



City Council Meeting

July 20, 2020

6:00 p.m.

In-person attendance by the City
Council and remote electronic
participation by the public

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



July 20, 2020 City Council Meeting Agenda

6 p.m. 200 N. Lake St. – Cadillac, MI 49601

In-person attendance by the City Council and remote electronic participation by the public.

We are all accountable

CALL TO ORDER

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 June 15, 2020.

Support Document III-A

B. Minutes from the closed session held on June 15, 2020.

IV. COMMUNICATIONS

A. Cadillac Family Physicians

Support Document IV-A

B. Call to All Family Festival

Support Document IV-B

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C. UpBeat Cadillac
Support Document IV-C

D. After 26 Depot Music Festival
Support Document IV-D

E. Farmers Market Signage
Support Document IV-E

V. APPOINTMENTS

A. Recommendation regarding reappointment to the Zoning Board of Appeals.
Support Document V-A

B. Recommendation regarding reappointment to the Cadillac Housing Commission.
Support Document V-B

VI. CITY MANAGER'S REPORT

A. Recommendation regarding purchase of 8" Water Meter.
Support Document VI-A

B. COVID-19 Update

VII. ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Resolution Authorizing Temporary Construction License for a Portion of 514 Wright Street.
Support Document VII-A

B. Adopt Resolution to introduce Ordinance to Approve Granting Easement to Consumers Energy Company for a Solar Energy Farm and set public hearing for August 17, 2020.
Support Document VII-B

C. Adopt Resolution Designating a Social District and Defining a Commons Area.
Support Document VII-C

VIII. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

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

B. Historic Districts Commission
Support Document VIII-B

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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

June 15, 2020

Meeting held with in-person attendance by the City Council
and remote electronic participation by the public.

200 N. Lake St. - Cadillac, Michigan 49601

CALL TO ORDER

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

ROLL CALL

Council Present: Elenbaas, Schippers, Engels, King, Mayor Filkins
Council Absent: None
Staff Present: Peccia, Roberts, Dietlin, Ottjepka, Payne, Coy, Wallace, Homier, Wasson

APPROVAL OF AGENDA

2020-091 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

Attorney Ravi Gurumurthy requested an investigation be conducted into an incident involving a young juvenile and the Cadillac Police Department that occurred on March 30, 2020.

Dave Maynard expressed concern regarding the armed counter protesters in attendance at the recent Black Lives Matter event.

Alex Marshall asked for an investigation into an incident involving himself and the Cadillac Police Department that occurred in January 2020.

2020-092 Approve consent agenda as presented.

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

Motion unanimously approved.

PUBLIC HEARINGS

A. Public hearing regarding proposed Cadillac Phase II Municipal Well Field Project.

Peccia stated this is the third public hearing regarding the proposed Cadillac Phase II Municipal Well Field Project so there will not be a new presentation.

Owen Roberts, Director of Finance, stated the City did not qualify for USDA financing for the Phase II Municipal Well Project because of our low rates. He noted we contacted the State of Michigan under their Drinking Water Revolving Fund (DWRf) program which is the same funding that was used for Phase I of this project. He stated they require their own public hearing along with approval of a resolution. He noted project construction will include equipping of three (3) new water wells, construction of new well houses, service building, water department headquarters and storage, water transmission and distribution mains, related site improvements, and abandonment of the 8th Street Well Field. He stated the public hearing is an invitation for public comments to meet the requirements of the DWRf program.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

2020-093 Approve Resolution Adopting a Final Project Plan for Water System Improvements.

Motion was made by Schippers and supported by Elenbaas to approve the Resolution Adopting a Final Project Plan for Water System Improvements and Designating an Authorized Project Representative.

Motion unanimously approved.

COMMUNICATIONS

A. Juneteenth Celebration

Alex Marshall, event organizer, requested the ending time be extended from 4:00 pm to 6:00 pm.

2020-094 Approve street closure for Juneteenth Celebration.

Motion was made by Schippers and supported by Engels to approve the closure of Lake St. between Harris St. and Cass St. from 11:00 am to 6:00 pm on June 27, 2020 for the Juneteenth Celebration and to authorize the City Manager or his designee to continue to work with the event organizer and different closures that may be necessary to accommodate the event activities.

Motion unanimously approved.

B. Freedom Festival

Engels asked about the plan for the beer tent.

Derek Anderson, President of the Freedom Festival, stated they are going to have a tent over the serving area with tables setup outside within a double fenced area per their license requirements. He briefly described the various activities planned for the event.

Schippers noted most communities have cancelled their major festivals throughout the summer and into the fall. She stated she is concerned that it makes the City appear extremely irresponsible because with respect to COVID-19 absolutely nothing has changed in the last 3-months other than there have been 117,000 deaths in the country. She noted that just

because the area has moved into a new phase, we are acting like COVID-19 does not exist anymore. She stated the Freedom Festival would bring in people from all over for a 3-day event. She noted the reason we have moved to a new phase is because we have behaved responsibly.

Anderson stated people know there are things they need to do such as wearing masks and social distancing and the organizers will make safety protocols a priority. He noted they are also concerned about the number of people that may be in attendance, but they believe it can be managed due to the amount of outdoor space.

Elenbaas stated if we allow the Black Lives Matter event how can we not allow the Fourth of July event.

Mayor Filkins stated other communities are not planning and are not supporting events in their communities after what has occurred over the past 3-4 months. She noted we have worked very hard to keep our community safe and this event could bring several thousand people to the community. She stated that while people know they are supposed to wear masks and wash their hands many people do not adhere to those practices.

Mayor Filkins noted that even if the City Manager and Public Safety Director were not working with Alex Marshall on the peaceful protest it likely would have occurred anyway, so we need to collaborate with the event organizer to make sure we are keep our community as safe as possible. She stated she has spoken with members of the medical community and they are very concerned about the Freedom Festival.

Schippers stated a festival is different than a protest march because a peaceful protest is a First Amendment activity. She noted this is a festival with carnival rides, a parade, music, and a beer tent.

Mayor Filkins stated she wants the community to celebrate the Fourth of July but believes we need to be wise in how we choose to celebrate. She noted we can celebrate in small groups with people who are responsible and will practice social distancing.

King stated we must be very careful. He noted if people apply for permits and the event has been vetted by staff to be within the Governor's restrictions as allowable behavior and an allowable gathering then it isn't up to Council to judge the purpose of that allowable behavior. He stated that gets into blocking free speech because it is saying the Freedom Festival that celebrates the Fourth of July for the United States is a different form of speech or expression than the Juneteenth Celebration. He noted the Juneteenth Celebration could have just as many people in attendance and we have not asked the same questions about that event. He stated one person's festival is another person's protest.

Peccia stated Section Seven under Executive Order 115 limits the congregation of public gatherings of people outside of a single household by type of venue space. For example, for concert venue spaces it limits the public gathering to 25% or up to 250 people whichever is smaller. For outdoor sporting venue spaces, the limit is 25% or 500 people whichever is smaller. He noted the Cadillac Performing Arts Pavilion space has never been rated to provide a specific data point as to how many people could congregate at that venue. He noted Section Eight of the Executive Order says that unless otherwise prohibited by local

regulations, so it is not taking away the control from the local body. Unless prohibited by local regulation, outdoor parks and recreational facilities may be open provided they make any reasonable modifications necessary to enable employees and patrons not part of the same household to maintain 6-feet of distance from one another and provided that areas which social distancing cannot be maintained be closed subject to guidance issued by the Department of Health and Human Services. He noted based on the current Executive Order, this type of festival could be permitted unless the local public body chooses not to allow it. He noted the Juneteenth event is both a protest and a celebration.

City Attorney Homier stated the City is prevented from regulating based on the content of the speech so when we discuss the number of people attending either one of the events that would be a question for both events not just for one or the other. He noted there are similarities between the two events because there will be music, vendors, and speeches. He stated it is incumbent on the organizers and the people who attend to follow regulations implemented by the CDC and Department of Health and Human Services. He stated he does not want the City to regulate events based on the content of the speech.

Schippers stated her concern is based on the number of people that could attend the Freedom Festival.

King stated he agrees with Mr. Homier that we would expect people who attend to follow regulations and he assumes that if people have health concerns, they will not attend that event. He noted he is concerned that we have made a judgement in relation to the number of people that will be attending both events. He stated if the proper permits have been obtained and they meet the criteria and the law then we approve them. He noted we do not put our personal judgement on the content or purpose of the event.

Schippers noted it has nothing to do with content or purpose. She stated her concerns are specifically related to health issues because nothing has changed since the beginning of COVID-19 except the number of daily cases. She noted over 117,000 people have died in 3-months, there is no vaccine, and there are no effective treatments. She stated it is our responsibility as elected officials to consider the health and well-being of our community.

Engels stated we do have to consider it from a public safety perspective, but the carnival is already here, the bars and restaurants are open, and there are several protests occurring. He noted if the Governor's Executive Order does not prohibit this type of event then we should allow it unless something changes before the date of the event in which case he would expect the event organizers to do the right thing or the City to enforce any changes to the Executive Order.

Homier stated the City is not holding a festival, it is issuing permits for use of public parks and public facilities. He noted if Council is going to approve it, he suggests approving it subject to compliance with all Executive Orders, CDC and DHHS guidelines in terms of social distancing, mask wearing, etc. He stated it then becomes incumbent on people to follow all rules that apply.

2020-095 Approve Freedom Festival.

Motion was made by Schippers and supported by King to approve the Freedom Festival subject to all of the guidelines from the State of Michigan, CDC recommendations, and in compliance with all Executive Orders and Michigan Health and Human Services guidelines and recommendations.

Motion unanimously approved.

Mayor Filkins stated she thought this was an important discussion and she wants people in the community to know we are being thoughtful about the work being done by the City. She reminded the community that COVID-19 has not gone away and encouraged people to be very careful.

APPOINTMENTS

- A. Recommendation regarding reappointment to the Elected Officials Compensation Commission.

2020-096 Approve reappointment to the Elected Officials Compensation Commission.

Motion was made by Schippers and supported by Engels to approve the reappointment of Robert Gammons to the Elected Officials Compensation Commission for a 5-year term to expire on June 15, 2025.

Motion unanimously approved.

CITY MANAGER'S REPORT

- A. Bids and recommendation regarding Shelby Street Improvement Project.

Peccia stated four (4) bids were received and the recommendation is to award the contract for the Shelby Street Improvement Project to the lowest bidder, Dunbar Excavating, Inc., in the amount of \$418,727.50 and to approve a 15% contingency bringing the total award amount to \$481,536.62. He noted that Shelby Street was deeded back to the City last week and was recorded by the Wexford County Register of Deeds.

2020-097 Award contract for Shelby Street Improvement Project.

Motion was made by Engels and supported by Elenbaas to award the contract for the Shelby Street Improvement Project to Dunbar Excavating, Inc. for the bid amount of \$418,727.50 and approve a 15% contingency for City engineer-approved field changes in unit quantity or scope due to unknowns in underground municipal construction, bringing the total award amount to \$481,536.62.

Motion unanimously approved.

- B. COVID-19 Update

City Manager Peccia summarized the current COVID-19 update provided by District Health Department #10. He noted the City Municipal Complex is open to the public as of today. He stated there are a variety of protocols in place both for the public and City employees as part of the City's COVID-19 Preparedness and Response Plan. He noted under the Governor's Executive Order 2020-75 remote meetings are still permitted until June 30, 2020. He stated due to the space restrictions we have within the facility bringing in members of the public or

even additional staff while still trying to maintain the proper social distancing guidelines would be nearly impossible which is the reason members of the public and other staff members are joining remotely. He reminded everyone to be courteous to others as businesses begin to reopen and to be mindful that business owners are expected to adhere to the various regulations that are in place.

ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Resolution Amending General Appropriations Act for Fiscal Year 2020.

Owen Roberts, Director of Finance, summarized the details of the budget amendment.

The budget amendment discussed was included in the Council packet.

2020-098 Adopt Resolution Amending General Appropriations Act for Fiscal Year 2020.

Motion was made by Engels and supported by Schippers to adopt the Resolution Amending General Appropriations Act for Fiscal Year 2020 as presented.

Motion unanimously approved.

PUBLIC COMMENTS

Bill Barnett commented on the decision to spend public dollars on Shelby Street which was vacated to a private owner.

GOOD OF THE ORDER

Peccia noted there are many geese around Lake Cadillac. The removal program that has been conducted throughout the years was placed on hold this year by the Michigan Department of Natural Resources. He stated the City will do everything it can to clean up the mess and urged people to be careful when they are walking near the lake.

Schippers asked if anything is being done to monitor water quality.

Peccia stated water quality is being monitored.

CLOSED SESSION

Adjourn to closed session pursuant to MCL 15.268(a) to consider a periodic personnel evaluation of the City Manager, a public officer and employee, at his written request.

2020-099 Adjourn to closed session.

Motion was made by Engels and supported by Elenbaas to adjourn to closed session pursuant to MCL 15.268(a) to consider a periodic personnel evaluation of the City Manager, a public officer and employee, at his written request.

Motion unanimously approved.

2020-100 Return to open session.

Motion was made by Schippers and supported by Elenbaas to return to open session.

Motion unanimously approved.

Mayor Filkins stated a discussion was held regarding the annual evaluation of the City Manager.

2020-101 Approve pay increase for City Manager.

Motion was made by Engels and supported by Schippers to approve a 2.5% cost of living increase for the City Manager with an effective date of May 18, 2020.

Ayes: Schippers, Engels, Mayor Filkins

Nays: King, Elenbaas

Motion carried.

Peccia thanked members of City Council and City staff for their continued support. He stated it is a wonderful community and noted we should be proud of the tremendous number of accomplishments within the City.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk



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

Today's Date 6/8/2020

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) Tania LeBaron Contact Address 8950 Professional Dr. Cadillac
Contact Phone(s) (231) 775-2493 Contact Email brenda.g@cadillacfamilyphysicians.com
Sponsoring Organization Cadillac Family Physicians Private ☒ Non-Profit ☐
Purpose of Event Retirement Party Approx # of Attendees 200

Beginning Date: 7/13/2020 Ending Date: 7/13/2020 Reoccurring: YES ☐ NO ☒
1st Day 7/13/2020 Set-up 5:00 AM/PM ☒ Start 7:00 AM/PM ☒ End 10:00 AM/PM ☒ Clean-up 11:00 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

Requesting
date change
from 7/13/2020
to 7/14/2020.
Bg



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

Today's Date 6/8/2020

City Received Date

The Market at the Cadillac Commons Reservation Form

Please Submit 60-days Prior to Event Date

Event Retirement Party for Thomas Smith MD + Dianne Conrad

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.

Brenda Galdamner
Signature Practice Admin

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

200 N. Lake Street in Cadillac, MI 49601

javila@cadillac-mi.net

Print Name Tania LeBaron Total Fees Required: \$125.00 Total Fees Paid: \$100.00 Date 3/3/2020

Key Deposit \$100.00 (Refundable)
Hold date + Event \$100.00 (Non-Refundable)

Date change
Requested.
to 7/31/2020



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

Alcoholic Beverage Request Form

Event Name Retirement Party - Thomas Smith MD + Dianne Conrad
Requesting Organization Cadillac Family Physicians PC

Contact Person(s) Brenda Goldammer
Contact Phone (231) 775-2493 Contact Email brenda.g@cadillacfamilyphysicians.com
Date of Event 7/31/2020 Approx. number of participating groups 200
Starting Time 5:00 PM Ending Time 11:00 PM

City of Cadillac & State of Michigan Guidelines:

- Double fence
- Inspection of site

*Date change
Requested
from 7/10/20
to 7/31/2020*

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 Brenda Goldammer Signature Brenda Goldammer Date 6/8/2020

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 _____
Parks _____	Date Approved _____	Comments _____
Fire _____	Date Approved _____	Comments _____
Police _____	Date Approved _____	Comments _____
City Manager _____	Date Approved _____	Comments _____
State of MI _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____

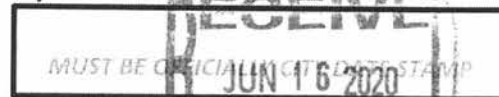


200 N. Lake Street
Cadillac MI 49601
Phone (231) 775-0181
www.cadillac-mi.net

Today's Date

6/16/20

City Received Date



BY: SW

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) William Markham Contact Address 906 Platt Rd Cadillac
Contact Phone(s) 231 [REDACTED] Contact Email [REDACTED]
Sponsoring Organization Cadillac Area Ministerial Assoc ☐ Private ☒ Non-Profit
Purpose of Event Call to All Family Festival Approx # of Attendees

Beginning Date: 8/14/20 Ending Date: 8/16/20

Reoccurring: ☒ YES ☐ NO

1st Day	Set-up <u>1:00 AM/PM</u>	Start <u>6:00 AM/PM</u>	End <u>9:00 AM/PM</u>	Clean-up <u>10:00 AM/PM</u>
2nd Day	Set-up <u>7:00 AM/PM</u>	Start <u>12:00 PM</u>	End <u>9:00 AM/PM</u>	Clean-up <u>10:00 AM/PM</u>
3rd Day	Set-up <u>9:00 AM/PM</u>	Start <u>10:00 AM/PM</u>	End <u>9:00 AM/PM</u>	Clean-up <u>10:00 AM/PM</u>
4th Day	Set-up <u>: AM/PM</u>	Start <u>: AM/PM</u>	End <u>: AM/PM</u>	Clean-up <u>: AM/PM</u>

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.

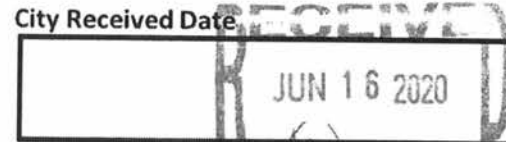
Forms can be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

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 6/16/20



BY: [Signature]

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Event Call to All Family Festival Please Submit 30-days Prior to Event Date

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.

[Signature]
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 William Markham Total Fees Required: 150.00 Total Fees Paid: _____ Date 6/16/20



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

Today's Date _____

City Received Date _____



Street & Parking Lot Closure Request Form

BY: W

Please fill out a separate form for each date

Reason for Request _____

Contact Person William Markham

Contact Phone 231-855-2222 Contact Email william.markham@cadillac-mi.net

Date: <u>8/14/20</u>		Street Closures	
Street Name <u>Lake Street</u>	Beginning Location <u>W. HARDY'S</u>	Ending Location <u>W. CASE</u>	
	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	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time _____ AM/PM	Ending Time _____ AM/PM	

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

close
14- From
5 PM - 9:00 PM
15 close
5 PM
1 PM
9:00 PM
close
16 5 PM
9:00 AM -
9:00 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 _____ Signature _____ Date ____/____/____

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

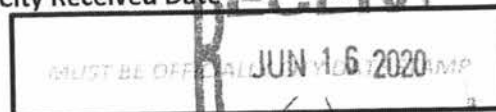
Streets _____	Date Approved _____	Comments _____
Parks _____	Date Approved _____	Comments _____
Fire _____	Date Approved _____	Comments _____
Police _____	Date Approved _____	Comments _____
City Manager _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____



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

Today's Date 6/16/20

City Received Date



BY: fw

All City Parks Request Form

Reason for Request Call to All Family Festival
Organization Cadillac Area Ministerial Assoc. Contact Person William Markham
Contact Phone 231-848-2272 Contact Email [redacted]
Date 8/14-16/20 Times 9 AM - 9 PM

City Parks Please Check One

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

8/14 - 1-9pm
8/15 - 1-9pm
8/16 - 9a-9pm

City of Cadillac Guidelines:

Please read the following and initial to acknowledge your understanding

- ☒ All Parks are for public use
- ☒ The City does not provide any tents, tables, chairs, rugs, extension cords etc
- ☒ The fountain may not be operating due to equipment break downs or weather conditions such as wind
- ☒ I understand and agree to these requirements and understand if these are not met the request will be denied.
- ☒ Not all parks have space for tents, chairs etc.
- ☒ 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 William Markham Signature [Signature] Date 6/16/20

Jun 26 20 02:29p

p.1



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

Today's Date _____

City Received Date _____

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request

Upbeat Cadillac Music / Series Thurs nights

Contact Person

Tim Scully

Contact Email

6 weeks

8/23/2020

Every Thursday 6-930 pm through 8-27-2020
Rotary Pavilion

Street Closures			
Date: 8/1/20			
Street Name LAKE	Beginning Location	Ending Location	
	Beginning Time	Ending Time	
Street Name	Beginning Location	Ending Location	
	Beginning Time	Ending Time	
Street Name	Beginning Location	Ending Location	
	Beginning Time	Ending Time	
Street Name	Beginning Location	Ending Location	
	Beginning Time	Ending Time	

Parking Lot Closures			
Date: 8/1/20			
Lot Location	Street	Nearest Cross Street	
	Beginning Time	Ending Time	
Lot Location	Street	Nearest Cross Street	
	Beginning Time	Ending Time	
Lot Location	Street	Nearest Cross Street	
	Beginning Time	Ending Time	

Form must be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net (No Faxes accepted)

I understand and agree to these requirements & understand if these are not met the request will be denied.

Print Name

Tim Scully

Signature

Date

8/25/2020

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 2-1-2020

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) Tim Scully Contact Address 12150 Catherine Hwy
Contact Email [REDACTED]

Sponsoring Organization UPBEAT CADILLAC Private ☐ Non-Profit ☐

Purpose of Event Weekly Concert Series Approx # of Attendees _____

Beginning Date: 06/25/2020 Ending Date: 08/27/2020

Reoccurring: ☒ YES ☐ NO

1st Day _____ Set-up _____ AM/PM Start _____ AM/PM End _____ AM/PM Clean-up _____ 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 2-1-2020

City Received Date

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Please Submit 30-days Prior to Event Date

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.

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 Timothy Scully Total Fees Required: _____ Total Fees Paid: _____ Date / /



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) BENJAMIN HICKER Contact Address 127 W. CASS ST CADILLAC

Contact Email _____

Sponsoring Organization AFTER 26 PROJECT INC. ☐ Private ☒ Non-Profit _____

Purpose of Event MUSIC FESTIVAL / FUNDRAISER Approx # of Attendees _____

Beginning Date: 8/1/20 Ending Date: 8/1/20

Reoccurring: YES ☒ NO ☐

1st Day _____ Set-up 11:00 AM/PM Start 3:00 AM/PM End 11:00 AM/PM Clean-up 11:00 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 _____

City Received Date

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Please Submit 30-days Prior to Event Date

Event DEPOT MUSIC FEST 2020

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:

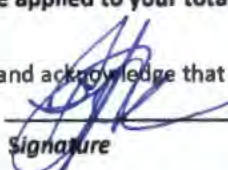
- Daily Rate (4 hours or more) \$100
- Hourly Rate (less than 4 hours) \$55 per hour
- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

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.


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 BENJAMIN L. HICKOK Total Fees Required: _____ Total Fees Paid: _____ Date / /



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 DEPOT MUSIC FEST 2020

Organization AFTER 26 PROJECT, INC.

Contact Person BENJAMIN HICOK

Contact Email _____

Date

8/1/2020

Times

1100 AM - 11200 PM

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

BA All Parks are for public use

BA The City does not provide any tents, tables, chairs, rugs, extension cords etc

BA The fountain may not be operating due to equipment break downs or weather conditions such as wind

BA I understand and agree to these requirements and understand if these are not met the request will be denied.

BA Not all parks have space for tents, chairs etc.

BA 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

BENJAMIN L. HICOK

Signature

Date 10/29/19



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

Today's Date _____

City Received Date

MUST BE OFFICIAL CITY DATE STAMP

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request DEPOT MUSIC FEST 2020

Contact Person BENJAMIN HICK

Contact Email _____

Date: <u>8/11/2020</u>		Street Closures	
Street Name <u>LAKE</u>	Beginning Location <u>CASS</u>	Ending Location <u>ARANS</u>	
	Beginning Time <u>11:00</u> AM/PM	Ending Time <u>11:00</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	
Date ____/____/____		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	
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 BENJAMIN L. HICK

Signature _____

Date 10/24/19

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

Date: July 20, 2020

Council Communication

Re: Farmers Market

Introduction

The Farmer's Market is requesting permission to place temporary signage at the following locations during their hours of operation at the Market Place in Cadillac Commons. The dates this year are Tuesday's and Friday's. The time is from 8:00am until 4:00pm.

The locations the Farmers Market is requesting permission for sign placement are;

1. Mitchell Street at Cass Street. On both the northeast and southwest corners
2. West Cass Street right-of-way ROW immediately north of the Market

Requested Council Action

Consider granting permission for the Farmer's Market to place two sandwich board signs at the intersection of S. Mitchell Street and Cass Street and two yard type temporary signs in the West Cass Street right-of-way during the days of operation in 2020. City staff would also like the authority to make changes in signage locations to the West Cass Street ROW on the days the Commons Market Place is not available. This occurs when the market is reserved for another event. We (staff) ask the market to move and use the parking lot south of the Cadillac Wexford Library. The following rules need to be followed.

1. The placement of the signs shall be limited to the days of the market's operation. The signs shall be placed not more than one hour prior to the day's opening of the market and shall be removed no later than one hour after the day's close of the market.
2. The signs shall be placed such that they are compliant with the clear vision setback requirements of the Michigan Department of Transportation and the City of Cadillac sign ordinance.
3. Individual vendors are not allowed to place temporary signs on city property outside of their booth area.

SIGN PERMIT APPLICATION/PERMIT

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

Applicant's Name Cadillac Area Farmers Market Phone [REDACTED]

Address [REDACTED]

Site Address _____ Bus. Name _____

Property Owner's Name Jean Kohler

Address [REDACTED]

Circle Sign Type (Wall, Pole, Projecting, Monument) If Temp? Days Thurs & Friday
Purpose: (Institution, Business, Display) Value 20.00 Height 10'
June 19 through Oct 30, 2020

Setback(s) On Road

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'
	--	
	--	2'

TOTAL DISPLAY AREA _____ DIMENSIONS: HGT 45' WIDTH 2.5'

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 Jean Kohler DATE July 7, 2020

July 20, 2020

COUNCIL COMMUNICATION

Re: Reappointment of Carl Genzink to a Three-Year Term on the Cadillac Zoning Board of Appeals

Carl Genzink has expressed interest in continuing his service on the Cadillac Zoning Board of Appeals for a three-year term. His current term ended on 4/21/2020.

Recommended Council Action:

Motion to reappoint Carl Genzink to a three-year term on the Cadillac Zoning Board of Appeals, which will expire on 7/20/2023.

July 20, 2020

COUNCIL COMMUNICATION

Re: Reappointment of Ronald Puruleski to a Five-Year Term to Cadillac Housing Commission

Ronald Puruleski has expressed interest in continuing his service as a member of the Cadillac Housing Commission for a 5-year term. He has been serving on the Cadillac Housing Commission since 2018.

Recommended Council Action:

Motion to reappoint Ronald Puruleski to a five-year term on the Cadillac Housing Commission, which will expire on 7/20/2025.

July 20, 2020

Council Communication

Re: Sensus Meter Replacement

The Cadillac Utilities Department uses SENSUS meters to measure the water usage of the City's water and sewer customers. The water meters were upgraded a number of years ago to radio-read SENSUS meters. Unless the meters are damaged by negligence of the customer, the City is responsible for the cost of replacing outdated meters. The replacement costs are then recouped through the user charge system.

One of the larger meters in the system needs to be replaced. This 8" meter is for the fire protection line for a housing development within the City.

Attached please find the quote for replacing the 8" meter from Etna Supply. Also included in this communication is a letter from SENSUS which confirms that Etna Supply is the sole source provider of SENSUS equipment in Michigan.

Recommended Action:

Because they are the sole source provider of SENSUS equipment in Michigan as confirmed by the attached letter, it is recommended that council waive competitive bidding and award the purchase of an 8" replacement meter to Etna Supply of Grand Rapids, Michigan for the amount of \$15,800. Funds are available in the Water and Sewer Fund.



ETNA SUPPLY - GRAND RAPIDS
4901 CLAY AVENUE SW
GRAND RAPIDS, MI 49548-3038
616 241 5414
Fax 616 241 4786



Quotation

QUOTE DATE	QUOTE NUMBER
07/13/2020	S103597906
ETNA SUPPLY PO Box 772107 DETROIT, MI 48277-2023 P-616 248 9182 F-616 245 9940	
PAGE NO. 1 of 1	

QUOTE TO:

SHIP TO:

CITY OF CADILLAC
200 LAKE ST
CADILLAC, MI 49601-1866

CITY OF CADILLAC
506 8TH ST
WATER SERVICE BLDG
CADILLAC, MI 49601

CUSTOMER NUMBER	JOB NAME / PO NUMBER	JOB NAME / RELEASE NUMBER	SALESPERSON		
12561			Tony Wawiernia		
WRITER		SHIP VIA	TERMS	EXPIRE DATE	FREIGHT EXEMPT
John Gonzales Jr.		BID	NET 25TH	08/12/2020	No
ORDER QTY	DESCRIPTION			UNIT PRICE	EXT PRICE
1ea	SHIPPING INSTRUCTIONS DELIVERY DATE:NEXT RUN DELIVERY TIME:BEFORE 230PM CONTACT NAME:KEN CONTACT #:231-920-4505 ADD'L INSTR:			15800.000/ea	15800.00
	MTR 8" OMNI F2 100 CF (53"); 100 CUBIC FEET ECR; 1 CUBIC FT PULSE OUTPUT CFL LAY LENGTH (53") *** F8CXXXF1DT0X *** *Nonstock - Restock Policy Applies* Pn: 161407				
This Quotation is controlled by ETNA's standard terms and conditions ("ETNA's Standard Terms") found at https://www.etnasupply.com/TermsandConditionsofQuotation Any other terms are expressly rejected. To the extent there is a conflict between any of the terms appearing on the face of this Quotation and ETNA's Standard Terms, the terms appearing on the face of the Quotation control. TAXES ARE NOT INCLUDED ON THIS QUOTE! Prices are firm for 30 days. Price subject to change after 30 days.				Subtotal	15800.00
				S&H Charges	0.00
				Amount Due	15800.00

Jim Grillo
Sensus USA, Inc
Mid-West Director of Sales
612-867-3283
jim.grillo@xyleminc.com



September 24, 2019

To Whom It May Concern:

Sensus USA, Inc is pleased to announce that **Etna Supply of Grand Rapids, MI** is the exclusive Authorized Distributor of Sensus products and a Value Added Reseller (VAR) for Sensus Services such as SaaS in the state of Michigan.

Please contact your ETNA representative for all of your Sensus needs. Purchasing Sensus products and services from the authorized distributor for your area ensures that your products will be properly supported and warranted.

We look forward to the opportunity of providing your firm with quality water measurement equipment and support in the near future. Please feel free to contact me at jim.grillo@xyleminc.com regarding this or any other matter.

Sincerely

A handwritten signature in black ink, appearing to read "J. Grillo". The signature is stylized with a large, looped "J" and a cursive "Grillo".

James C. Grillo
Mid-West Director of Sales
Sensus USA, Inc

July 20, 2020

Council Communication

Re: Approval of a Temporary Construction License and Introduction of an Ordinance to Approve a Solar Easement Agreement.

For several years, the city has been exploring opportunities to achieve an environmental cleanup at the Mitchell-Bentley site. A breakthrough on this action happened when the city, in collaboration with the Cadillac Industrial Fund, was able to obtain a sizeable grant from EGLE (formerly MDEQ) to conduct the cleanup. One of the requirements to receive this grant was to have private investment on the project site. This private investment piece became available when Consumers Energy Company agreed to build a 2 ½ acre solar farm on the site. Consumers wished to be a part of a positive community project which would also create opportunities for new industrial development, and our Mitchell-Bentley Brownfield site was the perfect fit. The city also recognized the environmental benefits and public relations benefits of creating a new opportunity for the creation of a clean renewable energy source in the city. On March 8, 2019, the City entered into a Solar Garden Host Agreement in the City, under which the City agreed to grant to Consumers an easement for the solar farm.

Entering a Solar Easement Agreement with Consumers Energy, which grants to Consumers Energy a permanent exclusive easement for the area needed for their solar farm, and a permanent non-exclusive utility and access easement, is the necessary final step in this process of getting the site developed.

Because the solar easement is a transfer by the City of an interest in real estate, the City Charter requires the City to adopt an ordinance authorizing the solar easement. At the July 20, 2020 meeting, you are being asked to adopt a resolution introducing a solar easement ordinance and setting a public hearing for August 17, 2020 regarding the solar easement ordinance.

The Solar Easement Agreement grants to Consumers a permanent exclusive easement for approximately 2.5-acres on which to locate their solar farm. In addition, it also grants to Consumers a non-exclusive 35-foot wide easement from the solar farm site northward to 5th Street which will be used to run power lines and to provide access to the site. An access drive will also be constructed in this easement. This access drive and its curb cut at 5th Street has been reviewed and approved by the city's engineering consultant. Because this 35-foot-wide easement is non-exclusive, it would also be available for use by a future industrial business which may develop adjacent to this easement. This could preclude having redundant drives at the same location.

Separate from the solar easement ordinance, you are being asked to authorize the City Manager to negotiate a temporary license agreement for Consumers to use to construct the solar farm. The Temporary License Agreement that you are being asked to approve on July 20 would give

exclusive temporary rights (through February 2021) for Consumers to use additional land area beyond the easements granted in the Solar Easement Agreement to use for construction purposes to include a lay down area, parking and office trailer, and storage area. Consumers is accepting this property in an as-is condition and will return it to the city in a substantially similar condition. Use of this property is an important part of having the project be completed within a timely manner and within budget. The land area involved in this Temporary License Agreement is a strip of land 175 feet in width which extends from the east edge of the access/utility 35-foot wide easement to the east along 5th Street and extends south to the Solar Easement Area.

Recommended Actions

To adopt a resolution introducing the ordinance authorizing the Solar Easement Agreement, and setting a public hearing to consider the solar easement ordinance.

To adopt a resolution to authorize the City Manager to negotiate a temporary construction license with Consumers for construction work related to the solar farm project.

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert J. Engels
Bryan Elenbaas
Stephen King

RESOLUTION NO. 2020-____

**RESOLUTION AUTHORIZING TEMPORARY CONSTRUCTION
LICENSE FOR A PORTION OF 514 WRIGHT STREET**

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 20th day of July, 2020, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City wishes to adopt a resolution that approves the granting of a temporary construction license to Consumers Energy Company for construction on a portion of real property (the "Real Property") owned by the City located at the former Mitchell Bentley facility, 514 Wright Street, City of Cadillac, County of Wexford, State of Michigan; and

WHEREAS, the granting of the temporary license is in the public interest.

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

1. The City Manager is authorized to negotiate, and the Mayor and the City Clerk are authorized to execute, a temporary construction license to Consumers Energy

Company for construction work related to the Solar Garden Host Agreement dated March 8, 2019, between the City and Consumers Energy Company. The temporary construction license concerns a portion of the Real Property.

2. 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. 2020-____, duly adopted at a meeting of the City Council held on the 20th day of July, 2020.

Sandra Wasson
City Clerk

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2020-_____

**RESOLUTION TO INTRODUCE ORDINANCE TO APPROVE GRANTING EASEMENT TO
CONSUMERS ENERGY COMPANY FOR A SOLAR ENERGY FARM**

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 20th day of July, 2020, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City of Cadillac ("City") is authorized by statute to buy, own and sell real property or an interest therein (MCL 117.4e); and

WHEREAS, the Charter of the City provides that the City may, by ordinance and upon the affirmative vote of four or more members of the Council, sell any real estate or an interest therein (Charter Sec. 5.6); and

WHEREAS, the Charter further provides that before final adoption of such an ordinance, the Council shall hold a public hearing and shall publish notice once at least twenty (20) days and again ten (10) days prior to the hearing; and

WHEREAS, the City and Consumers Energy Company entered into a Solar Garden Host Agreement dated March 8, 2019, pursuant to which the City agreed to grant an easement for a solar energy farm to Consumers Energy Company on a portion of the City's property at 514 Wright Street, and

WHEREAS, the City wishes to consider adopting an ordinance that approves the granting of an easement to Consumers Energy Company for a solar energy farm on a portion of real property owned by the City at the former Mitchell Bentley facility at 514 Wright Street, City of Cadillac, County of Wexford, State of Michigan, in accordance with the terms of the Easement Agreement attached to the Ordinance.

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

1. Pursuant to Section 5.2 and 5.6 of the City Charter, the City introduces Ordinance No. 2020-____, Ordinance Granting Easement to Consumers Energy Company for a solar energy farm (the "Ordinance," attached as Exhibit 1).
2. A public hearing regarding the Ordinance shall be held on the 17th day of August, 2020, at 6:00 p.m. in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan.
3. The City Clerk is directed to publish a summary of the Ordinance in a newspaper of general circulation in the City of Cadillac, together with a notice setting the time and place for a public hearing on the Ordinance, in accordance with the Charter. The summary and notice of the hearing shall be substantially in the form of Exhibit 2.

4. A copy of the Ordinance shall be available for examination at the office of the City Clerk, and copies may be provided for a reasonable charge.

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2020-____, duly adopted at a meeting of the City Council held on the 20th day of July, 2020.

Sandra Wasson
City Clerk

ORDINANCE NO. 2020-____

**ORDINANCE TO APPROVE GRANTING OF AN EASEMENT TO
CONSUMERS ENERGY COMPANY FOR A SOLAR ENERGY FARM**

THE CITY OF CADILLAC ORDAINS:

Section 1.

Pursuant to MCL 117.4e, the Charter of the City of Cadillac and other applicable authority, the City hereby approves the granting of an easement to Consumers Energy Company for a solar energy farm on a portion of real property owned by the City located at the former Mitchell Bentley facility, 514 Wright Street, City of Cadillac, County of Wexford, State of Michigan (the "Easement") in accordance with the terms of the attached Easement agreement, as provided in a Solar Garden Host Agreement, dated March 8, 2019, between the City and Consumers Energy Company.

Section 2.

The Mayor and City Clerk are hereby authorized to execute the Easement agreement and any and all documents related thereto, and to make such minor changes thereto as may be necessary or appropriate.

Section 3.

The City Clerk is directed, pursuant to Section 20-4(b) of the City's Code of Ordinances, within 30-days after the adoption of this ordinance, to record a certified copy of this ordinance with the Wexford County Register of Deeds and to send a copy to the State Treasurer.

Section 4.

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

Section 5.

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

Approved this ____ day of _____, 2020.

Sandra Wasson, City Clerk

Carla J. Filkins, Mayor

I, Sandra Wasson, City Clerk of the City of Cadillac, Michigan, do hereby certify that a summary of Ordinance No. 2020-____ was published in the Cadillac News on the ____ day of _____, 2020.

Sandra Wasson, City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

On this ____ day of _____, 2020, before me, a Notary Public, in and for said County, personally appeared Carla J. Filkins, Mayor, and Sandra Wasson, City Clerk, on behalf of the City of Cadillac, who executed the foregoing Ordinance and acknowledged that they have executed it on behalf of the City of Cadillac in their capacity as its Mayor and City Clerk, respectively.

_____, Notary Public
County of _____, State of Michigan
My commission expires: _____

Prepared By and Return To:
Scott H. Hogan (P41921)
FOSTER, SWIFT, COLLINS & SMITH, PC
1700 E. Beltline Avenue NE, Suite 200
Grand Rapids, MI 49525
(616) 726-2200

EASEMENT AGREEMENT

To Follow on Next Page

SOLAR EASEMENT AGREEMENT

Master Tract # SOL000000000008
Notification # 35005031
Design Doc # 11076452
Agreement # MI00000046887

THE CITY OF CADILLAC, a Michigan municipal corporation, 200 Lake Street, Cadillac, Michigan 49601 (hereinafter "Owner") owns land ("Owner's Land") located in the City of Cadillac, County of Wexford and State of Michigan as more particularly described on the attached Exhibit A, and

for good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(h) and from State real estate transfer tax pursuant to MCLA 207.526(h)*] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent exclusive easement to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a solar photovoltaic system, with associated solar panels, solar cells, batteries, electric storage facilities, brackets, and lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Solar Easement Area") as more fully described in the attached Exhibit B-1, a permanent exclusive easement to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a solar photovoltaic system, with associated solar panels, solar cells, batteries, electric storage facilities, brackets, and lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Solar Easement Area") as more fully described in the attached Exhibit B-1, a permanent non-exclusive easement to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land and for ingress and egress on, over, and through the portion of Owner's Land (hereinafter "Line and Access Easement") as more fully described in the attached Exhibit B-2 (hereafter the easements shall be collectively referred to as "Easement Areas"), together with any structures, poles, wires, cables, conduits, crossarms, racking, inverters, switches, fuses, conductors, conduit duct banks, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus including fencing, and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof (collectively, the "Facilities"), and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of collecting and transforming solar energy into electrical energy, and transmitting said electrical energy off Owner's Land. Consumers may not construct or install any Facilities in the Access Easements except for purposes of access to the Solar Easement Area and the Line Easement Area. Owner holds at least one easement on Owner's Land for water and/or sewer lines. Consumers will take reasonable precautions to protect such water and/or sewer lines from damage, so as long as said lines are marked (Consumers to contact MISS DIG or successor), and will coordinate construction activities with Owner to protect such lines that are in conflict with Consumers activities from damage.

Right to Solar Light: Owner hereby grants and conveys to Consumers an exclusive easement on, over, and across a portion of Owner's Land (hereinafter "Solar Protected Area") as more fully described in the attached Exhibit C, for the open and unobstructed i) path between the sun and the photovoltaic systems, and ii) access of the sun's rays to the photovoltaic system. Owner covenants and agrees that as to Owner's Land it will not in any way obstruct or interfere with or allow others to in any way obstruct or interfere with any direct sunlight, the terminus of which is the surface of the photovoltaic system.

Access: Consumers shall have the right to unimpaired access to the Solar Easement Area and Line Easement Area, and the right of ingress and egress on, over, and through the Access Easements, together with the right of ingress and egress on, over and through such paved drives and parking lots on Owner's Land, which may exist or be developed by Owner from time to time, for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder, provided, however, that Consumers shall be solely responsible for obtaining permits, approvals and consents to use or cross any railroad tracks on Owner's Land. During periods of development, construction or reconstruction by Owner, when Consumers right of ingress and egress on, over, and through the Access Easement may be inhibited, Consumers may enter and access other areas of Owner's Land, as may be reasonably practical to do so for the purpose of accessing the Solar Easement Area and Line Easement Area. Consumers shall restore as reasonably as practicable all that portion of Owner's Land damaged by Consumers access to other areas of Owner's Land pursuant to this easement. Consumers shall have the right, but not the obligation, to improve for access purposes the Line and Access Easement depicted on Exhibit B-2 at its sole cost and expense.

Trees and Other Vegetation: Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Areas. Consumers shall also have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, or other vegetation located outside of the Easement Areas which are of such a height or are of such a species whose mature height could i) during any season obstruct or interfere with any direct sunlight, the terminus of which is the surface of the photovoltaic system, or ii) falling directly to the ground, come into contact with or land directly on or above the Facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, engineering works, installation or any other type of structure whether temporary or permanent, on the Solar Easement Area, the Line and Access Easement Area, and the Solar Protected Area, that in any way obstructs or interferes with any direct sunlight, the terminus of which is the surface of the photovoltaic system or obstructs or interferes with access to the Facilities located within the Easement Areas.

Ground Elevation: Owner shall not materially alter the ground elevation on Owner's Land in any manner that obstructs or interferes with any direct sunlight, the terminus of which is the surface of the photovoltaic system.

Taxes: Pursuant to this Easement, Consumers shall be responsible for all real and personal property taxes assessed against its improvements located within the Easement Areas.

Exercise of Easement: Subject to the abandonment paragraph below, Consumers' nonuse or limited use of this easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that Owner is the lawful fee simple owner of the aforesaid lands, and that Owner has the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever. Consumers Energy Company, a Michigan corporation, One Energy Plaza, Jackson, MI 49201 shall be the sole and unconditional owner of any energy collected or transformed, or any combination thereof, on the Easement Areas, and Consumers Energy Company, a Michigan corporation, One Energy Plaza, Jackson, MI 49201 shall have the absolute right to transmit and remove said energy from Owner's Land, including the Easement Areas, without any additional compensation whatsoever to Owner.

Maintenance and Security: Consumers shall manage, repair, and maintain the Facilities and the Solar Easement Area in good condition and repair. Consumers shall have the right to fence off and secure the Solar Easement Area and the Facilities not located on the Access Easements from public access and/or Owner's access. Consumers shall be solely responsible for any fencing and security of the Solar Easement Area and Facilities.

Abandonment: In the event Consumers shall abandon the Easement herein granted either (a) by determining in Consumers' sole discretion that it no longer desires to use the Easement Areas for the purposes for which it was granted, or (b) by continuous non-use of its facilities installed pursuant to this Easement for a period of two (2) consecutive years, then Consumers' shall remove its above grade Facilities to not less than three (3) feet below grade or as otherwise required by any applicable governmental authority from the Easement Areas and Owner's Land. Upon Owner's request and upon completion of the aforementioned removal of the Facilities, Consumers shall execute and deliver to Owner such instruments, in recordable form, as may be requested by Owner and necessary to evidence and confirm such abandonment of this Easement and the release of all Consumers' rights in and to the Easement Areas, which Consumers acquired pursuant to this Easement.

Compliance with Laws: Consumers shall comply with applicable laws, statutes, ordinances, rules and regulations regarding the installation and construction of its equipment and use of the Easement Areas, whether federal, state or local, now in force or which hereafter may be promulgated, provided, however, that nothing herein shall be construed as a waiver by Consumers of any of its existing or future rights under state or Federal law, and further provided that if at any time Consumers is found to be in non-compliance, Owner shall give Consumers a reasonable time to cure such non-compliance.

Exemption from Environmental Liability for Pre-Existing Contamination: Prior environmental investigations have determined that some or all of Owner's Land is a Part 201 Facility, with the presence of tetrachloroethylene in groundwater at concentrations exceeding Michigan Department of Environment, Great Lakes and Energy (EGLE) Generic Cleanup Criteria (GCC) for Drinking Water Criteria and tetrachloroethylene, fluoranthene, 2-methylnaphthalene, naphthalene, phenanthrene, pyrene benzo (a) anthracene, benzo (a) pyrene, benzo (b) fluoranthene and dibenzo (a,h) anthracene and arsenic in soils at concentrations exceeding EGLE GCC for Drinking Water Protection, Groundwater Surfacewater Interface Protection and/or Direct Contact. The Owner obtained its ownership through the tax foreclosure process and contends that it is exempt from environmental liability by virtue of ownership through the tax foreclosure process. Through an EGLE Brownfield Grant and Loan, the Owner will be conducting environmental response activities, including but not limited to removal of contaminated debris, asbestos abatement, and demolition of the remaining structures and appurtenances. The Owner will arrange through the EGLE Brownfield Grant and Loan for the preparation of a Baseline Environmental Assessment on behalf of and approved by Consumers as an operator within 45 days of Easement execution and filed with EGLE within 6 months of Easement execution. Owner will also arrange through grant funding for the preparation of a Due Care Plan on behalf of and approved by Consumers to outline any necessary measures to prevent exposure to or exacerbation of pre-existing contamination.

Environmental Release of Liability and Indemnification: Owner fully releases Consumers and agrees not to pursue any claims or causes of action against Consumers for Existing Environmental Conditions. Consumers shall comply with all requirements of the Due Care Plan in Consumer's use of all or any portion of Owner's Land. Any soils that are relocated for constructed improvements by Consumers on the Premises may be reused by Consumers on the Premises consistent with applicable federal, state, and local laws, rules or ordinances and the Due Care Plan. Any soils that are relocated from the Premises due to the presence of hazardous substances, materials, pollutants or contaminants for any purposes other than constructed improvements that are now or hereafter in any manner treated as such under any federal, state, or local law, rule, policy or guideline, will be removed, transported and disposed of by Owner at Owner's sole expense.

Insurance: Each Party shall maintain insurance in such amounts and covering such risks with respect to its business and interest in the Easement Areas as is usually carried by companies engaged in similar businesses and owning similar interests in property, either with reputable insurance companies or, in whole or in part, by establishing reserves or self-insurance, either alone or with other companies or associations.

Notices: All notices, demands and other communications to be given or delivered under or by reason of the provisions of this Easement Agreement shall be in writing and shall be deemed to have been given (i) if personally delivered, on the date of delivery, (ii) if delivered by overnight courier service of national standing for next day delivery (with charges prepaid), on the business day following the date of delivery to such courier service, (iii) if deposited in the United States mail, first-class postage prepaid, on the fifth business day following the date of such deposit, (iv) if delivered by e-mail (x) on the date of such transmission, if such transmission is completed at or prior to 5:00 p.m., local time of the recipient party, on the date of such transmission, and (y) on the next business day following the date of transmission, if such transmission is completed after 5:00 p.m., local time of the recipient party, on the date of such transmission. Notices, demands and communications to Owner and Consumers shall, unless another address is specified in writing pursuant to the provisions of this Agreement, be sent to the following address:

Notices to Consumers:

Consumers Energy Company
One Energy Plaza
Jackson, Michigan 49201
Attention: Real Estate Acquisition Manager
E-mail: brad.krabel@cmsenergy.com

Notices to Owner:

City of Cadillac
200 Lake Street
Cadillac, MI 49601
Attention: Marcus Peccia, City Manager
E-mail: mpeccia@cadillac-mi.net

with a copy to (which shall not constitute notice to Owner):

City of Cadillac
200 Lake Street
Cadillac, MI 49601
Attention: Sandra Wasson, Clerk

Either party may change the address set forth in this Section at any time by giving prior written notice to the other Party of such change as provided above.

Indemnity: To the extent permitted by Michigan law and without waiving its right to governmental immunity, Owner shall indemnify and hold harmless Consumers and its affiliates, officers, directors, employees, and representatives from and against all losses, liabilities, claims, demands, payments, actions, legal proceedings, recoveries, costs, expenses, fines, attorney fees, settlements, judgments, orders and decrees brought or recovered against, or incurred by Consumers by reason of (a) Owner's breach of any term, condition, or covenant contained in this Easement and (b) personal injury or property damage to the extent said injury or damage occurs on Owner's Land and is proximately caused by the negligent acts or willful misconduct of Owner, Owner's employees, Owner's invitees, or Owner's contractors or subcontractors. Nothing in this Section is intended to waive or shall have the effect of waiving Owner's right to governmental immunity. Consumers shall indemnify and hold harmless Owner and its affiliates, officers, directors, employees, and representatives from and against all losses, liabilities, claims, demands, payments, actions, legal proceedings, recoveries, costs, expenses, fines, attorney fees, settlements, judgments, orders and decrees brought or recovered against, or incurred by Owner by reason of (a) Consumers' breach of any term, condition, or covenant contained in this Easement and (b) personal injury or property damage to the extent said injury or damage occurs within the Easement Areas and is proximately caused by the negligent acts or willful misconduct of Consumers, Consumers' employees, Consumers' invitees, or Consumers' contractors or subcontractors. Owner further expressly agrees not to pursue any claims or causes of action against Consumers for Existing Environmental Conditions. "Existing Environmental Conditions" shall mean the presence in any media (including but not limited to soils, groundwater and surface water) as of the date of this Easement, of any hazardous substance, material, pollutant, or contaminant that is now or hereafter in any manner treated as such under any federal, state or local law, rule, ordinance, policy or guideline and any future migrations thereof.

Liens: Consumers shall keep Owner's Land free and clear of all construction liens, and other liens on account of work done for Consumers or persons claiming under it. If any construction lien or notice of a construction lien is filed against Owner's Land, Consumers shall promptly cause the same to be released, cause proper proceedings to be instituted to test the validity of the lien claimed, or provide security satisfactory to Owner.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Entire Agreement: The terms and conditions contained in this easement supersede all prior oral or written understandings between the parties and constitute the entire agreement between them concerning the subject matter of this easement. This easement shall not be modified or amended except by a written instrument signed by authorized representatives of the parties.

Governing Law: This easement agreement shall be governed by the laws of the State of Michigan.

SIGNATURE PAGE TO FOLLOW

Date: _____

Owner: CITY OF CADILLAC, a Michigan municipal corporation

By: Marcus Peccia
Its: Manager

By: Sandra Wasson
Its: Clerk

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,

on _____ by Marcus Peccia, City Manager and Sandra Wasson, City Clerk of the City of
Date

Cadillac, a Michigan municipal corporation, on behalf of the corporation.

Notary Public

Print Name

County, Michigan

Acting in _____ County

My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**

Ashley Johnson #205-1
Consumers Energy Company
330 Chestnut Street
Cadillac, MI 49601

Prepared By:
Cheryl A. Gillman 06/25/2020
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

REGISTER OF DEEDS OFFICE USE ONLY

Return recorded instrument to:
Carrie J. Main, EP7-287
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Land situated in the City of Cadillac, County of Wexford, State of Michigan:

A parcel of land in the Southwest 1/4, Section 33, Town 22 North, Range 9 West, described as:

Blocks 152, 153, 154, 156, except Lot 1 and except the North 85 feet of Lot 12, Block 156, Block 157 and the West 150 feet of Block 155, except the North 195 feet thereof and except the North 50 feet of the South 105 feet of the West 160 feet thereof, now abandoned Fourth Street; Fourth Avenue; Fifth Avenue between Blocks 152 thru 157, both inclusive, except the North 195 feet of Fourth Avenue between Blocks 155 and 156; now abandoned alleys in Block 156 and 157; except part of Blocks 157 and 152 and vacated alleys & vacated Fourth Street, described as beginning at the Northwest corner of Block 157; thence East 282.15 feet; thence South 328.65 feet; thence South 29 degrees 57 minutes 16 seconds West 80.06 feet; thence South 312.98 feet; thence North 73 degrees 30 minutes 48 seconds West 252 feet; thence North 640.59 feet to the point of beginning, Plat of the Improvement Board's Addition to the City of Cadillac; recorded in Liber 453, page 997, Wexford County Records.

Parcel ID Number: 10-068-00-001-00

EXHIBIT B - 1

Solar Easement Area

Land situated in the Southwest 1/4 of Section 33, Town 22 North, Range 9 West, City of Cadillac, County of Wexford, State of Michigan, described as:

Commencing at the West 1/4 corner of said Section 33; thence along the West line of said Section 33 and the centerline of Sixth Avenue (66 feet wide) South $00^{\circ}34'31''$ West, 1030.54 feet to the apparent intersection of said West Section line and the Northerly right-of-way line of the Ann Arbor Railroad extended; thence South $73^{\circ}07'50''$ East, 286.07 feet along the Northerly right-of-way line of the Ann Arbor Railroad to the POINT OF BEGINNING; thence North $01^{\circ}45'02''$ East, 312.82 feet; thence North $30^{\circ}24'15''$ East, 80.11 feet; thence South $01^{\circ}45'02''$ West, 171.07 feet; thence South $88^{\circ}34'52''$ East, 30.00 feet; thence South $01^{\circ}45'02''$ West, 40.00 feet; thence North $90^{\circ}00'00''$ East, 457.03 feet; thence South $00^{\circ}00'00''$ East, 186.68 feet to the Northerly right-of-way line of the Ann Arbor Railroad; thence 421.89 feet along the arc of a 620.05 foot radius circular curve to the right, with a central angle of $38^{\circ}59'07''$, having a chord which bears South $87^{\circ}22'36''$ West, 413.80 feet along said Northerly right-of-way line of the Ann Arbor Railroad; thence North $73^{\circ}07'50''$ West, 122.59 feet along said Northerly right-of-way line of the Ann Arbor Railroad to the POINT OF BEGINNING. Containing 2.77 acres of land, more or less. Being subject to any easements and/or restrictions of record, if any.

EXHIBIT B - 2

Line and Access Easement Area

Land situated in the Southwest 1/4 of Section 33, Town 22 North, Range 9 West, City of Cadillac, County of Wexford, State of Michigan, described as:

Commencing at the West 1/4 Corner of said Section 33; thence along the West line of said Section 33 and the Centerline of Sixth Avenue (66 feet wide) S00°34'31" W 1030.54 feet to the apparent intersection of said West Section line and the Northerly right-of-way line of the Ann Arbor Railroad extended; thence S73°07'50" E 286.07 feet along the Northerly right-of-way line of the Ann Arbor Railroad; thence N01°45'02" E 312.82 feet; thence N30°24'15" E 80.11 feet to the POINT OF BEGINNING; thence N00°24'59" W 329.00 to the South line of Fifth Street (66 feet wide); thence S89°15'57" E 35.01 feet along said South line of Fifth Street; thence S00°24'59" E 328.96 feet; thence S01°45'02" W 211.41 feet; thence N90°00'00" W 5.00 feet; thence N01°45'02" E 40.00 feet; thence N88°34'52" W 30.00 feet; thence N01°45'02" E 171.07 feet to the POINT OF BEGINNING. Containing 0.41 acres of land, more or less. Being subject to any easements and/or restrictions of record, if any.

EXHIBIT C

Solar Protected Area

Land situated in the Southwest 1/4 of Section 33, Town 22 North, Range 9 West, City of Cadillac, County of Wexford, State of Michigan, described as:

Commencing at the West 1/4 Corner of said Section 33; thence along the West line of said Section 33 and the Centerline of Sixth Avenue (66 feet wide) S00°34'31" W 1030.54 feet to the apparent intersection of said West Section line and the Northerly right-of-way line of the Ann Arbor Railroad extended; thence S 73°07'50" E 408.66 feet along the Northerly right-of-way line of the Ann Arbor Railroad; thence 421.89 feet along the arc of a 620.05 foot radius circular curve to the left, with a central angle of 38°59'07", having a chord which bears N 87°22'36" E 413.80 feet along said Northerly right-of-way line of the Ann Arbor Railroad to the POINT OF BEGINNING; thence N 00°00'00" E 186.68 feet; thence S 60°00'00" E 184.02 feet; thence 186.06 feet along the arc of a 620.05 foot radius non-tangential circular curve to the right, with a central angle of 17°11'36", having a chord which bears S 59°17'15" W 185.37 feet along said Northerly right-of-way line of the Ann Arbor Railroad to the POINT OF BEGINNING. Containing 0.36 acres of land, more or less. Being subject to any easements and/or restrictions of record, if any.

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

NOTICE OF PROPOSED ORDINANCE AND PUBLIC HEARING

The City of Cadillac hereby gives notice of proposed Ordinance No. 2020-____, Ordinance to Approve Granting Easement to Consumer Energy Company for a Solar Energy Farm.

NOTICE IS HEREBY GIVEN that a Public Hearing on the proposed ordinance will be held in the Council Chambers, Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan, on August 17, 2020, at 6:00 p.m., at a meeting of the City Council. The City of Cadillac complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact Sandra Wasson, City Clerk, at least three (3) business days prior to any such meeting. Copies of the proposed ordinance are available for examination at the office of the City Clerk and copies may be provided at a reasonable charge. The following is a summary of the proposed ordinance.

ORDINANCE TO APPROVE GRANTING OF AN EASEMENT TO CONSUMERS ENERGY COMPANY FOR A SOLAR ENERGY FARM

Section 1 of the Ordinance approves the granting of an easement to Consumers Power Company on a portion of real property owned by the City of approximately 2.5 acres of vacant land, located at the former Mitchell Bentley facility, at 514 Wright Street, City of Cadillac, for a solar energy farm, as provided in a Solar Garden Host Agreement, dated March 8, 2019, between the City and Consumers Energy Company.

Section 2 of the proposed ordinance authorizes the Mayor and City Clerk to execute the easement agreement with Consumers Energy Company and any and all documents necessary relating thereto, and to make minor changes thereto as may be necessary or appropriate.

Section 3 of the proposed Ordinance directs the City Clerk to record a copy of the Ordinance with the Wexford County Register of Deeds and to send a copy to the State Treasurer.

Section 4 of the proposed Ordinance provides that other ordinances inconsistent with the provisions of the Ordinance are repealed but only to the extent necessary to give the Ordinance full force and effect.

Section 5 of the proposed Ordinance provides that it will take effect 20 days after adoption and publication.

CITY COUNCIL OF THE
CITY OF CADILLAC, MICHIGAN

By: Sandra Wasson, City Clerk

Cadillac Municipal Complex
200 North Lake Street
Cadillac, Michigan 49601
Telephone No: (231) 775-0181

July 20, 2020

Council Communication

Re: Approval of a Resolution Designating a Social District and Defining a Commons Area.

The COVID-19 pandemic and its related business shutdowns and limited re-openings has caused an enormous hardship for downtown restaurants and businesses in Cadillac to operate on an effective and profitable basis. One of the optimal ways to assist these businesses is to create a social district to open public spaces such as sidewalks, plazas, and parks for outdoor dining. This action allows them to make up seating which was lost in interior spaces and allow for appropriate social distancing.

The city has determined that a need does exist for a social district and has received a request from a downtown restaurant to have increased outdoor dining. The city wishes to allow businesses within a social district designated by the city to expand business operations outdoors into a regulated commons area and onto property owned and/or operate by the city within that district and commons area. Section 551 of Act 58 of the Public Acts of Michigan of 1998, as amended ("Section 551") provides the authority for the city council on its own initiative to designate one or more social districts within the city wherein purchasers of alcoholic liquor may consume alcohol purchased on the premises of a qualified licensee within a city-defined commons area.

The Resolution Designating a Social District and Defining a Commons area is the action being proposed to assist with expanding outdoor dining and other business operations. This resolution will create a social district and a commons area within the social district within which outdoor dining may occur. This resolution further requires the city manager to develop a management plan for this commons area that will address operational issues and require that a permit be issued.

The resolution also provides for the Social District and Commons Area to be revoked by motion or resolution of the City Council if it is determined that they threaten the health, safety, or welfare of the public or have become a nuisance.

Recommended Action

To approve the RESOLUTION DESIGNATING A SOCIAL DISTRICT AND DEFINING A COMMONS AREA.

City Council

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



Mayor

Carla J. Filkins

Mayor Pro-Tem

Tiyi Schippers

Councilmembers

Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. _____

RESOLUTION DESIGNATING A SOCIAL DISTRICT AND DEFINING A COMMONS AREA

**CADILLAC PLAZA SOCIAL DISTRICT NO. 1
PLAZA COMMONS**

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 _____ day of _____, 2020, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City recognizes that the recent public health emergency caused by the COVID-19 global pandemic has caused the shut down of certain non-essential businesses for varying amounts of time, and when open, other social distancing recommendations and requirements have resulted in reduced occupancies that have impacted City businesses and the citizens employed by them; and

WHEREAS, the City has determined there exists a need for a social district and a commons area in the City to foster and strengthen the local economy which has been impacted by the reduced occupancies that social distancing requirements and

recommendations have imposed upon local businesses; and

WHEREAS, in order to alleviate the negative impact social distancing requirements and recommendations have had on local businesses, the City wishes to allow businesses within a social district designated by the City to expand business operations outdoors into a regulated commons area and onto property owned and/or operated by the City within that district and commons area; and

WHEREAS, Section 551 of Act 58 of the Public Acts of Michigan of 1998, as amended ("Section 551"), provides that the City Council may, on its own initiative, designate one or more social districts within the City wherein purchasers of alcoholic liquor may consume alcohol purchased on the premises of a qualified licensee within a City-defined commons area; and

WHEREAS, the City wishes to designate property in the City as a social district; and

WHEREAS, the City wishes to define a commons area within the social district where qualified licensees pursuant to Section 551 and other city businesses may extend business operations after obtaining a permit from the City; and

WHEREAS, the public health, safety and welfare will be served by designating a social district and commons area as described above in the City.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Council hereby designates a social district known as the "Cadillac Plaza Social District No. 1" (the "Plaza Social District") consisting of certain parcels of land, the depiction of which is set forth in the attached **Exhibit A**, and which depiction is incorporated by reference. The City shall not close a road within this district without the permission of the governing road authority.

2. The City Council hereby defines a commons area within the Plaza Social District (the "Plaza Commons") consisting of certain public property and rights of way, the boundaries of which are set forth in the attached **Exhibit B**, and which depiction is incorporated by reference.

3. The City Council hereby adopts the logo attached as **Exhibit C**, as the unique logo for the Plaza Commons and the city manager is hereby directed to cause signs bearing this logo to be erected that clearly mark and define the Plaza Commons.

4. The city manager is hereby directed to establish a management and maintenance plan for the Plaza Social District and the Plaza Commons, that at a minimum, includes the following:

- a. Hours of operation, for the Plaza Commons;
- b. A provision that states that no business may sell any goods or services, nor operate, conduct, maintain or manage any such business within any common area defined by the City without, in addition to the license or permit required under the City of Cadillac Code, a social district permit issued by the City.
- c. A provision that qualified licensees, as that term is defined in Section 551, shall not engage in the sale of alcohol within the commons area, unless otherwise permitted by the City, and the Michigan Liquor Control Commission.
- d. A requirement that business who obtain a social district permit from the City operate in compliance with any and all applicable state and local orders related to COVID-19, including social distancing, party size limitations, masking, etc.;
- e. Area and location limitations;

- f. Spacing limitations for tables, chairs and the like;
- g. Separation from parking and vehicular traffic;
- h. Provision for litter and waste;
- i. Continued access to any fire hydrants and Fire Department connections;
- j. Insurance requirements.

5. The city manager is hereby directed to develop and promulgate an application for a social district permit that contemplates the management and maintenance plan set forth in paragraph 4 of this Resolution and to establish procedures for the completion and submission of the same to the city manager or his designee for consideration and approval. The permit application at a minimum shall include all of the following:

- a. A copy of the business's tier 1, 2 or 3 business license as required by City of Cadillac Code.
- b. The social district and common area defined and designated by the City within which the business intends to operate.
- c. If the business is engaged in the sale of alcohol, a copy of the business's liquor license issued pursuant to 1998 PA 58 (Michigan Liquor Control Code, MCL 4361101 et seq.).
- d. If the business is engaged in the sale of alcohol, a copy of its application for a social district permit to the State of Michigan Liquor Control Commission ("Commission") for approval by the City before the application is submitted to the Commission.
- e. A statement that approval of the applicant's application to the Commission does not constitute approval by the City of the applicant's request for a social district

permit from the City. Final approval by the City of a social district permit shall not be approved until the applicant's application to the Commission is approved. Approval by the Commission does not constitute approval by the City. Approval of a social district permit issued by the City is within the City's discretion notwithstanding any approval by the Commission. Revocation by the Commission of a social district permit issued by the Commission constitutes automatic revocation of a social district permit issued by the City, without appeal as otherwise provided by the Cadillac City Code. The issuance of a social district permit to an applicant does not create a vested right in the operation of the business in a commons area. The City may revoke a social district permit within its discretion at anytime.

- f. If the business is engaged in the sale of alcohol, a description and visual depiction of each container it intends to use in the commons area defined by the City within the social district designated by the City, and which displays and/or demonstrates all of the following:
 1. The trade name or logo or some other mark that is unique to the applicant business.
 2. The City adopted logo that is unique to the commons area within which the business intends to operate.
 3. The container is not glass.
 4. The container has a liquid capacity that does not exceed 16 ounces.
 5. Such other information the city manager deems reasonably necessary to determine whether the requirements of Cadillac City Code and the social

district management and maintenance plan have been met.

g. The fee required by this Resolution, or duly adopted fee ordinance of the City.

6. There shall be a non-refundable fee in the amount of \$250, or as otherwise set by a duly adopted fee ordinance of the City, that must accompany the application for a social district permit.

