitted. Discussed success of Fly-in Pancake Breakfast along with future changes for better success next year. Detail of finances submitted.

Northwest Soaring club has withdrawn their request to operate winch launch operation.

Estimate submitted for cost of defibrillator which includes CPR training for staff.

MOTION by Paul to purchase the defibrillator for \$1,417.63 using profits from the Fly-in Breakfast and the plane rides. Supported by Paquin. All in favor. Motion carried.

10. New Business

- a. Roll grass runway and taxiway, very rough sod.
Suggestion: borrow roller from another airport or County
- b. Annual hangar inspection to prevent maintenance issues.
Inspection is part of contractual agreement with hangar tenants.
- c. Snow plowing around/between hangars needs improvement.
Snow accumulates between B & C row
- d. Water/ice INSIDE hangars due to snow/ice buildup.
- e. Sand on ramp causes propeller erosion and hangar contamination.
- f. Meeting with County Administrator
Addressed during Treasurer Report. Administrator provided suggestions and Holder will submit what is need to the County.

11. Old Business

- a. New John Deere options

Discussion about yearly agreement that was not met. Original agreement was \$3,800.00 annually but because time lapsed, cost to reactivate program is \$5,500.00

MOTION by Paul to keep John Deere Tractor on the 2- year program and then go back into 1-year program paying the \$5,500.00 for the same tractor to get back into the program. Supported by Paquin. All in Favor. Motion Carried.

- b. Northwest Soaring Club

Manager reported that they have withdrawn their request.

- c. Operation White Pine

Holder handled this.

12. Public Comment-None

13. Board Member Comments

Paquin had nothing to report.

Barron had nothing to report.

Paul commented that it was a good meeting and he encourages Holder to seek help with budget issues.

Holder advised that he will stay diligent with budget/audit processes.

14. Next Meeting date is August 14, 2019 at 6:00 PM

15. Adjournment

MOTION by Paul to adjourn at 7:04 PM. Supported by Barron. All in Favor. **Motion carried.**

Prepared by Lucinda Rathbun



Action Items: