



City Council Meeting

November 15, 2021

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



November 15, 2021 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We support each other in serving our community

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

- A. Minutes from the regular meeting held on October 18, 2021.
Support Document III-A

IV. COMMUNICATIONS

- A. Friends of the Library
Support Document IV-A

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V. APPOINTMENTS

- A. Recommendation regarding appointment to the Local Development Finance Authority.
Support Document V-A
- B. Recommendation regarding reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.
Support Document V-B
- C. Recommendation regarding appointment to the Elected Officials Compensation Commission.
Support Document V-C
- D. Election of Mayor Pro Tem.
Support Document V-D

VI. CITY MANAGER'S REPORT

- A. Recommendation regarding Phone System.
Support Document VI-A
- B. Set public hearing regarding Amendment to Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park.
Support Document VI-B
- C. Recommendation regarding Wellhead Protection Grant 21/22.
Support Document VI-C
- D. Recommendation regarding Nonunion Employee Benefits Schedule.
Support Document VI-D

VII. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding Local Governmental Unit Approval for Social District Permit for Roasted Café LLC.
Support Document VII-A
- B. Adopt Resolution to Introduce an Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishment and set a public hearing for December 6, 2021.
Support Document VII-B
- C. Adopt Resolution to Introduce an Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities and set a public hearing for December 6, 2021.
Support Document VII-C

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- D. Adopt Resolution of Support Endorsing the Plan of the Cadillac Area Visitors Bureau MDNR Trail Town Designation Application.
Support Document VII-D

VIII. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

- A. Historic Districts Commission
Support Document VIII-A
- B. Planning Commission
Support Document VIII-B
- C. Zoning Board of Appeals
Support Document VIII-C

IX. PUBLIC COMMENTS

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

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

October 18, 2021

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Schippers, Engels, King, Mayor Filkins
Council Absent: None
Staff Present: Peccia, Roberts, Ottjepka, Dietlin, Gabis, Wasson

APPROVAL OF AGENDA

2021-197 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

Bill Barnett commented on the Stimson Street construction project. He distributed a picture and requested the beveled cement in his mother's driveway be repaired.

Matt Reinertson noted he is running for City Council and wished his opponent good luck.

CONSENT AGENDA

2021-198 Approve consent agenda as presented.

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

Motion unanimously approved.

PUBLIC HEARING

- A. Public hearing to consider adoption of Ordinance to Approve Transfer of Real Property (Well Property).

Peccia stated per the contract between the City and the co-generation plant the City is to transfer the wellfield property back prior to expiration of the contract, which is October 31, 2021. He noted the Local Development Finance Authority (LDFA) has unanimously approved the transfer of the property. He stated transfer of the property per the agreement is also being recommended by the Utilities Department and City staff.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

2021-199 Adopt Ordinance 2021-14.

Motion was made by Schippers and supported by Elenbaas to approve the Resolution to Adopt Ordinance to Approve Transfer of Real Property (Well Property).

Motion unanimously approved.

COMMUNICATIONS

A. Holiday Lighted Garland

2021-200 Approve display of Holiday Lighted Garland.

Motion was made by Schippers and supported by Engels to approve the display of the Holiday Lighted Garland from November 22, 2021 to January 3, 2022.

Motion unanimously approved.

B. Chamber of Commerce – Downtown Trick or Treat

2021-201 Approve street closure for Chamber of Commerce event.

Motion was made by Elenbaas and supported by King to approve the closure of Lake St. between Harris St. and Cass St. from 5:00 pm to 8:00 pm on October 27, 2021 for the Chamber of Commerce Downtown Trick or Treat/Movie in the Park event.

Motion unanimously approved.

C. Friends of the Library

2021-202 Approve banner for Friends of the Library.

Motion was made by Schippers and supported by Elenbaas to approve the display of a banner from October 18, 2021 to October 25, 2021 for National Friends of the Library Week.

Motion unanimously approved.

APPOINTMENTS

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

2021-203 Approve reappointment to the Zoning Board of Appeals.

Motion was made by Elenbaas and supported by Engels to approve the reappointment of Troy Knight to the Zoning Board of Appeals for a 3-year term to expire on October 18, 2024.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Bids and recommendation regarding Upgrade/Replacement of HVAC Systems – 120 W. Chapin St. (EGLE Building).

Peccia noted the building is currently rented to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) under a lease that runs through 2037. He stated the building is over 25 years old and the mechanical systems need to be upgraded. He noted the cooling system has been experiencing regular failures throughout the summer of 2021. He stated City staff consulted a mechanical engineering firm, Nealis Engineering, to perform an analysis of the systems and they recommended a project to replace these systems. He noted bids were received and the recommendation is to award the project to the lowest bidder, Top Notch Heating, Cooling, and Geothermal in accordance with their bid. He stated it is also being recommended that a 10% contingency be authorized for unexpected scope changes to the project. He noted funds are available in the Building Authority Operating Fund which is funded through lease revenues from the State of Michigan.

2021-204 Award contract for HVAC Upgrade Project.

Motion was made by Elenbaas and supported by Engels to award the contract for the HVAC Upgrade Project for the City-owned facility at 120 W. Chapin St. to Top Notch Heating, Cooling, and Geothermal in accordance with their bid and to approve a 10% contingency for unexpected scope changes to the project.

Motion unanimously approved.

B. Recommendation regarding Purchase of BolaWrap Restraint Devices.

Peccia noted the Police Department has researched a new device, BolaWrap, that would provide another less-than-lethal option for officers to use in challenging situations. He stated the device will temporarily restrain someone providing police with the opportunity to place them into handcuffs. He noted there is only one regional dealer that sells the units which is the reason for the request to waive competitive bidding. He stated the recommendation is to award the purchase of the BolaWrap Systems to Vance's Law Enforcement in the amount of \$16,272.50.

Elenbaas asked if the request is for 13 units, one for each officer.

Peccia stated that is correct.

Elenbaas asked if the units are reusable.

Adam Ottjepka, Director of Public Safety, stated they require a cartridge that fits in the front of the unit and the cartridges are replaceable at a cost of approximately \$30 each.

Peccia noted these units are currently being carried by Wexford County officers.

Ottjepka noted some of the Cadillac Police Officers have already been trained as BolaWrap instructors.

Schippers stated she believes this is a wonderful alternative to a taser or any other pain-inflicting restraint.

2021-205 Waive competitive bidding regarding BolaWrap Restraint Devices.

Motion was made by Elenbaas and supported by Schippers to waive competitive bidding due to only sole source available to acquire the BolaWrap units.

Motion unanimously approved.

2021-206 Award purchase of BolaWrap Systems.

Motion was made by Elenbaas and supported by Schippers to award the purchase of the BolaWrap Systems to Vance's Law Enforcement in the amount of \$16,272.50.

Motion unanimously approved.

C. Purchase and Installation of Police Patrol Vehicle Emergency Equipment.

Peccia stated the third vehicle that was ordered is now expected to be received in November, and it is being recommended the same vendor be utilized for the purchase and installation emergency equipment. He noted the original bid was \$16,705 and the updated quote for the third vehicle is \$16,503.

2021-207 Award purchase and installation of Police Patrol Vehicle Emergency Equipment.

Motion was made by Schippers and supported by Elenbaas to award the purchase and installation of Police Patrol Vehicle Emergency Equipment to Pro Comm, Inc.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt the Resolution for Local Government Approval for a Liquor License for Roasted Café LLC.

Peccia stated the City will soon have a new coffee house in the downtown area and the request is to add a redevelopment liquor license to the operation.

Nick Piedmont, Roasted Café LLC, stated the business will be located at 115 N. Mitchell Street. He noted they have approximately 2700 sq. ft. of mercantile space with a maximum occupancy of 67 people. He stated they expect to hire 12 employees and the hours of operation will be 8:00 am to 6:00 pm six (6) days a week. He noted they will serve light fare breakfast and lunch items and appetizers around happy hour. He stated control mechanisms will be put in place for the liquor inventory. He noted they plan to have craft cocktails, a few local beers on tap, and a few local wines. He stated all beer, wine, and liquor will be sourced from regional breweries, wineries, and distilleries. He noted they expect to open in approximately 6-8 weeks. He stated they feel it will be a complimentary business to the mix of businesses in the DDA.

2021-208 Adopt the Resolution for Local Government Approval for a Liquor License for Roasted Café LLC.

Motion was made by Schippers and supported by Elenbaas to adopt the Resolution for Local Government Approval for a Liquor License for Roasted Café LLC.

Motion unanimously approved.

- B. Adopt Resolution of Support for Completion of Paving the White Pine Trail from Big Rapids to Sand Lake.

Peccia stated he was informed by Paul Griffith that there is approximately 29 miles of the White Pine Trail that is not paved between Big Rapids and Sand Lake. He noted Mr. Griffith was reaching out to all communities that have any component of the trail within their community asking for a Resolution of Support that could be provided to Lansing to help the organization secure potential funding in the future to have the remaining segment paved.

Elenbaas mentioned the City will not be providing any financial resources.

2021-209 Adopt Resolution of Support for Completion of Paving the White Pine Trail from Big Rapids to Sand Lake.

Motion was made by Elenbaas and supported by King to adopt the Resolution of Support for Completion of Paving the White Pine Trail from Big Rapids to Sand Lake.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

- A. Cadillac West Corridor Improvement Authority

PUBLIC COMMENTS

Don Koshmider made various comments related to the COVID-19 pandemic.

GOOD OF THE ORDER

Schippers stated the Cadillac Mayor's Youth Council will be meeting at 4:00 pm on Tuesday, October 19, 2021.

Peccia noted all of the images and concerns related to the Stimson Street project have been provided to engineering. He noted we are always willing to keep an open line of communication with the residents.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

Date: November 15, 2021

Council Communication

Re: Friends of the Library

Introduction

The Friends of the Library are asking to place yard type signs in the City Right-Of-Way for the days that they have scheduled to have their book sales in 2022. The next one is scheduled for January 27th through January 29, 2022 (see attached). These three-day events benefit the library and reading programs the Friends of the Library sponsor. Included in the Friends of the Library temporary Sign Permit application is additional information describing their request. Staff has told representatives for the Friends of the Library that council approval is not needed for signs placed on library property if the signs meet the dimensional standards in the ordinance.

The locations the group is requesting are;

1. Placement on the Cadillac Wexford Public Library (CWPL) lawn near the corner of Lake Street and the library monument sign.
2. Placement near the city parking lot, which is by the CWPL parking lot (on the parking lot side of the sidewalk).
3. Placement for two signs that will be located on the street side of the sidewalk in front of the CWPL. These signs will not be near the driveway where they could obstruct the view of drivers entering or leaving the library.
4. One yellow sandwich board sign placed on the lawn of Horizon Bank on South Mitchell Street (on the bank side of the sidewalk).

The signs will read as shown in the attached pages with their sign permit application.

LIBRARY USED BOOK SALE

Requested Council Action

Consider granting permission for the Friends of the Library to place temporary signs at the locations listed above during the hours of the sale on the dates shown in the schedule provided. Additionally allow administrative staff the flexibility to approve changes in dates for Friends of the Library book sales if requested.



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

SIGN PERMIT APPLICATION/PERMIT

Invoice # 0000464

Office Use Only Permit # PS-31-21 Date 10-26-2021
Zoning District B-1 Fee (CIRCLE ONE) Permanent \$20.00
Temporary \$10.00
Approved By _____

Applicant's Name Vicki Long Phone [REDACTED]
Address 411 S Lake Street

Site Address _____ Bus. Name _____

Property Owner's Name Friends of the Cadillac Library
Address 411 S Lake St.

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

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

Setback(s) _____

For Wall Signs: Weight _____ Building Height _____ Width _____

SHOW SIGN COPY, AN ATTACHED CONCEPT OR SKETCH IS PREFERRED

<u>see attached</u>	H	--	
	E	--	18'
	I	--	
	G	--	14'
	H	--	
	T	--	10'
		--	6'
		--	2'
TOTAL DISPLAY AREA _____		DIMENSIONS: HGT _____ WIDTH _____	

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

APPLICANT'S SIGNATURE X Vicki Long DATE 10/25/2021

Friends of the Library Book Sale Schedule for 2022 (Used Books Sales will be held if Covid restrictions allow).

January 27 – January 29, 2022

April 28 – April 30, 2022

July 14 – 16, 2022

October 6 – October 8, 2022

Friends of the Library Book Sale Signs

Two Sided Yellow Signs: 42" x 25

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



Friends of the Library Book Sale Signs

Two White Sandwich Board Signs: 38" x 24

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



Friends of the Library Book Sale Signs

One Yellow Sandwich Board Signs: 41" x 24

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



November 15, 2021

COUNCIL COMMUNICATION

Re: Appointment of Caitlyn Berard to a Four-Year Term on the Local Development Finance Authority (LDFA) Board.

Caitlyn Berard has expressed interest in serving on the Local Development Finance Authority (LDFA) Board. Caitlyn Berard currently is with the Cadillac Area Chamber of Commerce and serves as the admin to the Cadillac Industrial fund.

Requested Council Action:

Motion to appoint Caitlyn Berard a four-year term on the Local Development Finance Authority (LDFA), which will end on 11/15/25.

To which committee, board or commission are you seeking appointment? Local Development Finance Authority

Caitlyn M Berard

[REDACTED]

Cadillac MI 49601

[REDACTED]

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

I have participated and chaired the Southwest Michigan Prosperity Initiative Community Development Committee in Kalamazoo while serving in Albion. I have served in the capacity of leadership staff to two public boards and reported to a variety of others within those roles as reporting and sharing of resources and information.

I am currently a serving member of the UpJohn Institute Regional Advisory Committee, MEDA Education and Advocacy Committee, West Corridor Improvement Authority and Rotary International personally. Within my role at the Chamber, I serve as a voting member of the Northern Michigan Chamber Alliance and advisory of the Cadillac Area Industrial Group, Cadillac Downtown Fund, and Cadillac Industrial Fund.

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

Within my role with the Cadillac Area Chamber of Commerce, I serve as admin to the Cadillac Industrial fund in which serves to improve the properties within the industrial park and serve as an infrastructure partner in these areas.

I have obtained an undergraduate degree in Business Organizations with a concentration in the Carl A. Gerstaker Institute of Business and Management and the Gerald R. Ford Institute for Leadership in Public Policy and Service. I interned for the Calhoun County Land Bank Authority where I set up property evaluations and assigned partners for needed infrastructure improvements of the sites. I obtained my Masters in Urban Planning and Development from Wayne State University, with my thesis on *Industrial Tax Abatements in Rural Communities in Michigan*, in 2015. I have worked as the Economic Development Coordinator for the Albion Economic Development Corporation, in which I was responsible for reporting of industrial park projects and property information packets for industrial properties including the utility and infrastructure capability of each site. As Executive Director of the Manistee Downtown

Development Authority, I was responsible for the rework and reapproval of the TIF and Development Plan for the district.

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

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

I am interested in the City of Cadillac Local Development Finance Authority to invest and represent improvement of the groundwater treatment facility with the intent of investment of infrastructure in the VanderJagt Industrial Park. I have experience with project management of infrastructure in industrial parks from my time in Albion and studied groundwater and stormwater management operations at Wayne State. Since the beginning of this committee, an immense amount of improvement has been made to the water in the area, and I am interested in supporting these continued efforts to invest back into the spaces that are critical for improvement of employment and workforce environment in our area.

Personal: Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest. Potentially

If you, please indicate potential conflicts: I currently serve a locally invested organization, the Cadillac Area Chamber of Commerce. I am aware and will publicly state when my involvement will be limited if I believe a conflict of interest will arise.

Are you aware of the time commitment necessary to serve on the committee, board and/or commission to which you seek appointment, and will you have such time? YES

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

MEDC Redevelopment Ready Committees - November 2019
IEDC Real Estate Development and Reuse Course - March 2019
IEDC Economic Development Basic Course - September 2018

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

Signature *Caitlyn M Berard* Date 10/20/2021

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

Mail or return your completed application to: Marcus Peccia, City Manager
City of Cadillac
200 N Lake St
Cadillac MI 49601

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

Caitlyn M Berard

Cell: [REDACTED]

Objective

To obtain a professional volunteer opportunity in Cadillac, MI. that expands my knowledge and experience in community, economic and business growth.

Core Qualifications

- Managerial: leadership, negotiation, conflict mediations, stakeholder communications, scheduling, operational development, team motivation, problem solving, energetic
- Project Management: inspires and motivates others, communicates efficiently with confidentiality, negotiations and manages with honesty even in difficult conversations
- Technical: Quickbooks, Microsoft Suite, Arc GIS, Cloud based (iCloud, Google Drive, Dropbox etc.)
- Trainings: State of Michigan Real Estate Course, Course trainings for Certified Economic Development Certification such as the Economic Development Basic Course and IEDC Real Estate Development and Reuse Course

Major Accomplishments

- Currently serving as an active Rotary member, serving member of the West Corridor Improvement Authority, MEDA Education and Advocacy Committee and UpJohn Institute Regional Advisory Committee
- Currently a student of the Business Solutions Professionals (BSP) certification and Institute of Organizational Management (IOM) certification
- Leadership Participant in the Manistee Area Chamber of Commerce Program (2019-2020) and Cadillac Area Chamber of Commerce Program (2020-2021)
- Manistee DDA and TIF Plan rewrite of the amendments and management of the adoption process
- 2018 Master's Thesis: Industrial Development Districts - How IDD's Support Industrial Development Objectives in Michigan Communities
- Two-year participant in Slight Leadership Program in Detroit (2013, 2015)

Relevant Work Experience

Cadillac Area Chamber of Commerce (CACC), Cadillac MI
President

June 2020- Current
December 2020-current

- liaison for the CACC Full Board and Executive Committee
- liaison for the Cadillac Industrial Fund, advisory for Cadillac Area Industrial Group, and Cadillac Downtown Fund.
- liaison for the MOU with the Alliance for Economic Success
- active member of the Michigan Association of Chamber Professionals including monitorator of the legislative panel for the 2021 MACP conference

Director of Membership Services

June 2020-December 2020

- membership representative and liaison for chamber initiatives and activities
- facilitate in membership retention calls, visits and attendance at industry meetings

Manistee Downtown Development Authority, Manistee MI
Executive Director

June 2019 - June 2020

- Office Management including Operations for the Revolving Loan Program, Facade Grant, Liquor License Assistance, Event Coordinator, Downtown Dollars, Amendment of

Caitlyn M Berard

Cadillac MI 49601

Development and TIF plan, responsible for board packets, board reporting, communication, management of board contracts, improving organizational processes, and outsourcing strategies, manages TIF budget, etc.

- Increase public relations through board and staff visibility in the community, communication transparency, communication confidentiality
- Managed Design Committee Initiatives for 2019-2020 including Placemaking and Gateway Initiatives, Riverwalk Capital Improvements Plan, Downtown Maintenance Management and Operations
- Managed Business Development Committee Initiatives for 2019-2020 including host meetings, attend local merchant meetings, business retention visits, host and organize SBDC counseling sessions and presentations, host the local entrepreneurship competition.

Albion Economic Development Corporation (AEDC), Albion MI

April 2018 - June 2019

Economic Development Coordinator

- Attraction, retention and growth of businesses through Property Information Packets, Business Resource Summits, Employer Resource Summits, business retention visits
- Workforce development through job fairs and creation of partner projects with local resources
- Management of job creation development Projects
- Business Incubator Administration
- Economic Development Funding Opportunities
- City of Albion representative for Project Rising Tide (June 2018-December 2018)
- Training for Community Development Coordinator, Office Manager, AmeriCorps VISTA volunteer

Calhoun County, Marshall, MI

Fall 2013-Spring 2014

Intern, Treasurer Department, Land Bank

- Travel to parcels to inform owners or renters about their up-coming foreclosure
- Record data and comments through BS&A from parcel visits
- Attend board meeting discussing neighborhood stability and policy creation
- Researched and recorded Land Bank properties and the qualifications of potential buyers for future land reuse
- Wrote reports on future land reuse and the potential positive outcomes within the Calhoun County Area

Education

Wayne State University, Detroit MI

Graduation: December 2018

Masters in Urban Planning and Development

Emphasis on Housing and Community Development

Albion College, Albion, MI

Graduation: December 2015

Bachelor of Arts in Business and Organizations

Carl A. Gerstacker Institute for Business and Management

Gerald R. Ford Institute for Leadership in Public Policy and Service

Emphasis on Business and Public Policy with an interest in promoting business in urban areas.

**Other Work Experience Available Upon Request*

November 15, 2021

COUNCIL COMMUNICATION

Re: Reappointment of David Bunce to a Three-Year Term on the City of Cadillac/Clam Lake Joint Planning Commission.

David Bunce has expressed his interest in continuing to serve on the City of Cadillac/Clam Lake Joint Planning Commission for a three-year term.

Requested Council Action:

Motion to reappoint David Bunce to a three-year term on the City of Cadillac/Clam Lake Joint Planning Commission, which will end on 11/15/2024.

November 15, 2021

COUNCIL COMMUNICATION

Re: Appointment of Daniel Alto to the Elected Officials Compensation Commission

Daniel Alto has expressed interest in being appointed to the Elected Officials Compensation Commission to fill the remainder of the unexpired term of Robert Gammons.

Recommended Council Action:

Motion to appoint Daniel Alto to the Elected Officials Compensation Commission for a partial term to expire on 6/15/25.



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

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

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

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

Please print or type:

Name Daniel Keith Alto Address [REDACTED]

Telephone: Home _____ Business/cell [REDACTED]

E-mail [REDACTED] Date available for appointment Available immediately

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

Community Service

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

I have served previously on the:

- United Way Board of Directors, (1 year as President)
- Cadillac Area YMCA Board of Directors
- Cadillac Area Chamber of Commerce Leadership
- Cadillac Country Club Board of Directors (Entering 3rd year as president & 7-years on the Board)

Employment and Education

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

- Formerly employed as a Commercial Business Officer at Chemical Bank

Have you ever worked for the City of Cadillac? ☐ Yes ☒ No

If yes, please list dates and names of departments.

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

- I wish to serve on the Elected Officials Compensation Committee because I think it is imperative that we properly compensate our elected officials

Personal

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

If yes, please indicate potential conflicts.

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

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

- Past Board experiences have allowed me to review the salary structure of different organizations, which will enable me to fulfill this position and serve accordingly, & my time with Chemical Bank gives me the experience necessary to understand what is needed for businesses to succeed, and that knowledge would also be valuable in this capacity. Additionally, in my time serving with the United Way, YMCA and the Country Club, I have had to help make compensation decisions based on a multitude of factors, which would help qualify me to fulfill this appointment.

- I hold two Bachelor's Degrees from Central Michigan University; one is in Commercial Recreation & Management, and the other is in Education.

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

Signature _____ Date _____

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

Mail or return your completed application to: Marcus Peccia, City Manager
City of Cadillac
200 N. Lake St.
Cadillac MI 49601

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

November 15, 2021

Council Communication

Re: Election of Mayor Pro Tem

Article 3, Section 3.9 (a) of the City Charter states the following:

The Council at its first meeting after the regular city election shall elect one of its members to serve as Mayor Pro Tem for a term to coincide with the Mayor's two year term of office. Such election shall be by written ballot and by majority vote of the members of the Council in office at the time.

In accordance with this Charter provision, the City Clerk will distribute blank pieces of paper to each Council Member to serve as a ballot for the purposes of writing the name of the Council Member that they wish to select as Mayor Pro Tem. The City Clerk will collect the ballots, tally, and then read aloud the results.

November 15, 2021

Council Communication

Re: Phone System

On Friday, November 5, City staff were notified that our current voicemail system would stop working on or about November 14, 2021. The City had received no advanced warning that this would take place, and the vendor used for the phone system acknowledged that they had completely failed to communicate with the City regarding this upcoming end-of-life issue that is a major component of our twenty-year old phone system.

Consequently, staff have been working very hard over the last several days to analyze available options, contact vendors, and secure quotes for a solution. As part of this analysis, it was determined that the optimal approach would be to scrap the City's obsolete phone and voicemail system that was purchased in 2002 and is past its useful life, and move to an internet-based hosted phone system instead of purchasing hardware to install on-site. This is a completely modern system, requires no up-front investment in equipment by the City, and eliminates the future need to continuously upgrade phone system infrastructure and hardware in our facilities.

In addition to the efficiency and stability gains achieved by not having onsite, premise-based hardware, there is significant operational efficiencies gained by this upgrade. All City facilities that house any staff will be included in the new system. These facilities will be integrated into the core service and so calls can be forwarded to any extension as if they were in the same building. This also eliminates any need for separate systems and answering services at any City facility.

The City reached out to three vendors. The current vendor provided a proposal, and two Michigan-based companies that were recommended by the City's IT contractor that have many clients in the region were also contacted for a proposal. Proposals came in as follows:

Hosted Solution		TelNet	Anavon	Ascom (Current)
Recurring Costs				
Per User (including Voicemail)	(3)	14.39	19.89	14.75
Estimated number of users		65.00	65.00	65.00
Monthly Cost		935.35	1,040.00	958.75
Phone Lease/Purchase		3.00	4.42	6.37
	(1)	30.00	55.00	55.00
		90.00	242.92	350.35
Estimated Monthly Recurring Cost		1,025.35	1,282.92	1,309.10

Current Phone Line only costs
*(these costs will be eliminated by
moving to IP-based hosted solution.*

814.60

One-Time Costs

Installation/Setup/Training	(2)	0.00	5,100.00	3,331.50
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- (1) 25 free phones with TelNet
- (2) Free training and installation with TelNet
- (3) Anavon has a somewhat different pricing model, but number should reflect monthly recurring costs required for this system.

There were several differences in the structure of the proposals received, and two of the vendors required some upfront costs for installation, implementation, and training. The recommended vendor, TelNet Worldwide, provided significant savings due to a current promotion providing 25 free phones, free installation and implementation, and free initial training. In addition, this vendor provides free professional studio recording of auto attendant and other menu greetings.

Unfortunately, due to the situation that the City was placed in by receiving essentially no advanced notice of the forced obsolescence of the current voicemail system, taking the time to develop an RFP, advertise for competitive bidding, and allow for the standard window of 14-30 days for competitive bids to be open was not feasible. However, a significant effort was made to secure several quotes to ensure that competitive pricing could be analyzed. As the product is installed and implemented, total initial monthly costs may vary somewhat from the final proposal as certain services may be added and/or removed as necessary.

Recommended Action:

It is recommended that competitive bidding be waived and a 5-year contract for hosted phone and voicemail services be awarded to TelNet Worldwide of Madison Heights, Michigan in accordance with their proposal. It is also recommended that Owen Roberts, Director of Finance, be authorized to sign all documentation required by TelNet Worldwide to provide the services.

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 PUBLIC HEARING REGARDING AMENDMENT TO
DEVELOPMENT AND TAX INCREMENT FINANCING PLAN FOR THE
HARRY VANDERJAGT INDUSTRIAL PARK**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Council Chambers, Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan, on December 20, 2021, at 6:00 p.m., at a meeting of the City Council regarding the adoption of an amendment to the City's Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park (the "Plan"). The amendment would extend the duration of the Plan from December 30, 2021 to December 30, 2023.

The amendment to the Plan will affect property in the City identified as the Harry Vanderjagt Industrial Park.

A copy of the Plan and amendment to the Plan, along with any maps, are available for public inspection at the office of the City Clerk and copies may be provided at a reasonable charge. All aspects of the amendment to the Plan are open for discussion at the public hearing.

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

CITY COUNCIL OF THE
CITY OF CADILLAC, MICHIGAN

By: Sandra Wasson, City Clerk
Cadillac Municipal Complex
200 N. Lake Street
Cadillac, Michigan 49601
Telephone No: (231) 775-0181

November 15, 2021

Council Communication

Re: Wellhead protection grant 21/22

The City of Cadillac recently received through the Michigan Department of Environment, Great Lakes, and Energy (EGLE) a Wellhead Protection Grant for the 21/22 budget year. The Grant has a cap of \$14,500 and requires a 50% match by the City, with the remaining 50% of the costs reimbursable by the grant.

The City historically has worked with Fleis and Vandenbrink (F&V) on wellhead protection matters, including services related to the last round of EGLE grant funding. F&V completed the wellhead protection work for the Crosby Well Field site and are currently in the middle of the 44th Road Well Field site wellhead protection plan.

The net cost to the City for the services performed by F&V related to this grant will be under the administrative spending limit of \$7,500. However, total project costs will be equal to the full grant amount and therefore the authorization for F&V to provide the services related to the grant must be awarded through the City Council.

Note: *This same information was presented in August 2020 and unanimously approved by Council for the 2020/2021 fiscal year but there were no grant funds available last fiscal year so the program did not take place. It is being recommended that this same approval be made for the current year and grant funds have been received for this year. Funds have been awarded for the year.*

Recommended Action:

It is recommended that Jeff Dietlin, Director of Utilities, be authorized to sign the grant documentation on behalf of the City of Cadillac. In addition, because of the historical knowledge based on prior wellhead protection work provided to the City, it is recommended that the City Council waive competitive bidding and appoint Fleis and Vandenbrink to administer the Wellhead Protection Grant. Total project costs will be \$14,500 with 50% of the costs reimbursed by the grant. Funds for this project are available in the FY2022 budget in the Water and Sewer Fund.

November 15, 2021

Council Communication

Re: Nonunion Employee Benefits Schedule

It is being proposed that two sections of the nonunion employee benefits policy be amended as follows, both of which aid in staff retention and recruitment:

Holiday Schedule

The list of holidays in the nonunion benefits schedule has remained the same for the last ten-years and was last amended to change a ½ day holiday on Good Friday to a full day off for a Spring Holiday. It is proposed to add President's Day to the holiday schedule. Cadillac schools have this day off and this will assist employees with school aged children.

Longevity Bonus Schedule

The schedule of payments that nonunion employees are eligible for based on years of service to the City has not been adjusted for many years. In fact, documentation going back approximately twenty-years reflects no changes to the levels of payment in this time. In looking at other communities' schedules, there really is no standard. Some communities removed their schedules entirely and provided employees a one-time increase in compensation. Another example is a longevity payment based on a percentage of pay that adjusts as you reach certain milestones. Ultimately, the goal of a longevity program is to incentivize staff to remain with the organization, therefore the payment is larger the longer an employee stays.

For reference, the current policy reads as follows:

Section 3.3 Longevity Bonus (Current)

- (a) All regular employees will receive a longevity bonus each year based on the Longevity Bonus schedule.
- (b) October 1 of each year shall be the date from which longevity bonuses shall be determined. Bonuses will be paid on or before November 15 of each year and will be paid by check separate from regular salary.

LONGEVITY BONUS SCHEDULE

<u>Years Completed</u>	<u>Amount</u>
3-5	\$255.00
6-8	\$335.00
9-11	\$440.00
12-14	\$525.00
15-17	\$640.00
18-25	\$755.00
26-29	\$870.00
30 Plus	\$1000.00

Rather than the current scale of payments, it is proposed that the longevity section be rewritten as follows. This proposal both enhances and simplifies the program by providing a longevity payment equal to \$100 per year of service.

Section 3.3 Longevity Bonus (Proposed)

Commencing after the completion of one full year of service, all regular employees will receive a longevity bonus equal to \$100.00 for each year of service. October 1 shall be the date from which longevity bonuses shall be determined. Bonuses will be paid on or before November 15 of each year and will be paid separate from regular salary. An employee who is eligible for longevity pay and separates employment shall receive longevity pay on a prorated basis.

Recommended Action:

It is recommended that the amendments to the Nonunion Employee Benefits Schedule be approved as presented above.



Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (name of city, township, or village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from _____
(name of licensee - if a corporation or limited liability company, please state the company name)

for a **Social District Permit** is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____
(regular or special) (date) (name of city, township, or village)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

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 TO INTRODUCE AN ORDINANCE TO AMEND SECTION 10-2 OF
THE CADILLAC CITY CODE RELATING TO RECREATIONAL MARIHUANA
ESTABLISHMENTS**

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 15th day November 2021, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City is authorized under the Home Rule City Act, MCL 117.1 *et seq.*
and Michigan Taxation and Regulation of Marihuana Act, MCL 333.27951 *et seq.*, to adopt and
enforce regulations governing recreational marihuana within the City; and

WHEREAS, the City has adopted regulations governing recreational marihuana within
the City under Section 10-2 of the City of Cadillac Code of Ordinances; and

WHEREAS, the City wishes to amend Section 10-2 of the City Code to eliminate
marihuana license caps for certain establishments, eliminate stacking restrictions for recreational
marihuana growers in industrial zones, and allow equivalent licenses to be operated in the same
location to the extent permitted by state law; and

WHEREAS, Section 5.2 of the City Charter requires the City to hold a public hearing
prior to final adoption of said ordinance and publish notice once at least five (5) days prior to the

public hearing.

WHEREAS, the City wishes to hold a public hearing and consider adopting the Ordinance at its December 6, 2021 City Council meeting.

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

1. Pursuant to Section 5.2 of the Charter, the City introduces an Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments (the "Ordinance," attached as Exhibit A).

2. A public hearing regarding the Ordinance shall be held on December 6, 2021, at 6:00 p.m. in the Council Chambers, Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan.

3. The City Clerk is directed to publish a summary of the Ordinance once in a newspaper of general circulation in the City, together with a notice setting the time and place for a public hearing on the Ordinance, within seven (7) days. The summary and notice of the hearing shall be substantially the form of **Exhibit B**.

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. ____, duly adopted at a regular meeting of the City Council held on the 15th day of November 2021.

Sandra Wasson
Cadillac City Clerk

EXHIBIT A

ORDINANCE NO. 2021-____

**AN ORDINANCE TO AMEND SECTION 10-2 OF THE CADILLAC CITY CODE
RELATING TO RECREATIONAL MARIHUANA ESTABLISHMENTS**

Section 1. Amendment of Section 10.2-01. Section 10.2-01, “Definitions,” is amended to add the following definition as new subsection (d), with the subsequent definitions to be renumbered accordingly.

(d) *Equivalent license* means any of the following held by a single licensee:

1. A marihuana grower license, of any class, issued under the MMFLA and a grower license, of any class, issued under MRTMA.
2. A marihuana processor license issued under the MMFLA and a processor license issued under MRTMA.
3. A marihuana provisioning center license issued under the MMFLA and a retailer license issued under MRTMA.
4. A marihuana secure transporter license issued under the MMFLA and a secure transporter license issued under MRTMA.
5. A marihuana safety compliance facility license issued under the MMFLA and a safety compliance facility license issued under MRTMA.

Section 2. Amendment of Section 10.2-02(b). Section 10.2-02(b) of Chapter 10 of the Cadillac City Code is hereby amended as follows:

(b) *Number of establishments eligible for authorization.* The following numbers of marihuana establishments may be authorized to operate in the city, subject to this chapter:

- (1) ~~Not more than one~~ **Unlimited for** growers operating under Class A licenses;
- (2) ~~Not more than one~~ **Unlimited for** growers operating under Class B licenses;
- (3) ~~Not more than one~~ **Unlimited for** growers operating under Class C licenses;
- (4) Not more than two retailers;
- (5) ~~Not more than one~~ **Unlimited for** processors;
- (6) ~~Not more than one~~ **Unlimited for** secure transporters;
- (7) ~~Not more than one~~ **Unlimited for** safety compliance establishments;
- (8) Not more than one microbusiness;

- (9) Zero designated consumption establishments (prohibited in the city);
- (10) Zero excess marihuana growers (prohibited in the city); and
- (11) Zero temporary marihuana events (prohibited in the city).

Section 3. Amendment of Section 10.2-02(c). Section 10.2-02(c) of Chapter 10 of the Cadillac City Code is hereby amended as follows:

(c) *Co-location, ~~and~~ stacked licenses, and equivalent licenses.*

(1) Co-location. Co-located facilities are permitted in the City, subject to this subsection and to the extent permitted by state law. On a property with co-location, each licensed facility counts as a separate facility. Each licensed facility must operate within its own distinct and identifiable area on the property, and each licensed facility must have a separate entrance and exit, separate inventory, separate record keeping, and separate point of sale operations (if applicable). Each licensed facility must meet all other requirements of this Ordinance and the City Zoning Ordinance. A separate application is required for each proposed licensed facility on a site with co-location. A medical marihuana facility may be co-located with a recreational marihuana establishment, subject to this subsection.

(2) Stacked grower licenses are prohibited in the city, **except for facilities in the Light Industrial (I-1) and General Industrial (I-2) districts.**

(3) **Equivalent Licenses.** Equivalent licenses may be operated at the same location within the City, subject to this Chapter and to the extent permitted by state law.

a. When a licensee holds equivalent licenses for a single property, each facility or establishment counts as a separate facility or establishment under this Chapter.

b. Each licensed facility or establishment must meet all other requirements of this Ordinance, the City Code, and the City Zoning Ordinance. A separate application, application fee, and annual fee are required for each proposed licensed facility or establishment with equivalent licenses.

Section 4. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 20 days after its adoption.

EXHIBIT B

NOTICE OF PROPOSED ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on December 6, 2021, at 6:00 p.m., at a Meeting of the City Council, to consider the adoption of Ordinance No. 2021-__, an Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments. 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.

Section 1 amends Section 10.2-01 to define “equivalent licenses.”

Section 2 amends Section 10.2-02(b) of the City Code to remove the licensure cap for recreational marihuana growers, processors, secure transporters, and safety compliance establishments.

Section 3 amends Section 10.2-02(c) to authorize stacked grower licenses industrial zones and allow equivalent licenses to be operated in the same location.

Section 4 provides the publication requirements and effective date of the ordinance.

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 TO INTRODUCE AN ORDINANCE TO AMEND SECTION 10-3 OF
THE CADILLAC CITY CODE RELATING TO MEDICAL MARIHUANA FACILITIES**

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 15th day November 2021, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City is authorized under the Home Rule City Act, MCL 117.1 *et seq.*
and Medical Marihuana Facilities Licensing Act, MCL 333.27101 *et seq.* to adopt and enforce
regulations governing medical marihuana within the City; and

WHEREAS, the City has adopted regulations governing medical marihuana within the
City under Section 10-3 of the City of Cadillac Code of Ordinances; and

WHEREAS, the City wishes to amend Section 10-3 of the City Code to eliminate
marihuana license caps for facilities other than provisioning centers, eliminate stacking
restrictions for medical marihuana growers in industrial zones, and allow equivalent licenses to
be operated in the same location to the extent permitted by state law; and

WHEREAS, Section 5.2 of the City Charter requires the City to hold a public hearing
prior to final adoption of said ordinance and publish notice once at least five (5) days prior to the

public hearing.

WHEREAS, the City wishes to hold a public hearing and consider adopting the Ordinance at its December 6, 2021 City Council meeting.

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

1. Pursuant to Section 5.2 of the Charter, the City introduces an Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities (the "Ordinance," attached as Exhibit A).

2. A public hearing regarding the Ordinance shall be held on December 6, 2021, at 6:00 p.m. in the Council Chambers, Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan.

3. The City Clerk is directed to publish a summary of the Ordinance once in a newspaper of general circulation in the City, together with a notice setting the time and place for a public hearing on the Ordinance, within seven (7) days. The summary and notice of the hearing shall be substantially the form of **Exhibit B**.

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. ____, duly adopted at a regular meeting of the City Council held on the 15th day of November 2021.

Sandra Wasson
Cadillac City Clerk

EXHIBIT A

ORDINANCE NO. 2021-____

**AN ORDINANCE TO AMEND SECTION 10-3 OF THE CADILLAC CITY CODE
RELATING TO MEDICAL MARIHUANA FACILITIES**

Section 1. Amendment of Section 10.3-01. Section 10.3-01, “Definitions,” is amended to add the following definition as new subsection (c), with the subsequent definitions to be renumbered accordingly.

(c) *Equivalent license* means any of the following held by a single licensee:

1. A marihuana grower license, of any class, issued under the MMFLA and a grower license, of any class, issued under MRTMA.
2. A marihuana processor license issued under the MMFLA and a processor license issued under MRTMA.
3. A marihuana provisioning center license issued under the MMFLA and a retailer license issued under MRTMA.
4. A marihuana secure transporter license issued under the MMFLA and a secure transporter license issued under MRTMA.
5. A marihuana safety compliance facility license issued under the MMFLA and a safety compliance facility license issued under MRTMA.

Section 2. Amendment of Section 10.3-02(b). Section 10.3-02(b) of Chapter 10 of the Cadillac City Code is hereby amended as follows:

(b) *Number of facilities eligible for authorization.* The following numbers of medical marihuana facilities may be authorized to operate in the city, subject to this chapter:

- (1) ~~Not more than one~~ **Unlimited for** growers operating under Class A licenses;
- (2) ~~Not more than one~~ **Unlimited for** growers operating under Class B licenses;
- (3) ~~Not more than one~~ **Unlimited for** growers operating under Class C licenses;
- (4) Not more than two provisioning centers;
- (5) ~~Not more than one~~ **Unlimited for** processors;
- (6) ~~Not more than one~~ **Unlimited for** secure transporters;
- (7) ~~Not more than one~~ **Unlimited for** safety compliance facilities.

Section 3. Amendment of Section 10.3-02(c). Section 10.3-02(c) of Chapter 10 of the Cadillac City Code is hereby amended as follows:

(c) *Co-location, ~~and~~ stacked licenses, and equivalent licenses.*

(1) Co-location. Co-located facilities are permitted in the City, subject to this subsection and to the extent permitted by state law. On a property with co-location, each licensed facility counts as a separate facility. Each licensed facility must operate within its own distinct and identifiable area on the property, and each licensed facility must have a separate entrance and exit, separate inventory, separate record keeping, and separate point of sale operations (if applicable). Each licensed facility must meet all other requirements of this Ordinance and the City Zoning Ordinance. A separate application is required for each proposed licensed facility on a site with co-location. A medical marihuana facility may be co-located with a recreational marihuana establishment, subject to this subsection.

(2) Stacked grower licenses are prohibited in the city, **except for facilities in the Light Industrial (I-1) and General Industrial (I-2) districts.**

(3) **Equivalent Licenses.** Equivalent licenses may be operated at the same location within the City, subject to this Chapter and to the extent permitted by state law.

a. When a licensee holds equivalent licenses for a single property, each facility or establishment counts as a separate facility or establishment under this Chapter.

b. Each licensed facility or establishment must meet all other requirements of this Ordinance, the City Code, and the City Zoning Ordinance. A separate application, application fee, and annual fee are required for each proposed licensed facility or establishment with equivalent licenses.

Section 4. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 20 days after its adoption.