7. A social district permit that is issued by the City shall be renewed annually. Social district permit renewal applications shall be submitted annually in the manner prescribed by this Resolution and on an application form approved by the city. Renewal applications shall, at a minimum, require the applicant to confirm or update all of the information originally required by this Resolution, including its application to the State of Michigan Liquor Control Commission. The city clerk may request from the applicant any additional information reasonably necessary to determine whether there has been a significant change in business operations.

8. Social district permits shall be subject to the requirements of Article II, Chapter 10 of the Cadillac City Code, that are generally applicable to all permits issued by the City.

9. Cadillac Plaza Social District and Plaza Commons designated and defined by this Resolution may be revoked by motion or resolution by the City Council without public hearing upon the City Council's determination in its sole discretion that the Cadillac Plaza Social District and/or the Plaza Commons threatens the health, safety, or welfare of the public or has become a public nuisance.

10. 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 ___th day of_____, 2020, at 6:00 p.m.

Sandra Wasson, City Clerk

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

**DESIGNATION OF LAND TO BE INCLUDED WITHIN
CADILLAC PLAZA DISTRICT NO. 1**



EXHIBIT B

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

DEFINITION OF BOUNDARY OF PLAZA COMMONS



EXHIBIT C

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

DEPICTION OF PLAZA COMMONS LOGO



WEXFORD COUNTY AIRPORT AUTHORITY

MINUTES

Meeting of Wednesday January 8, 2020

1. Meeting was called to order at 6:01 PM by Hill.
Present: Hill, King, Barron, Paul, and Holder
Absent: Paquin
Also, present: Manager Bob Johnson
Lucinda Rathbun (record minutes)
2. Introduction of Guests: Brian Potter, Wexford County
3. Public Comments: None
4. Additions or Deletions to the Agenda:
 - 4 a. Election of Officers for One Year Terms

MOTION by King to nominate Ray Hill for President. Supported by Holder. All in Favor.
Motion carried.

MOTION by Paul to nominate Karl Holder for Treasurer Supported by King. All in Favor.
Motion carried.

MOTION by Paul to nominate Joseph Barron for Secretary. Supported by Holder. All in Favor.
Motion carried.

Discussed Committee Appointments. Hill to determine assignments.

MOTION by Holder to eliminate By-Law Committee with option to re-instate it at a later time.
Supported by King. All in Favor. Motion carried.

5. Approval of December 2019 Meeting Minutes:

MOTION by Holder to approve December 2019 minutes. Supported by Barron. All in Favor.
Motion carried.

6. Treasurer's Report

Check Register presented.

Holder will present 2020 budget after getting all the bills recorded.

Audit is scheduled for 2/2/2020 thru 2/7/2020.

Checks reordered. Check 19551 was not printed so will not be a used check number.

MOTION by King to accept Treasurer's Report as reported and discussed. 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

Obtained new computer for office. In the process of being set up.

9. Manager's Report

Submitted report that detailed costs associated with the Michigan Airport Conference held in Lansing at the Kellogg Center that he would like to attend this February. The cost will be \$436.00 plus mileage and meal costs.

Prein A Newhof looking into The Mounds at the end of runway 7.

Orange stripe has been painted in the Lobby.

MOTION by Holder to allow Manager Johnson to attend the conference in February at a cost of \$436.00 plus mileage and meal allowance. Supported by Paul. All in Favor.
Motion carried.

10. New Business

- a. Order the new John Deere tractor

MOTION by Holder to order new tractor so that we stay on schedule with agreement. Supported by Barron. All in Favor.
Motion carried.

- b. Make changes to the Purchasing Policy

Prior Purchasing Policy from 2005 submitted for review.

Holder would like board members to review the standing policy. Purchase limits need to be reviewed that allow Manager Johnson to make purchases timely.

Tabled to February 2020 meeting.

11. Old Business None

12. Public Comment None

13. Board Member Comments

King would like to see both bathrooms updated. Refer to Facilities Committee for review. King said he would be willing to help install what is needed.

Paul would like to get board packet before meeting as it doesn't give enough time to review information. One week in advance would be nice if possible.

COMMENT: Manager Johnson and Treasurer Holder will coordinate to submit packet when they email the Agenda.

Holder wished everyone Happy New Year.

14. Next Meeting date is February 12, 2020 at 6:00 PM

15. Adjournment

MOTION by Paul to adjourn at 6:45 PM. Supported by King. All in Favor.
Motion carried.

Prepared by Lucinda Rathbun

A handwritten signature in cursive script that reads "Lucinda Rathbun". The signature is written in dark ink and is positioned below the printed name.

WEXFORD COUNTY AIRPORT AUTHORITY

MINUTES

Meeting of Wednesday February 12, 2020

1. Meeting was called to order at 6:04 PM by Hill.
Present: Hill, Jim Clements, King, Paul and Holder
Absent: Barron
Also, present: Manager Bob Johnson
Lucinda Rathbun (record minutes)
2. Introduction of Guests: Welcome new board member, Jim Clements.
Brian Potter, Wexford County Commissioner
3. Public Comment: None
4. Additions or Deletions to the Agenda:
Old Business 11 b. After Hour Fuel Sales
New Business 10 b. Karen's Accounting Training
5. Approval of January 2020 Meeting Minutes:

MOTION by Holder to approve January 2020 minutes.

Supported by Paul. All in Favor. Motion carried.

6. Treasurer's Report:

Treasurer Holder stated that we are just over \$2,000 under budget last year. Audit went well and Auditors indicated best they have seen in a few years. Auditors advised of a few things that need improvement which they are being reviewed by Treasurer Holder. Invoicing of prepaid rental incomes needs to be addressed. Paul stated that the numbering of the checks is off by three numbers.

Action: Holder to investigate and document findings.

Karen, Office Manager, is trying to learn accounting procedures and has applied to an online class.

MOTION by King to accept Treasurer's Report.

Supported by Clements. All in Favor. Motion carried.

7. Committee Reports

- a. Finance Committee-did not meet
- b. Personnel Committee-Hill has been substituting on this committee

Barron has moved to the County and he is City appointed.

Commissioner Potter stated that County HR Committee meeting 2/25/20; so, anyone interested in applying needs to submit letter of interest before then.

Manger Johnson has proceeded with employee evaluations and Personnel Committee to review Johnson. Procedure for employee evaluations was discussed. Procedures for employee reviews was clarified and Personnel Committee will meet again Monday 2/17/2020 at 9 AM to clarify and address concerns.

Action Item: Personnel Committee Meeting Monday 2/17/2020 at 9 AM

c. Facilities Committee-did not meet

8. President's Report- Temporary Committee Assignments

Personnel: King-Chairman

Paul

Open

Facilities: Hill-Chairman

Holder

Open

Finance: Holder-Chairman

King

Barron

Committee Assignments to be changed with new member(s).

Action: Chairman Hill to check status of Barron participation on Board.

9. Manager's Report

Written report submitted.

Estimate of \$1,893.64 for updating the restrooms.

Work has been done in the Lobby.

Fuel sales for January significantly lower than January 2019 due to bad weather.

Discussion about bathroom remodel. This improvement is part of the proposed plan with the State.

Need for Facilities Committee to meet to discuss bathroom remodel.

Action: Facilities Chairman to schedule meeting.

10. New Business

a. To Replace the toilets in the bathroom

Tabled until Facilities Committee meets.

b. Karen, Office Manager, Accounting Fundamentals Class

Discussion about value of Office Manager continuing education. She has enrolled in an online Accounting Class costing \$150.00.

MOTION by Paul that once Karen, Office Manager, completes the online Accounting class, she can present a certificate of completion to get reimbursed for her course.

Supported by King. All in Favor. Motion Carried.

11. Old Business

- a. make changes to the Purchasing Policy

Tabled until Finance Committee meets.

Discussion about job descriptions. Handbook needs to be brought up to date per recommendation from the Audit.

- b. After Hour fuel sales

Billing associated with the after-hour fuel sales needs to be reviewed. Handbook does not agree with fee schedule. Matter to be addressed by Personnel Committee.

Action: Manager Johnson to gather background about After Hour Fuel Sales fee schedule.

12.. Public Comment

Brian Potter, Wexford County Commissioner, offered Board meeting etiquette about personnel issues. He advised that Board Chair person should address personnel issues with employees following the Handbook policy. Employee evaluations should be in closed session only as it is not public information.

13. Board Member Comments

Clements stated that following policy is great as that he has background in that; he agrees with Brian's comments and willing to be on any committee where he can help.

King believes Board is off to a good start this year and thanks to Holder for getting a handle on the numbers and the budget and he is doing a great job. King thanks all the Board Members for all they do.

Paul agrees that what Holder has done takes a lot of work and he thanks him.

Holder welcomes new member Clements and is looking forward to working with him. Holder recognizes Clements knowledge and experience which will be an asset to this Board. Holder will not be at the next meeting. Holder appreciates everyone's support while trying to get a handle on the Treasurer's duties.

Hill believes Board is making progress but has a way to go. Things are looking better then the past two years. Hill appreciates everyone coming to meetings and for all the work they do.

14. Next Meeting date is March 11, 2020 at 6:00 PM

15. Adjournment

MOTION by King to adjourn at 6:59 PM. Supported by Holder. All in Favor. Motion carried.

Prepared by Lucinda Rathbun



Corrected
WEXFORD COUNTY AIRPORT AUTHORITY

MINUTES

Meeting of Wednesday March 11, 2020

1. Meeting was called to order at 6:00 PM by Hill.

Present: Hill, Clements, King, Dave Mackey and Paul.

Absent: Holder and **Barron**

Corrected by motion from May 2020 Meeting Minutes

Also present: Manager Bob Johnson

Lucinda Rathbun (record minutes)

2. Introduction of Guests: Steve Witherspoon, Brian Potter representing Wexford County and Derek DeRuiter

3. Public Comment:

Steve Witherspoon thanks the airport for having the snow & ice cleaned up so everything is ready for him. He appreciates that the runway is always plowed.

4. Additions or Deletions to the Agenda:

10 a Staff Handbook.

10 b Northwoods Aviation

5. Approval of February 2020 minutes.

MOTION by Paul to approve February 2020 minutes.

Supported by King. All in Favor. Motion carried.

6. Treasurer's Report

Holder absent. Written statement submitted explaining the three missing checks from the January 2020 register. The missing checks were 1/10/2020 payroll checks not entered into QuickBooks. Board will get clarification from Holder at next meeting. Paul recommends that a different party from the office personnel addresses any missing checks in the future and then reports back to the Board.

7. Committee Reports

a. Finance Committee-did not meet

b. Personnel Committee-met twice and written minutes submitted by Paul

King reported that Paul fine tuned the handbook with help from Clements. Made some corrections to clarify the after-hour fuel sales that the auditors recommended.

MOTION by Paul to go with the proposed call-in and stand-by pay in the proposed revised Staff Handbook. Supported by Mackey.

Discussion. Committee and the manager recognized for the research needed to made the clarification.
All in Favor. Motion carried.

Vacation Time compensation was discussed following recommendation from Personnel Committee. The first year of employment is anniversary to anniversary then vacation is on calendar year.

MOTION by Paul to change vacation time for full and part time employees per the proposed revised handbook. Supported by King. All in Favor. Motion carried.

Action item: Manager Johnson going to check with Clark from Cadillac Accounting how to calculate the appropriate vacation time and how it is done.

c. Facilities Committee-did not meet

8. President's Report-Defer to Manager's Report

9. Manager's Report

Written report submitted.

