



City Council Meeting

December 6, 2021

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



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

We communicate openly, honestly, respectfully, and directly

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 November 15, 2021.
Support Document III-A

IV. PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments.
Support Document IV-A

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- B. Public hearing to consider adoption of Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities.

Support Document IV-B

V. APPOINTMENTS

- A. Recommendation regarding reappointment to the Cadillac Historic Districts Commission.

Support Document V-A

- B. Recommendation regarding reappointment to the Cadillac Historic Districts Commission.

Support Document V-B

VI. CITY MANAGER'S REPORT

- A. Request to house ducks.

Support Document VI-A

- B. Recommendation regarding Prosecution Services Contract.

Support Document VI-B

- C. Police & Fire Special Recognition and Introductions

- D. Special Recognition – GFOA Distinguished Budget Presentation Awards Program

Support Document VI-D

- E. Recommendation regarding Premium Payment for Full-Time Employees.

Support Document VI-E

VII. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding Brownfield Plan for the 423 N. Mitchell Redevelopment and set public hearing for December 20, 2021.

Support Document VII-A

- B. Adopt resolution regarding Obsolete Property Rehabilitation District Establishment for the 423 N. Mitchell Redevelopment and set public hearing for December 20, 2021.

Support Document VII-B

- C. Adopt resolution regarding Obsolete Property Rehabilitation Act Application for the 423 N. Mitchell Redevelopment and set public hearing for December 20, 2021

Support Document VII-C

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VIII. INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance to Amend Section 46-752 of the Cadillac City Code Relating to Recreational Marihuana Establishments and set public hearing for December 20, 2021.

Support Document VIII-A

- B. Adopt resolution to introduce Ordinance to Amend Section 46-753 of the Cadillac City Code Relating to Medical Marihuana Facilities and set public hearing for December 20, 2021.

Support Document VIII-B

IX. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

- A. Elected Officials Compensation Commission (Draft)

Support Document IX-A

X. 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.

XI. GOOD OF THE ORDER

XII. 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

November 15, 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, Wallace, Homier (via Zoom), Wasson

APPROVAL OF AGENDA

2021-210 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2021-211 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Friends of the Library

2021-212 Approve signage for Friends of the Library.

Motion was made by Schippers and supported by Engels to approve the request from Friends of the Library for the placement of temporary signs as noted and allow City staff the flexibility to approve changes in dates if requested.

Motion unanimously approved.

APPOINTMENTS

- A. Recommendation regarding appointment to the Local Development Finance Authority.

2021-213 Approve appointment to the Local Development Finance Authority.

Motion was made by Elenbaas and supported by Engels to approve the appointment of Caitlyn Berard to the Local Development Finance Authority for a 4-year term to expire on November 15, 2025.

Motion unanimously approved.

- B. Recommendation regarding reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.

2021-214 Approve reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.

Motion was made by Engels and supported by Elenbaas to approve the reappointment of David Bunce to the City of Cadillac/Clam Lake Joint Planning Commission for a 3-year term to expire on November 15, 2024.

Motion unanimously approved.

- C. Recommendation regarding appointment to the Elected Officials Compensation Commission.

2021-215 Approve appointment to the Elected Officials Compensation Commission.

Motion was made by Elenbaas and supported by King to approve the appointment of Daniel Alto to the Elected Officials Compensation Commission for a partial term to expire on June 15, 2025.

Motion unanimously approved.

- D. 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.

Council Member Schippers received five (5) votes. Council Member Schippers will serve as Mayor Pro Tem for a term to coincide with the Mayor's two-year term of office.

CITY MANAGER'S REPORT

- A. Recommendation regarding Phone System.

Peccia stated City staff were recently notified that the current phone system has a major issue with respect to the voicemail component. He noted the voicemail component will stop working and the cost of getting another voicemail component activated on the current phone system is cost prohibitive. He stated the Finance Department has been working very hard over the last several days to analyze available options, contact vendors, and secure quotes for a solution. He noted it was

determined that the optimal approach would be to move to an internet-based hosted phone system.

Peccia stated the recommendation is to waive the competitive bidding process due to time constraints, enter into a 5-year agreement for hosted phone and voicemail services with TelNet Worldwide of Madison Heights, Michigan in accordance with their proposal, and authorize Owen Roberts, Director of Finance, to sign all documentation required by TelNet Worldwide to provide the services.

Peccia stated a few different options were reviewed and TelNet provided the lowest cost option available.

2021-216 Waive competitive bidding regarding hosted phone and voicemail services.

Motion was made by Schippers and supported by Engels to waive competitive bidding for hosted phone and voicemail services.

Motion unanimously approved.

2021-217 Award contract for hosted phone and voicemail services.

Motion was made by King and supported by Elenbaas to award a 5-year contract for hosted phone and voicemail services to Telnet Worldwide of Madison Heights, Michigan in accordance with their proposal and to authorize Owen Roberts, Director of Finance, to sign all required documentation.

Motion unanimously approved.

B. Set public hearing regarding Amendment to Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park.

Peccia stated it being requested to set a public hearing for December 20, 2021 regarding extending the current Local Development Finance Authority (LDFA) Tax Increment Financing Plan that allows the Authority to continue to be able to divert a portion of property taxes captured on that site to pay for the capital operational related expenses of running the LDFA which was created in 1991 for the sole purpose of treating contaminated ground water.

2021-218 Set public hearing regarding Amendment to Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park.

Motion was made by Elenbaas and supported by Schippers to set a public hearing for December 20, 2021 regarding Amendment to Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park.

Motion unanimously approved.

C. Recommendation regarding Wellhead Protection Grant 21/22.

Peccia stated this item is regarding the appointment of a consultant to manage the Wellhead Protection Grant. He noted this same information was presented and approved by City Council in August 2020 but there were no grant funds available last

fiscal year so the program did not take place. He stated the net cost to the City for the services related to this grant will be under the administrative spending limit of \$7,5000. However, total projects costs will be equal to the full grant amount and therefore authorization to provide services related to the grant must be awarded through the City Council.

Peccia stated the City historically has worked with Fleis and Vandenbrink on wellhead protection matters so it is being recommended to waive competitive bidding and to appoint Fleis and Vandenbrink to administer the Wellhead Protection Grant and to authorize Jeff Dietlin, Director of Utilities, to sign the grant documentation.

2021-219 Waive competitive bidding regarding administration of Wellhead Protection Grant.

Motion was made by Schippers and supported by Engels to waive competitive bidding regarding administration of the Wellhead Protection Grant.

Motion unanimously approved.

2021-220 Appoint Fleis and Vandenbrink to administer the Wellhead Protection Grant.

Motion was made by Schippers and supported by Elenbaas to appoint Fleis and Vandenbrink to administer the Wellhead Protection Grant and to authorize Jeff Dietlin, Director of Utilities, to sign the grant documentation.

Motion unanimously approved.

D. Recommendation regarding Nonunion Employee Benefits Schedule.

Peccia stated in an effort to help retain our talent and attract new talent it is important to periodically review and update our Nonunion Benefits Schedule.

Owen Roberts, Director of Finance, noted the proposed changes focus on both retention and recruitment. He stated it is being recommended to add President's Day to the holiday schedule. He noted this holiday was chosen because Cadillac schools have this day off and this will assist employees with school aged children. He noted the Longevity Bonus Schedule for nonunion employees has not been adjusted for many years. He stated the proposal both enhances and simplifies the program by providing a longevity payment equal to \$100 per year of service.

Elenbaas asked how many employees would be impacted.

Roberts stated it would impact twenty-five (25) employees.

Elenbaas asked how many salary versus hourly employees.

Roberts stated he did not know the exact number but is likely more hourly than salary employees.

Schippers asked if this applies to only nonunion employees.

Roberts stated that is correct. He noted these types of benefits are negotiated into union contracts.

Elenbaas stated he believes it is time for an increase but he is not sure he agrees with \$100 per year. He suggested \$75 per year instead of \$100 per year and then possibly increase the amount to \$100 per year in a few years. He stated we have a good staff and an increase is needed.

Schippers stated \$100 per year equates to approximately \$0.27 per day which she doesn't believe is exorbitant. She noted longevity really helps the system because people know what they are doing. She stated the City staff is excellent and we want people to stay until they retire.

Elenbaas noted it is only \$0.27 per day but if an employee has 20-years of service the amount increases from \$755 per year to \$2,000 per year. He stated he is looking at the actual amount someone would receive depending on their years of service.

Mayor Filkins stated the proposal simplifies the process without exorbitant additional costs. She noted the incentive for people to be loyal and want to maintain their positions within the City are really important. She stated it is a simple way to encourage people and let them know they are appreciated.

Schippers stated the proposed change will result in an employee receiving an extra amount for each year of service which helps incentivize them to remain in the job.

Mayor Filkins noted the number of people at the top end of years of service is smaller than the number of people with less years of service.

Engels noted wages in the business he runs have been increasing quickly over the past 2-3 years. He stated the proposal offers greater reward to employees with the most years of service.

2021-221 Approve amendments to Nonunion Employee Benefits Schedule.

Motion was made by Schippers and supported by Engels to approve amendments to the Nonunion Employee Benefits Schedule as presented.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding Local Governmental Unit Approval for Social District Permit for Roasted Café LLC.

Peccia noted this would allow for the new café to be able to participate within the City of Cadillac's Social District and Social Zone.

2021-222 Adopt resolution regarding Local Governmental Unit Approval for Social District Permit for Roasted Café LLC.

Motion was made by Schippers and supported by King to adopt the resolution regarding Local Governmental Unit Approval for Social District Permit for Roasted Café LLC.

Motion unanimously approved.

- 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.

Peccia noted the next two (2) items are interrelated and are with respect to consideration of setting a public hearing for December 6, 2021 to amend both the Recreational Marihuana and Medical Marihuana Ordinances. He stated we are looking at these amendments in an effort to become a location that is more desirable for industrial-type facilities, specifically growing operations, to be located in the industrial zone. He noted the proposed ordinances would update the licensing restrictions, stacking restrictions, and relevant other language to make it possible for there to be a larger growing-type operation with multiple growing licenses hosted by the facility in addition to there also being a processing-type license operating under one roof.

Peccia noted various members of Council and other City officials recently had the opportunity to visit a sizeable cultivation center in a community about 25-30 minutes from the City. He stated that type of operation would not be possible under our current ordinances. He noted the reason we are bringing this forward for consideration is to open up the ability for Cadillac, within the industrial parks, to be able to have an industrial-type facility no different than any other manufacturing-type facility already located in the industrial parks.

Peccia stated while Council goes through this process, the Planning Commission will be initiating a similar process because one of the provisions requires an update to the Zoning Code that is relevant to spatial separation.

Elenbaas requested confirmation that there are no plans to allow growing centers in residential neighborhoods.

Peccia stated this is only regarding updates to licensing that is already in place for our industrial zones. He added this would not increase the number of retail licenses.

Engels asked if a setback from a residential house is included in the ordinance or does it allow for a growing operation anywhere within the industrial park.

Peccia stated it would be allowed anywhere within the industrial park. He noted that is the one item that will be going to the Planning Commission for consideration first and will then be presented to City Council for consideration.

2021-223 Set public hearing for Ordinance 2021-15.

Motion was made by King and supported by Schippers to adopt the 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.

Motion unanimously approved.

- 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.

2021-224 Set public hearing for Ordinance 2021-16.

Motion was made by Schippers and supported by Elenbaas to adopt the 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.

Motion unanimously approved.

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

Peccia stated if the Visitors Bureau is successful in receiving this designation, it would mean the various trails within the community would be incorporated into the State's Pure Michigan trail maps and marketing materials. He noted it may also include the implementation of some signage and branding.

Kathy Morin, Executive Director - Cadillac Area Visitors Bureau, stated there is a handful of Trail Town communities across the State one of which is Reed City. She noted Big Rapids is also applying for this designation so it would be a good joint cooperative along the White Pine Trail. She stated it is highlighting the broad community support we have for the marketing of these recreation opportunities, not only within the City but also in the surrounding areas.

2021-225 Adopt Resolution of Support.

Motion was made by King and supported by Schippers to adopt the Resolution of Support Endorsing the Plan of the Cadillac Area Visitors Bureau MDNR Trail Town Designation Application.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

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

PUBLIC COMMENTS

Randy Lindell stated he would like the City to be proactive this winter and make the City a walkable community by keeping the sidewalks open. He commented on the marihuana ordinances and the meth problem in the City. He mentioned some ads that were published prior to the City Council Election. He stated the citizens need some tax relief and mentioned issues with his street.

GOOD OF THE ORDER

Mayor Filkins displayed the check in the amount of \$250,000 that the City received from the Consumers Energy Foundation.

Peccia stated the City of Cadillac was one of two communities out of over 140 communities that applied to Consumers Energy for their Prosperity Award. He noted the City was awarded a \$250,000 grant to be used to help implement a community revitalization plan. He stated the community revitalization plan captures initiatives that are part of the City Council's Goals & Objectives.

King stated it is exciting what we're seeing with the Visitors Bureau, the Chamber of Commerce, and the City working together with the Social District. He noted this winter we are going to be able to market to people to stay in our hotels and have a safe beautiful environment for them to enjoy our restaurants, coffee shops, fireplace, and Commons Area. He noted that while business owners have some obligations for plowing we should help out if we can so we know that everything is connected and walkable.

Schippers noted the Cadillac Mayor's Youth Council will meet on Tuesday, November 16, 2021 at 3:00 pm. She stated after that meeting the group will meet at 4:00 pm on the third Tuesday of each month. She encouraged high school age youth that attend school or work in the City to join the Mayor's Youth Council.

Elenbaas asked if the lights in the City Park will be lit on November 26, 2021.

Peccia stated that is correct.

Mayor Filkins commended City staff on the work that was done on the grant writing for the Consumers Energy Grant. She noted Cadillac was described by Carolyn at the Consumers Energy Foundation as a "Norman Rockwell Community". She stated Consumers Energy sees the investment we have made in the community and they are willing to help us out.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. _____

**RESOLUTION TO ADOPT 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 6th day of December 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, the City held a public hearing and to 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. The City hereby adopts Ordinance No. _____, an Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments (the "Ordinance") attached as Exhibit A.

2. The Ordinance shall be filed with the City Clerk.

3. The City Clerk is directed to publish a Notice of Adoption and Summary of the Ordinance within seven (7) days after its adoption. The summary and notice of the hearing shall be substantially the form of **Exhibit B**.

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. _____, duly adopted at a regular meeting of the City Council held on the 6th day of December 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 establishments 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 establishment counts as a separate establishment. Each licensed establishment must operate within its own distinct and identifiable area on the property, and each licensed establishment must have a separate entrance and exit, separate inventory, separate record keeping, and separate point of sale operations (if applicable). Each licensed establishment must meet all other requirements of this chapter and the city zoning ordinance. A separate application is required for each proposed licensed establishment 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 establishments 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 ADOPTION

NOTICE IS HEREBY GIVEN that the City Council of the City of Cadillac, Wexford County, Michigan, at a meeting on December 6, 2021, adopted Ordinance No. 2021-__, an Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments. A copy of the Ordinance may be purchased or inspected during regular business hours at the Cadillac City Hall located at 200 Lake Street, Cadillac, Michigan. Members of the public may obtain a copy of the Ordinance for 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 in 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 ADOPT 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 6th day of December 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, the City held a public hearing and to 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. The City hereby adopts Ordinance No. _____, an Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities (the "Ordinance") attached as Exhibit A.

2. The Ordinance shall be filed with the City Clerk.

3. The City Clerk is directed to publish a Notice of Adoption and Summary of the Ordinance within seven (7) days after its adoption. The summary and notice of the hearing shall be substantially the form of **Exhibit B**.

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. _____, duly adopted at a regular meeting of the City Council held on the 6th day of December 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 ADOPTION

NOTICE IS HEREBY GIVEN that the City Council of the City of Cadillac, Wexford County, Michigan, at a meeting on December 6, 2021, adopted Ordinance No. 2021-__, an Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities. A copy of the Ordinance may be purchased or inspected during regular business hours at the Cadillac City Hall located at 200 Lake Street, Cadillac, Michigan. Members of the public may obtain a copy of the Ordinance for 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 3 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 4 provides the publication requirements and effective date of the ordinance.