EXHIBIT B

NOTICE OF PROPOSED ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on December 6, 2021, at 6:00 p.m., at a Meeting of the City Council, to consider the adoption of Ordinance No. 2021-__, an Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities. 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.

Section 1 amends Section 10.3-01 to define “equivalent licenses.”

Section 2 amends Section 10.3-02(b) of the City Code to remove the licensure cap for medical marihuana facilities other than provisioning centers.

Section 2 amends Section 10.3-02(c) of the City Code to authorize stacked grower licenses in industrial zones and allow equivalent licenses to be operated in the same location.

Section 3 provides the publication requirements and effective date of the ordinance.



RESOLUTION OF SUPPORT

ENDORING THE PLAN OF THE CADILLAC AREA VISITORS BUREAU MDNR TRAIL TOWN DESIGNATION APPLICATION

WHEREAS, officials of the City of Cadillac consider bicycle and pedestrian transportation to be of utmost importance to the region by providing recreation and transportation opportunities as well as the possibilities of economic and community development; and,

WHEREAS, the White Pine Trail was created from Comstock Park to Cadillac in 1994.

WHEREAS, the Cadillac Trail Collaborative was created 2016 to advocate for the continued expansion and marketing of the area trails system, and,

WHEREAS, officials of the City of Cadillac feel that it is in the best interest of the citizens of the Cadillac Area to endorse said project, for the purposes of enhancing the branding and marketing of the Trail through the Trail Town Designation;

NOW THEREFORE BE IT RESOLVED, the City of Cadillac hereby supports and endorses the application for the Trail Town Designation Project.

ADOPTED this day _____ of _____, _____

Signed:

Carla J. Filkins, Mayor
City of Cadillac, Michigan

Attest:

Sandra L. Wasson, Clerk
City of Cadillac, Michigan



**MEETING MINUTES
THE CADILLAC HISTORIC DISTRICTS COMMISSION (HDC)
APRIL 20, 2021**

An official meeting was held on April 20, 2021 remotely because of the meeting rules enacted by the State of Michigan due to the COVID-19 virus outbreak.

Roll Call

The meeting started at 5:17

Commission Members Present: Dubravec, Bliven, Snider and Engels

Staff Present: Coy & Wallace

Approval of the April 20, 2021 Meeting Agenda

A motion was made to approve the agenda as presented by Dubravec. Support from Snider. The motion passed with unanimous support.

Approval of the October 12, 2020 Meeting Minutes

A motion was made to approve the October 12, 2020 meeting minutes by Engels. Support from Bliven. The motion passed with unanimous support.

Public Comments

None

New Business –

1. Construction Application from the Wexford County Historical Society to purchase and install new storm windows at the museum. The museum is also having restoration and repairs done to the casement on the double hung windows. This does not require approval from the HDC. The museum which was constructed in 1906 as a Carnegie Public Library is classified in our historic district as a contributing historic site.

Dubravec did a presentation of the project for the museum board and abstained from the final vote. She explained that the storm windows are metal clad but designed to appear like wood. She visited four sites in the Heritage Hill Historic District in Grand Rapids to see what these storm windows would look like. She also mentioned that they do not know if the museum windows ever had storm windows. The storm windows will clearly help with temperature control in the building and save money on heating bills. Engels said she feels they will look good. Coy asked if they can be removed for cleaning and the answer is yes. Snider asked about the color. The museum window trim is white but Dubravec said the ones she looked at in a darker color looked classy and that is what they want to use.

A motion was made by Bliven to approve the Construction Application for 127 Beech Street, location of the Wexford County Historical Society Museum for the purchase and

installation of new storm windows with the style and materials described in the presentation. Support from Engels. The motion was approved with a unanimous vote by Engels, Bliven, and Snider.

Commissioner Comments –

Adjourn – The meeting adjourned at 5:33 pm,



Planning Commission
July 26, 2021, Meeting Minutes

Call to Order

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

Roll Call

Planning Commission: Filkins, Gregg, Bunce, Bosscher, Baumann, Putvin, Fent
Staff: Wallace, Coy, Peccia, Pluger

Approval of Agenda for July 26, 2021

- A. Motion to approve the agenda by Bosscher. Supported by Filkins
 - a. Motion approved unanimously.

Approval of June 28, 2021, Meeting Minutes

- A. Motion to approve the minutes with a correction to the last page grammar by Baumann. Supported by Bunce.
 - a. Motion approved unanimously.

Public Hearings

New Business –

- A. Platted lot split for William J Donnelly Jr. and Faye E Donnelly Trust at 2233 Sunnyside Drive, Cadillac MI 49601.
 - a. Putvin presented new business and Coy gave a presentation on the lot split proposal. He explained that any land divisions and lot splits are required to have PC approval per section 20-2b. The lot had environmental contamination years ago and the old cottage was torn down. A new home is on the property, but the applicant wishes to divide the lot into two and to build a new home. This is ts2 and meets the requirements for a new lot of 100 feet wide and exceeds minimum standard size. Coy asked for a motion to approve the lot split at 2233 Sunnyside Drive, and both lots will.
 - i. Bosscher clarified that this will remain TS2? Coy confirmed that it will.
 - ii. Baumann confirmed lot description and Coy advised that it is explained on the second page. Confirmed that it is all the property to the east of the existing home.
 - iii. Putvin confirmed if the contamination is cleaned up. Donnelly stated that EGLE has closed the investigation and case on the contamination, so that means that the contamination is taken care of.
 - b. Motion to approve the requested lot split by Baumann. Supported by Fent.
 - i. Motion approved unanimously.

Old Business -

- B. Zoning Ordinance Amendment regarding temporary use signs.
- a. Putvin opened the topic and asked John Wallace to present. Wallace gave a recap of the topic which began at the previous meeting. Explained that he has done the research requested at the last meeting about the topic of being content neutral. The typical cap was 14 square feet total for the property, and the number of signs depends on how they meet that. Our history has been 4 square feet, to meet the typical size of retail, political, and garage sale. The proposal presented doubles what was presented at the last meeting. It reduced the size for commercial sign height maximum from 15 to 14 feet and should not exceed wall height. The signs should not go above the roof line. Off premise signs are prohibited for commercial but are permitted for residential if you get permission from the property owner. Example of garage sale signs, they can now be posted in the neighbor's yard if they approve of it. This is a legal way to post signage, which currently does not exist.
 - i. Section E was eliminated because we don't believe these types of signs have ever created any traffic flow issues and we do not believe we need to regulate it.
 - ii. Eliminated that they must have 4 square feet on each sign. We allow up to 16 square feet of signage, which is above the average.
 - b. Wallace stated that there are no restrictions and we have very few issues with people having too many signs. History shows that temporary signs are generally not an issue or a request from the public to grant more signs than we are presenting. Wallace believes that allowing 4 signs is in line with what the public has requested. There has been a past complaint of too many signs that lead to blight at a residence.
 - i. City staff cannot regulate content, but they can regulate size and number, so we can prevent the unwanted signs
 - c. Putvin stated that he has a tree lawn, but other people do not, are signs permitted in the tree lawn? Wallace stated no they are not. Putvin explained that the posting of signs on the polls is a nuisance. Wallace explained the city has taken a position of monitoring in the heavy used roads and removing them there but have not taken on the push back of removing them all over the city. People try to mount signs on decorative polls, and it removes the paint and requires more maintenance by the city.
 - d. Bunce asked if flags fall into this category? Do they fall under this? Wallace explained that the American flag has never been regulated. We would have to review what the current definition of "sign" is in the ordinance, because flags could fall under it.
 - i. Peccia stated he spoke with the lawyers about flags this month because there are vulgar flags in the community. The lawyers stated that the trend of the legal battles is that it is freedom of speech.
 - ii. Coy stated that flags are addressed in the ordinance but not in the temporary sign ordinance. In other locations it states "46-664 1-2 exempted signs: flags bearing the official designation of a noncommercial organization and up to one free waving commercial flag, with a maximum area of 20 square feet, when displayed with an American flag."