In July MDOT will be flying a drone over the approaches. It will be on Google Earth 3-D. It will show us the objects in the way of the approaches that will need to be removed.

Oscoda Airbase will be launching satellites into space in year 2022.

The FAA says technology is changing faster that they can keep up.

There are new grants available for anyone interested in aviation careers. Manager has the information for anyone interested. Mackey has students possibly interested.

Action item: Manger to get information to Mackey about new grants that are available.

Jim and Ray did a good job hooking up the new computer.

The John Deere needs repair. Written estimate from AIS is based upon our opinion of the needed repairs. Bader & Sons came to do an estimate so waiting for that estimate.

10. New Business

a. Staff Handbook

addressed during Personnel Committee Report

Paul would like to take revised proposed Handbook to County and City for their review.

MOTION by Paul to accept the proposed revised Staff Handbook as written.

Supported by Clements.

Discussion

All in Favor. Motion carried.

b. Northwoods Aviation

Paul presented detailed written research report regarding Northwoods Aviation being interested in managing and operating this airport. The report contains synopsis from other airports that use FBO (Fixed Base Operator) and those that do not.

MOTION by Paul that the President directs the 3 committees to research this possibility, determine if it is in the best interest of our airport and report back at the next WCAA meeting.

Supported by King.

Discussion.

Action item: Paul to contact the airports with FBO contracts to possibly obtain a copy.

All in Favor. Motion carried.

11. Old Business

a. Replace Toilets

King volunteered to help replace the 3 toilets.

MOTION by Mackey to change the 3 toilets with ADA compliant toilets at approximately \$600.

Supported by Paul. All in Favor. Motion carried.

12.. Public Comment-Derek DeRuiter introduced himself detailing his education and experience. He expressed his interest and openness for any discussion with willingness to talk with anybody who has questions.

13. Board Member Comments

Clements-effort on the Staff Handbook was done well with everyone working well together. Clements welcomes Mackey to the board and excited about integrating with CTC to increase airport visibility. Believes managed services an option if cost effective.

King-welcomed Dave Mackey to the board. King said Paul did a great job on the Staff Handbook and Jim's input valuable.

Mackey-thanks for inviting him as he loves to give to his community and has a passion for aviation. Mackey believes there is opportunity with CTC.

Paul-Personnel Committee is great and Paul thanks King and Clements. A lot was accomplished and there is still a way to go. Paul believes Mackey is a real asset with his interest and connections with young people. Paul is interested in working with Young Eagles.

Ray-Civil Airport Search & Rescue was successful for kids and adults. 6 aircrafts and around 90 people. It was a big job but it got done.

14. Next Meeting date is April 8, 2020 at 7 PM

15. Adjournment

MOTION by King to adjourn at 7:30 PM. Supported by Paul. All in Favor. Motion carried.

Prepared by Lucinda Rathbun

WEXFORD COUNTY AIRPORT AUTHORITY

MINUTES

Meeting of Wednesday May 27, 2020

Meeting was called to order at 5:00 PM by Chairman Hill.

Present: Chairman Hill, Paul, King, Barron, Holder, Mackey and Clements

Also present: Manager Bob Johnson

Lucinda Rathbun (record minutes)

AUDIT BY BAIRD COTTER & BISHOP

Lauren from Baird Cotter Bishop (BCB) was unable to attend meeting.

Discussion of Audit performed by BCB.

Paul noted that the letter accompanying the prepared Audit indicated audit year ending December 31, 2018 but it was as of December 31, 2019.

Paul referred to Auditor's Report page vii which indicated concerns with budget amendments. Apparently BCB did not get the budget amendments.

Paul referred to Financial Statements page 25. Again, indicating problems with budget amendments and the reporting of the Grants which was addressed in Financial Statements page 28. Paul stated that budget amendments were made yet it does not reflect those changes.

Paul stated that the Airport has a long-term lease yet on page 22 of Financial Statements, it states the leases are all annual or month to month. This has been addressed at previous meetings.

Action item: Locate the lease agreements and get information to BCB

AIRPORT MANAGER POSITION

Paul presented prepared minutes from Personnel Committee Meeting held 5/14/2020

Letter of acceptance of Manager Bob Johnson's resignation effective June 1, 2020 needs to be prepared. Bob Keith and Bob Johnson will be working 24 hours a week each and Karen will be working 30 hours a week. Airport Coverage schedule presented. Airport hours are covered through October while actively searching for new manager.

Safe Operation Certification was discussed. Mackey stated that CTC has a training program. Paul explained what he learned from City of Cadillac and the Road Commission about their certification program. Safe practice program needs to be in place as that is best for the Airport.

Action Item: Mackey with speak with the owner of the training program used at CTC to see if Airport could use their system for certification of Airport employees.

Paul presented written report detailing arrangements other airports have with their FBO/Manager. Impression is that Derek DeRuiter will not be perusing possible FBO/Manager of Airport.

Job Description for Airport Manager has been done.

MOTION by Mackey to Accept Bob Johnson's letter of resignation dated 5/6/2020 effective June 1, 2020. Support by King. All in Favor. Motion carried.

Discussion about manager duties, airport needs, process for recruitment of Airport Manager and facility maintenance needs.

MOTION by Holder that Personnel Committee spend no more then \$1,000 to run ads for the Airport Manager. Support by Mackey. All in Favor. Motion Carried.

Hoping for prospects by June 17, 2020 for a targeted special meeting June 24, 2020 at 6:00 PM

More discussion about Manager Position.

Public Comments by Bob Keith, Airport employee.

Motion by Holder withdrawn.

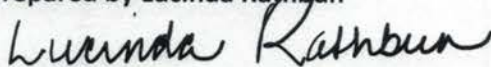
MOTION by Holder WCAA , effective June 15, 2020, can spend no more than \$2,000 per month through September 15, 2020 for the position of Airport Manager billed at \$14.50 per hour. Support by King. All in Favor. Motion Carried.

Report by Chairman Hill regarding CARES Act. Airport is eligible for \$30,000 in funds. Hill advised that he and Manger have been working on the application process.

Hill does have letters from parties against FBO/Manger proposal and are available for viewing.

MOTION by Mackey to adjourn at 6:53PM. Supported by Clements. All in Favor. Motion Carried.

prepared by Lucinda Rathbun



Next meeting June 10th, 2020 at 6:00 PM

[illegible]



**MEETING MINUTES
THE CADILLAC HISTORIC DISTRICTS COMMISSION (HDC)
OCTOBER 14, 2019**

An official meeting was held on October 14, 2019 at the Cadillac Administrative Offices, 200 N. Lake Street, Cadillac, MI.

Roll Call

The meeting started at 5:04

Commission Members Present: Iehl, Dubravec, Snider, and Carder

Absent: Engels

Staff Present: Coy

Approval of the October 14, 2019 Meeting Agenda

A motion was made by Dubravec supported by Snider to approve the agenda. It was passed with unanimous support.

Public Comments

None

Approval of the previous three Meeting Minutes

A motion was made by Iehl with support by Snider to approve the meeting minutes from;
October 18, 2018

April 30, 2019 and

September 11, 2019

The motion passed with a unanimous vote.

New Business –

a) Work application-

An application was submitted by Clorinda Starlin who lives at 419 East Cass Street to have an accessory storage shed assembled in her rear yard to keep her deck furniture, lawnmower, and yard tools stored.

Coy using the overhead screens showed pictures of the exterior of the home from the front and pictures of her rear yard including one of the neighbor's flat roof vinyl sided detached garage. Coy showed a picture of the proposed storage shed she wishes to purchase and explained that it will not be a large one.

The home was built in 1886 and is a contributing structure within our Courthouse Hill Historic District according to the State of Michigan survey. Coy spoke and said the home's vinyl siding was replaced in 2015 when her son lived in the home. This commission

approved the replacement of vinyl siding with new vinyl siding but did not approve the covering of the crown molding under the soffits with vinyl.

Ms. Starlin spoke and explained that the shed would be assembled on site. She also mentioned that she would like to replace the columns supporting the roof over the front porch with round columns more closely resembling what was original. There was brief discussion and Snider recommended the shed's roof be of dark shaded shingles, not the metal roof in the picture.

A motion was made by Dubravec with support by Iehl to allow the applicant to have the pictured storage shed assembled in her rear yard and ask the supplier to cover the roof with dark shingles. The motion passed with unanimous support.

b) Work application-

An application was submitted by Robb Munger owner of the Cobbs Mitchell Building at 100 E. Chapin Street to have metal awnings installed over the two entryways on the south side of the building.

Coy using overhead screens showed pictures of the two entryway doors on the south side of the building. He explained that the need for awnings over the entryway are a tenant driven request. There was discussion and the proposed metal awning was not something the commissioners felt fit the character of the building and should not be used. There was discussion about how a dome shaped awning with a dark black fabric would be more fitting and aesthetically pleasing. It was also added that PVC supports should not be used.

A motion was made by Snider with support from Iehl to Table a decision on this application until a different styled awning more in line with the discussion could be looked at by the commission. The motion passed with unanimous support. The commission added that they are open to a special meeting to expedite an approval for Mr. Munger.

Old Business – None

Tabled Items –

Informational Items –

Commissioner Comments –

It was brought up that the drip line off the roof on the north side of the Cobbs Mitchell Building is allowing water to seep into areas under the soffit that will eventually damage the masonry.

Also mentioned is the need for additional repair and replacement of the brick pavers on both Shelby and Simon Streets.

Adjourn – The meeting adjourned at 5:44 pm,



**SPECIAL MEETING MINUTES
THE CADILLAC HISTORIC DISTRICTS COMMISSION (HDC)
OCTOBER 28, 2019**

An official meeting was held on October 28, 2019 at the Cadillac Administrative Offices, 200 N. Lake Street, Cadillac, MI.

Roll Call

The meeting started at 5:10

Commission Members Present: Engels, Dubravec, Snider, and Carder

Absent: Iehl

Staff Present: Coy

Approval of the October 28, 2019 Meeting Agenda

A motion was made by Dubravec supported by Snider to approve the agenda. It was passed with unanimous support.

Public Comments- None

New Business – None

Old Business – None

Tabled Items –

a) **Work application-**

At the October 18, 2019 meeting an application was submitted by Robb Munger owner of the Cobbs Mitchell Building at 100 E. Chapin Street to have metal awnings installed over the two entryways on the south side of the building. The metal awnings were not approved and the HDC tabled a decision to give Mr. Munger time to come back with an awning type that would be more acceptable. The request for awnings over the south entrance doors is tenant driven.

Coy using overhead screens showed pictures of the two entryway doors on the south side of the building. Mr. Munger who was out-of-state at the time participated via speaker phone set up in Council Chambers. There was discussion about different types of fabric dome shaped awnings. The west entry door opening is 48 inches wide and the door opening on the east door is 39 inches. Both doors are 36 inches wide. A plaque near the top of the west door makes sizing the drop of this awning more difficult than the east door.

A motion was made by Dubravec with support from Snider to allow for black fabric dome shaped awnings over the two south entryway doors. The motion passed with unanimous support.

Commissioner Comments –

Coy brought up to Mr. Munger a previous discussion the HDC had at the October 14th meeting about the drip line off the roof on the north side of the Cobbs Mitchell Building. It appears to allow water to seep into areas under the soffit that may eventually damage the masonry.

Adjourn – The meeting adjourned at 5:25 pm,