December 6, 2021

COUNCIL COMMUNICATION

Re: Reappointment to Cadillac Historic Districts Commission – Mark Snider

Mark Snider has indicated his interest in being reappointed to serve on the Cadillac Historic Districts Commission. Mark Snider has served on the Cadillac Historic Districts Commission since 2005.

Recommended Action

It is recommended that Mark Snider be reappointed to the Cadillac Historic Districts Commission for another 3-year term, expiring on 12/31/2024.

December 6, 2021

COUNCIL COMMUNICATION

Re: Reappointment to Cadillac Historic Districts Commission – Gwen Dubravec

Gwen Dubravec has indicated her interest in being reappointed to serve on the Cadillac Historic Districts Commission. Gwen Dubravec has served on the Cadillac Historic Districts Commission since 2012

Recommended Action

It is recommended that Gwen Dubravec be reappointed to the Cadillac Historic Districts Commission for another 3-year term, expiring on 12/31/2024.

Date: December 6, 2021

Council Communication

Re: Request to keep up to six egg laying ducks at 1401 Walnut Street

Introduction

The Nicola Firovento family live at 1401 Walnut Street. They wish to keep up to six female egg laying Khaki Campbell ducks at their residence.

The ducks, and eggs are not to be sold for butcher or profit. The ducks at night and during inclement weather will be kept in a stall within a shed in their rear yard.

Please read the attached correspondence including an aerial GIS showing the location of the shed and privacy fence from the Fiorvento property. Mr. Fiorvento describes the ducks behavior when roaming in their privacy fence enclosed rear yard.

In 2016 City Council updated Section 6-28 within the code of ordinances to have chickens and rabbits classified as pets rather than livestock. Ducks were not included in this amendment to the ordinance. The ordinance allows the City Manager or his or her designee to approve the keeping of up to six combined chickens and rabbits as pets while meeting the conditions for health, safety, and welfare of the community.

Section 6-28 of the City Code stipulates that no one may keep livestock in the city except with the permission of the City Council. Under the code, ducks are classified as livestock.

On April 3, 2017, City Council approved a request from a resident to house up to 3 egg-laying chickens and 3 egg-laying ducks (see attached request/motion from the April 3, 2017 minutes).

Recommended Council Action

Review this request and consider allowing the Fiorvento family to keep up to six egg laying ducks within the rear yard of their residence at 1401 Walnut Street and at night or during inclement weather within a stall built in their shed.

Mike Coy

From: Nicola Fiorvento [REDACTED]
Sent: Sunday, November 14, 2021 8:10 PM
To: [REDACTED] Mike Coy
Subject: Re: Fwd: 1401 Walnut
Attachments: SitePlan.png

Dear Mr. Coy,

This is Nic Fiorvento at 1401 Walnut. [REDACTED]
[REDACTED]

Here is our short paragraph:

We have six female Khaki Campbell ducks (we recently downsized our flock). These birds are used for egg laying and are physically incapable of flight. We chose ducks rather than hens due to the ducks' greater respect for fences, their lack of need for additional heat- which can be a fire hazard- and their lack of a desire to roam. During the day the ducks are given free range over our backyard, which is completely surrounded by a 6' tall privacy fence. The ducks have never escaped the backyard or attempted to. During the night the ducks are confined to a shed at the rear of our property. We have built a stall for them in the shed, which measures 12'x5'. In this stall they have pine flake bedding, replenished daily. The bedding is disposed of in accordance with all pertinent ordinances and guidelines. They also have access to the shed throughout the day to allow them to escape both summer sun and winter winds. The shed is unheated, as ducks do not need supplemental heat and the introduction of heat in a duck enclosure can introduce disease to the birds. Our ducks have received the standard regimen of avian vaccinations. We have read and understand all city ordinances related to our birds and intend to follow them, as well as follow or exceed all best practices for raising them. The neighbors with whom we share a property line approve of our having ducks.

Please find attached our site plan. If this matter will be brought before the City Council tomorrow (Nov 15) please let us know so that we may attend in person.

Please let me know if you need anything else.

Thanks,

Nic Fiorvento

----- Original Message -----

On Nov 14, 2021, 17:37, [REDACTED]

----- Forwarded message -----

From: **Mike Coy** <mcoy@cadillac-mi.net>

Date: Fri, Oct 22, 2021, 9:30 AM

Subject: RE: 1401 Walnut

To: [REDACTED]
[REDACTED]



April 3, 2017 Council Minutes

Amie Mackenzie, OASIS/FRC Resource Coordinator, noted the group is planning to paint tires a teal color, write various slogans on the tires, and place the tires at predetermined locations. She added the avant-garde street project is in recognition of April as Sexual Assault Awareness Month.

Peccia noted there are five (5) conditions regarding the project.

2017-069 Approve request from OASIS Family Resource Center.

Motion was made by Meinhardt and supported by Schippers to approve the request from OASIS Family Resource Center subject to the conditions noted.

Motion unanimously approved.

- B. Request to display a banner from May 15, 2017 to May 22, 2017 for the Cadillac Area Symphony Orchestra.

2017-070 Approve banner for Cadillac Area Symphony Orchestra.

Motion was made by Wohlfeill and supported by Meinhardt to approve the display of a banner from May 15, 2017 to May 22, 2017 for the Cadillac Area Symphony Orchestra.

Motion unanimously approved.

CITY MANAGER'S REPORT

- A. Request to house chickens and ducks.

Peccia stated the request is to house up to 3 egg-laying chickens and 3 egg-laying ducks at 118 Holbrook Street. He noted the City Code was amended by ordinance to allow for the administrative approval of housing chickens and rabbits, but not ducks. He added staff recommends approval of the request with the condition noted.

2017-071 Approve request to house chickens and ducks.

Motion was made by Schippers and supported by Wohlfeill to approve the request from the Yaklin family to house up to 3 egg-laying chickens and 3 egg-laying ducks in cages within the rear yard of their residence at 118 Holbrook St. subject to the condition noted.

Motion unanimously approved.

- B. Bids and recommendation regarding purchase of Forestry Bucket Truck.

Peccia stated the current bucket truck can no longer be safety certified and needs to be replaced. He noted the recommendation is award the purchase to Altec, Inc., Creedmore, NC, in the amount of \$124,483.

2017-072 Award purchase of Forestry Bucket Truck.

Motion was made by Wohlfeill and supported by Meinhardt to award the purchase of a forestry bucket truck to Altec, Inc. in the amount of \$124,483.

December 6, 2021

Council Communication

Re: Extension of Prosecution Services Contract with Wexford County Prosecutor

The Wexford County Prosecuting Attorney has been providing prosecution services for the City of Cadillac since 2010. The current extension and fee structure for this contract expires on December 31, 2021. Both the City and the Prosecutor are interested in extending the contract through December 31, 2021. With no proposed change in rates, services will continue to be provided at a total cost of \$30,480 per year for the 4-year term of the extension. A copy of the extension agreement is attached to this communication.

Recommended Action

It is recommended that the contract with the Wexford County Prosecuting Attorney be extended through December 31, 2025. Funds are available in the General Fund.



WEXFORD COUNTY PROSECUTING ATTORNEY

COREY J. WIGGINS

COURTHOUSE

437 E. DIVISION ST.
CADILLAC, MI 49601
(231) 779-9505



Johanna C. Carey
Chief Assistant Prosecutor

Margaret A. Marshall
Assistant Prosecutor Trainee

Cathy Wright
Office Administrator

Michael E. Korn
Assistant Prosecutor

November 24, 2021

City Council City of Cadillac
200 North Lake Street
Cadillac, MI 49601

Wexford Board of Commissioners
437 East Division Street
Cadillac, MI 49601

In Re: Continued Prosecution of Municipal Criminal Offenses, Civil Infractions, and Ordinance Violations

Dear City Council and County Commissioners,

The purpose of this letter is to document the offer of the Wexford County Prosecutor and the potential approvals by the City of Cadillac and Wexford County Board of Commissioners for my office to continue to provide the following services to the City of Cadillac under the following terms:

1. Provide limited prosecutorial services as a City Attorney at an annual rate of \$30,480.00, including legal advice to law enforcement for:
 - a. All eligible traffic misdemeanors and civil infractions addressed under Code of Ordinance for City of Cadillac (hereinafter "City Code"), Chapter 40;
 - b. All eligible criminal misdemeanors identified as such under City Code in Part II, Section 1-14; Part II Chapter 4, and Chapter 22;
2. Provide limited prosecutorial services as a City Attorney at an hourly rate of \$110.00 per hour for time worked by any attorney of the Wexford County Prosecutor's Office for enforcing municipal ordinance violations, such as blight, nuisances, and others so identified as municipal civil infractions not related to

STEVE SCHRYER
Child Support Specialist
schryers@michigan.gov

PAMELA LOSINSKI, UIFSA Clerk/Clerk
plosinski@wexfordcounty.org

AMBER MOORE, Clerk
amoores@wexfordcounty.org

CHERI SPRIK
Victim Advocate
ssprk@wexfordcounty.org

HEATHER DIETZ, Clerk
hdietz@wexfordcounty.org

traffic within the City Code. These are offenses only for which legal action may be brought in the 84th District Court for Wexford County. Additionally, the City of Cadillac would pay for some additional expenses related to this service, including witness fees, postage, expert fees, and \$20.00 per hour for non-attorney staff work in excess of 1 hour per individual case.

3. The term of this contract will begin on January 1, 2022 and continue through December 31, 2025. The City of Cadillac may withdraw from the contract entirely without penalty. If the City of Cadillac does withdraw from the agreement prior to December 31, 2025, the City of Cadillac will only be responsible for paying a daily pro-rata proportion of the annual fee stated above or for the services provided until that notice according to the hourly fees and expenses stated above.

The Wexford County Prosecutor will adhere to Michigan Rules of Professional Conduct, including Rule 3.8 regarding his special responsibilities as a prosecutor.

OFFERED BY:



Corey J. Wiggins
Wexford County Prosecuting Attorney

Dated: 24-Nov-2021

ACCEPTED BY THE CITY OF CADILLAC:

Carla Filkins, Mayor

Dated: _____

Sandra Wasson, Clerk

Dated: _____

ACCEPTED BY WEXFORD COUNTY:

Gary Taylor, Chairman

Dated: _____

November 15, 2021

Owen Roberts
Director of Finance
City of Cadillac
200 North Lake Street
Cadillac, MI 49601

Dear Mr. Roberts:

We are pleased to inform you, based on the examination of your budget document by a panel of independent reviewers, that your budget document has been awarded the Distinguished Budget Presentation Award from Government Finance Officers Association (GFOA) for the current fiscal period. This award is the highest form of recognition in governmental budgeting. Its attainment represents a significant achievement by your organization. In addition to receiving the award, your entity's budget received the following special recognition:

Special Performance Measures Recognition

The Distinguished Budget Presentation Award is valid for one year. To continue your participation in the program, it will be necessary to submit your next annual budget document to GFOA within 90 days of the proposed budget's submission to the legislature or within 90 days of the budget's final adoption. Information about how to submit an application for the Distinguished Budget Program application is posted on GFOA's website.

Each program participant is provided with confidential comments and suggestions for possible improvements to the budget document. Your comments are enclosed. We urge you to carefully consider the suggestions offered by our reviewers as you prepare your next budget.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for its having achieved the award. Enclosed is a Certificate of Recognition for Budget Preparation for:

Owen Roberts, Director of Finance

Continuing participants will receive a brass medallion that will be mailed separately. First-time recipients will receive an award plaque within eight to ten weeks. Also enclosed is a camera-ready reproduction of the award for inclusion in your next budget. If you reproduce the camera-ready image in your next budget, it should be accompanied by a statement indicating continued compliance with program criteria.

The following standardized text should be used:

Government Finance Officers Association of the United States and Canada (GFOA) presented a Distinguished Budget Presentation Award to **City of Cadillac, Michigan**, for its Annual Budget for the fiscal year beginning **July 01, 2021**. In order to receive this award, a governmental unit must publish a budget document that meets program criteria as a policy document, as a financial plan, as an operations guide, and as a communications device.

This award is valid for a period of one year only. We believe our current budget continues to conform to program requirements, and we are submitting it to GFOA to determine its eligibility for another award.

A press release is enclosed.

Upon request, GFOA can provide a video from its Executive Director congratulating your specific entity for winning the Budget Award.

We appreciate your participation in this program, and we sincerely hope that your example will encourage others in their efforts to achieve and maintain excellence in governmental budgeting. The most current list of award recipients can be found on GFOA's website at www.gfoa.org. If we can be of further assistance, please contact the Technical Services Center at (312) 977-9700.

Sincerely,

A handwritten signature in black ink, reading "Michele Mark Levine". The signature is written in a cursive, flowing style.

Michele Mark Levine
Director, Technical Services Center

Enclosure

FOR IMMEDIATE RELEASE

November 15, 2021

For more information, contact:

Technical Services Center

Phone: (312) 977-9700

Fax: (312) 977-4806

E-mail: budgetawards@gfoa.org

(Chicago, Illinois)--Government Finance Officers Association is pleased to announce that **City of Cadillac, Michigan**, has received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide
- a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for having achieved the award. This has been presented to **Owen Roberts, Director of Finance**.

There are over 1,700 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources and practical research for more than 21,000 members and the communities they serve.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**City of Cadillac
Michigan**

For the Fiscal Year Beginning

July 01, 2021

Christopher P. Morill

Executive Director



**The Government Finance Officers Association
of the United States and Canada**

presents this

CERTIFICATE OF RECOGNITION FOR BUDGET PREPARATION

to

**Owen Roberts, Director of Finance
City of Cadillac, Michigan**



The Certificate of Recognition for Budget Preparation is presented by the Government Finance Officers Association to those individuals who have been instrumental in their government unit achieving a Distinguished Budget Presentation Award. The Distinguished Budget Presentation Award, which is the highest award in governmental budgeting, is presented to those government units whose budgets are judged to adhere to program standards

Executive Director

Christopher P. Morrill

Date:

November 15, 2021

BUDGET REVIEW COMPOSITE RATING FORM
GFOA Distinguished Budget Presentation Awards Program
For budgets beginning January 1, 2021 or later

Agency: **City of Cadillac MI**

Fiscal Year beginning: **7/1/21**

Document number: **B9945162**

At least 2 of the three reviewers must rate the document "proficient" or "outstanding" on all four overall categories and all mandatory criteria in order for the document to receive the award

Information Not Present (1)			Does Not Satisfy (2)			Proficient (3)			Outstanding (4)			
R1	R2	R3	R1	R2	R3	R1	R2	R3	R1	R2	R3	
							✓	✓	✓	✓		Introduction and Overview
							✓	✓	✓	✓		* C1 Table of contents (mandatory)
							✓	✓	✓	✓		* P1 Strategic goals & strategies (mandatory)
							✓	✓	✓	✓		* P2 Priorities and issues (mandatory)
							✓	✓	✓	✓		* C2 Budget overview (mandatory)
												Financial Structure, Policy, and Process
						✓	✓	✓	✓			* O1 Organizational chart (mandatory)
							✓	✓	✓			F1 Fund descriptions and fund structure
							✓	✓	✓			O2 Department/fund relationship
							✓	✓	✓			F2 Basis of budgeting
							✓	✓	✓			* P3 Financial policies (mandatory)
							✓	✓	✓	✓		* P4 Budget process (mandatory)
												Financial Summaries
							✓	✓	✓			* F3 Consolidated financial schedule (mandatory)
							✓	✓	✓			F4 Three (four) year consolidated & fund financial schedules
							✓	✓	✓			* F5 Fund balance (mandatory)
							✓	✓	✓			* F6 Revenues (mandatory)
							✓	✓	✓	✓		F7 Long-range operating financial plans
												Capital & Debt
						✓	✓	✓				* F8 Capital program (mandatory)
						✓	✓	✓				* F9 Debt (mandatory)
												Departmental Information
							✓	✓	✓			* O3 Position summary schedule (mandatory)
							✓	✓	✓			* O4 Departmental/program descriptions (mandatory)
									✓	✓		O5 Departmental/program goals and objectives
									✓	✓	✓	* O6 Performance measures (mandatory)
												Document-wide Criteria
							✓	✓	✓			C3 Statistical/supplemental section
							✓	✓	✓			C4 Glossary
							✓	✓	✓		✓	C5 Charts and graphs
							✓	✓	✓			C6 Understandability and usability
												Overall
							✓	✓	✓		✓	Overall as a policy document
							✓	✓	✓			Overall as a financial plan
							✓	✓	✓		✓	Overall as a operations guide
							✓	✓	✓			Overall as a communications device

N Special Capital recognition (three "outstanding ratings on F8)

Y Special Performance Measure recognition (three "outstanding" ratings on O6)

December 6, 2021

Council Communication

Re: Premium Payment for Full-Time Employees

For nearly two years, the world has been embroiled in a pandemic that has directly affected hundreds of millions of people worldwide and at this point probably everybody in the world has seen some type of impact from the pandemic. Locally, nearly all of our employees were at least partially classified as ‘essential workers’ during the periods of lockdowns, etc. and as such worked many hours throughout the time of the pandemic thus far.

Throughout much of the pandemic, the federal government and the state unemployment offices provided several tools for employers to lay off staff – either in full or by reducing their weekly hours – making them eligible for enhanced unemployment payments that were provided in conjunction with federal legislation. The City chose not to take any action related to full or partial layoffs, thereby no employees were eligible for these enhanced benefits.

In addition, City employees provided critical and essential services to the public that were maintained throughout the pandemic. First responders, water provision, wastewater treatment, street safety, financial and administrative services, and other critical areas were maintained, and all these services required the work of dedicated City employees.

Because of financial assistance provided directly to the City by the federal government, and the conservative approach that the City took in relation to City finances during the pandemic, financial results for FY2021 are expected to be over \$900,000 in the black for the General Fund. In addition, the most recent legislation, the American Recovery Plan Act (ARPA) provided another nearly \$1.1 million in funding to the City. This provides funds for an opportunity to provide a premium payment to employees in recognition of the working conditions faced over the last 20 months or so and is the basis for our recommendation. There will be a budget amendment at an upcoming meeting to address the new revenues to the City along with any additional expenses related to this or other programs.

Lastly, for comparison purposes, Wexford County provided \$7,500 premium payments to all full-time employees through a \$2,500 per year payment for the next three years. While the City’s proposal as currently recommended will be far less, the utilization of this program as a year-end employee appreciation and retention tool is still a valuable opportunity that acknowledges everyone’s commitment to the organization and community.

It is being recommended that City Council approve a one-time premium payment for each current full-time employee of \$1,500. With 72 full-time employees, this would be a total of \$108,000.

Recommended Action

It is recommended that City Council approve a premium payment of \$1,500 per employee and authorize the mayor to execute any employment agreement documentation required to facilitate the payments.

December 6, 2021

Council Communication

Re: 423 N. Mitchell Redevelopment Project

Lee Richards and Elizabeth Schnettner own and are redeveloping the former Speeds Automotive and adjacent property into a mixed use residential / commercial project. The development currently is projected to have 14-apartments totaling 8,828 square feet, and commercial/retail space totaling 5,000 square feet. Estimated private investment is \$2,994,532.

Because revenues from rental revenues are not adequate to cover the cost of reconstruction of the building, in addition to the level of operating costs, the project will only proceed if economic development tools and incentives available to the City are utilized. This investment for the redevelopment of this property will bring residents to the City, which will create economic activity for downtown businesses, provide commercial space and jobs for new business, provide much needed new housing, and may create spin-off redevelopment of adjacent properties, providing a significant long-term return for the downtown and the community.

There are two primary tools proposed for the redevelopment: Brownfield Tax Increment Financing (TIF) reimbursement of Eligible Activities, and an Obsolete Property Rehabilitation Act (OPRA) local tax abatement. To initiate these processes, the next step is for Public Hearings to be set and conducted pursuant to requirements under both programs.

Brownfield TIF: The property qualifies as Brownfield Eligible Property as functionally obsolete, as determined by the City Assessor. Brownfield Eligible Activities include lead and asbestos abatement, selective demolition of the main building and demolition of the warehouse building on the Bremer Street parcel, and stormwater management improvements. Eligible Activity costs are estimated at \$386,036.

The Brownfield Plan has been prepared to facilitate the development by reimbursing extraordinary lead and asbestos abatement, demolition and infrastructure costs through the capture of increased taxes generated by the private investment. The Brownfield Authority reviewed and approved the Brownfield Plan at their December 2, 2021 meeting. A public hearing must be set and held by the City Council and the Brownfield Plan must be approved by the City Council. The proposed public hearing date is December 20, 2021.

OPRA: The project also includes an Obsolete Property Rehabilitation Act (OPRA) tax abatement that will freeze the value of building for local taxes for 12-years but will provide for capture of State taxes to reimburse Brownfield Eligible Activities. OPRA was used for the redevelopment of the Cobbs-Mitchell building and is comparable to the Commercial Redevelopment Act and Commercial Rehabilitation Act abatements that have been established and previously used on other projects in the City.

An OPRA district must be established and an OPRA application by the developer must be approved by City Council, and Public Hearings need to be set and held by the City Council for both the establishments of the OPRA District and the OPRA Application. The proposed date for both OPRA Public Hearings is December 20, 2021.

A summary of the Obsolete Property Rehabilitation Act from the Michigan Economic Development Corporation is provided for information.