- e. Bunce asked how do you determine the conclusion of an event? Wallace explained it is usually self-prescribed on the sign itself. Fent asked if there is a date that political signs must come down? The board responded that it is 7 days.
 - f. Bosscher questioned what was the original number of signs per parcel? Wallace explained it went from 2-4.
 - g. The board discussed the idea Bosscher presented last meeting that there be limitations to how close they can be. Wallace explained the numbers reflects the amount of staff time needed to enforce.
 - h. Fent: How do we present this to the public to notify everyone? Peccia stated this is preliminary, so if it moves forward tonight it goes to Council. Council will perform a public hearing and address it at minimum in 2 meetings. Peccia anticipates that the media will address it heavily at the council level. The earliest this could be passed is September.
- C. Motion to approve as presented by John Wallace made by Gregg. Supported by fent
- a. Motion approved 6-1, with a vote against by Baumann.

Board Members Comments – None

- A. Fent – glad to be back in person.

Communications – None

Public Comments – None

Other Business – None

Adjourn

- Adjourned at 6:32 PM



MEETING MINUTES
Cadillac Zoning Board of Appeals (ZBA)
5:30 P.M.
September 16, 2021

CONVENE MEETING

Chairperson Nichols called to order a meeting of the Cadillac Zoning Board of Appeals at 5:30 p.m. on September 16, 2021

ROLL CALL

MEMBERS PRESENT: Nichols, Ault, Paveglio, Bontrager, and Dean

MEMBER ABSENT: Walkley and Knight

STAFF PRESENT: Coy

APPROVAL OF MEETING AGENDA

Motion by Paveglio to approve the September 16, 2021 agenda. Support by Bontrager. The motion was unanimously approved on a roll call vote.

APPROVE THE JULY 15, 2021 MEETING MINUTES

Motion by Ault to approve the July 15, 2021 meeting minutes as presented. Support by Bontrager. The motion was unanimously approved on a roll call vote.

Nichols turned the meeting over to Coy to present the applications for review.

Coy spoke briefly about a conversation he had with Carl Genzink prior to his passing in August. Carl told Coy how much he enjoyed being on the Zoning Board of Appeals and how much he enjoyed getting to know the members on the board

PUBLIC HEARINGS-

1. Baruch SLS, Inc. 3196 Kraft Ave. SE, Suite 203, Grand Rapids, MI 49512 is asking for a variance to leave an accessory structure at 1113 Sunnyside Drive for a period of up to five years. The structure is a detached two-car garage left over from a home that used to be on the site. The home was in poor condition and torn down prior to Baruch purchasing the site. Baruch owns the Sunnyside Senior Living Center immediately to the east of the site. The site was recently split into two lots allowing Baruch to sell the single family home with an attached garage on the east part of the lot which was 320 feet in width prior to the split. Two representatives for Baruch SLS attended the meeting.

Christopher Murphy, VP Business Development
Rich Vande Vegte, Director of Special Projects

He went over the standards for approving a variance in the City Ordinance and the standards in the Michigan Zoning Enabling Act 110 of 2006.

The standard in Section 46-69(2) from the City Code of Ordinances reads, “To authorize, upon an appeal, a variance from the strict application of the provisions of this chapter where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this chapter or by reason of exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter.”

Finding – Coy said he feels there is an exceptional condition. The garage has been on this site for decades. There used to be a home on the site with a detached garage which is still there. The home was in poor condition and torn down. Two lots were then combined in 2008 creating one larger lot that had a width of 320 feet prior to the recent lot split. This was prior to Baruch SLS purchasing the property.

Standard – *The variance will not impair an adequate supply of light and air to adjacent property.*

Finding – The requested variance is not anticipated to impair an adequate supply of light and air to adjacent properties.

Standard - *The requested variance will not unreasonably increase congestion in public streets.*

Finding – It is expected that traffic volume should not change. There is not an access drive to the Wildwood Condominium complex to the south.

Standard – *The requested variance will not increase the danger of fire or endanger the public safety.*

Finding – The requested variance will not increase the danger of fire or endanger the public safety.

Standard – *The requested variance will not unreasonably diminish or impair established property values within the surrounding area.*

Finding – Staff feels this will not negatively impact neighboring property values.

Standard – *The requested variance will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.*

Finding – The requested variance is not anticipated to impair the public health, safety, comfort, morals, or welfare of the inhabitants of the city.

PUBLIC NOTICES

Coy said that notification of the public hearing on this application was published in the local newspaper and sent via first-class mail to all property owners and residents within 300 feet of the subject site not less than 15 prior to the meeting. He received no questions from neighbors.

Coy finished his presentation with “based on a finding of compliance or non-compliance with the standards of the ordinance, the Board shall approve, approve with conditions, or deny the variance application.” Reasonable conditions may be attached to an approval in-order to achieve compliance with the standards of the ordinance.

STAFF COMMENTS

Coy explained that he and Community Development Director, John Wallace met with the applicants and came up with the idea for them to request a variance to keep the structure. We understand the vacant lot has more value if they try to sell it with the two car garage left on the site. Staff did not want the time period to be open ended and suggested a specific time period should be a part of the variance request. Leaving the accessory building without a home on the site creates a nonconformity. He added that a new owner would need to build a large enough home to make the accessory structure conforming.

Nichols opened the floor up for questions from the ZBA and discussion.

Dean asked if the city has approved this type of situation before. Coy said not to his knowledge but that he can’t speak for time prior to his working for the city. He added that he is aware of a family purchasing an older home next door to their home and tearing down the older home. A detached garage was left. The two properties abut each other. They put new siding and shingles on the garage to match their newly constructed home.

Ault asked representatives of Baruch SLS if they know whether they plan to sell the property or split the lot? Murphy answered that they may rent a storage unit in town for the items in the garage. He further explained that they keep furniture such as beds, dressers, etc. for new residents at the facility that may not own these items to bring with them. He would like for a future purchaser to build a home and use the garage. Coy added that the topography of the site where the assisted living home is on has a steep slope to a wetland area in the rear which will make building an accessory structure difficult.

After no further comment.

A motion was made by Paveglio to approve the variance request with the following condition. The current owner or future owner will have until the date of September 17, 2026 to either remove the nonconforming accessory building or begin construction of a new home to bring the accessory building into compliance or make it conforming. Support from Ault.

On a roll call vote the motion was passed with a unanimous vote.

PUBLIC COMMENTS –

None

BOARD MEMBER COMMENTS –

None

ADJOURN

Chairperson Nichols adjourned the meeting at 5:48 pm.