The following is the proposed schedule for consideration for the Brownfield and OPRA programs:

Action	Entity	Date
Approve Brownfield Plan	CBRA	December 2
Approve Resolutions Establishing Public Hearing for Brownfield Plan, OPRA District, and the OPRA application	City Council	December 6
Notices to Taxing Jurisdictions for both Brownfield Plan and OPRA District and OPRA Property Owners (certified mail for OPRA District)	Brownfield Consultant	No later than December 7
Approve Interlocal Agreement	DDA	December 15
Hold Public Hearings and Approve Brownfield Plan, OPRA District, and OPRA application.	City Council	December 20

Recommended Action

Consider the following three resolutions to set the necessary three Public Hearings:

1. Brownfield Plan

Approve the Resolution to Establish Public Hearing for the Brownfield Plan for 423 N. Mitchell Redevelopment for the City Council meeting of December 20, 2021

2. OPRA District

Approve the Resolution to Establish Public Hearing to establish the Obsolete Property Rehabilitation Act District for 423 N. Mitchell Street and adjacent property on W. Bremer Street with Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 for 423 N. Mitchell Redevelopment for the City Council meeting of December 20, 2021

3. OPRA Application

Approve the Resolution to Establish Public Hearing for the Obsolete Property Rehabilitation Act application for 423 N. Mitchell Street and adjacent property on W. Bremer Street with Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 for 423 N. Mitchell Redevelopment for the City Council meeting of December 20, 2021

OBSOLETE PROPERTY REHABILITATION ACT (OPRA)

The Obsolete Property Rehabilitation Act (OPRA), [Public Act 146 of 2000](#), provides for a tax incentive to encourage the redevelopment of obsolete buildings. A new exemption will not be granted after December 31, 2026, but an exemption then in effect will continue until the certificate expires. The tax incentive is designed to assist in the redevelopment of older buildings in which a facility is contaminated, blighted or functionally obsolete. The goal is to rehabilitate older buildings into vibrant commercial and mixed-use projects.

Note: This document is offered as a general guide only and the legislation should be reviewed by local officials.

WHO IS ELIGIBLE?

OPRA tax abatements may be given for those eligible projects that take place on an obsolete property and result in a commercial or mixed-use building project located in only the [qualified local units of government](#).

HOW DOES IT WORK?

A community essentially freezes the existing taxable value on a designated facility for up to 12 years. Additionally, the state treasurer may approve reductions of half of the school operating and state education taxes for a period not to exceed six years for 25 applications annually for rehabilitated facilities. By freezing the taxable value, it provides an incentive for the developer to make significant improvements to a building without increasing the property taxes on the building.

WHAT IS THE PROCESS?

Local government process to designate an Obsolete Property Rehabilitation District (OPRD)

1. The governing body of a qualified local unit of government, by resolution, may designate one or more OPRDs within that local governmental unit. The OPRD may consist of one or more parcels or tracts of land that is characterized by obsolete commercial or obsolete commercial housing property.
2. The qualified local unit of government may establish an OPRD on its own initiative or upon a written request by at least 50 percent of the owners of the property within the proposed OPRD.
3. Written notice of a public hearing is provided by certified mail to all owners of all real property within the proposed district.
4. The governing body holds a public hearing with a public
5. The governing body adopts a resolution establishing the district and the determination that it meets the requirements under the legislation.

Owner/developer process for obtaining an OPRA certificate

1. An owner of an obsolete property within the district files an application for an OPRA certificate with the clerk of the local government that includes the details of the project.
2. Once a completed application is received, the clerk must notify the assessor and each taxing unit that levies property taxes (e.g., county, community college, library, etc.).
3. The governing body holds a public hearing prior to acting on the resolution regarding the certificate.
4. Within 60 days of receipt of application, the local unit of government shall by resolution approve or disapprove the application for the certification for up to 12 years. The public hearings for the district and the exemption certificate may be held on the same day, but with individual public hearings.
5. Once approved locally, the application and resolution must be sent to the State Tax Commission (STC). The STC has 60 days to approve or disapprove the request. To apply for the abatement of school millage, the developer must make note of this on the application form. The STC is responsible for final approval and issuance of all OPRA certificates.

WHY WOULD A COMMUNITY WANT TO OFFER AN OBSOLETE PROPERTY TAX REHABILITATION TAX ABATEMENT?

The OPRA incentive is used to encourage the redevelopment of blighted buildings. In many cases, this could be an abandoned, multi-story industrial building that is now more suited for commercial or residential rental units. To the developer, the advantage is savings on property taxes. The tax incentives essentially freeze the local property taxes for up to 12 years, exempting from local property tax all real property improvements. In addition, the state treasurer has the ability to exempt one-half of the school millage for up to six years on 25 projects per year.

SUPPORTING STATUTE

[PA 146 of 2000: Obsolete Property Rehabilitation Act](#)

CONTACT INFORMATION

For more information, contact the [Community Assistance Team \(CAT\) specialist](#) assigned to your territory or visit www.miplace.org.

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
Bryan Elenbass
Robert J. Engels
Stephen King

RESOLUTION NO. _____

**RESOLUTION SETTING PUBLIC HEARING FOR BROWNFIELD PLAN
FOR THE 423 N. MITCHELL REDEVELOPMENT**

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on December 6, 2021, at 6:00 p.m., the following resolution was offered by

Councilperson _____ and supported by

Councilperson _____.

WHEREAS, the Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended ("Act 381"), authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historically designated property through tax increment financing of eligible activities approved in a Brownfield Plan; and

WHEREAS, the City Council established the Cadillac Brownfield Redevelopment Authority ("CBRA") under the procedures in Act 381 on December 6, 1996, to facilitate the redevelopment of brownfield properties within the City of Cadillac; and

WHEREAS, the City understands that certain property located at 423 N. Mitchell Street and adjacent property ("423 N. Mitchell Redevelopment") qualifies as a Brownfield Eligible Property and that the owner intends to undertake various Brownfield Eligible Activities, including lead and asbestos abatement, demolition and infrastructure to redevelop the property; and

WHEREAS, a Brownfield Plan was submitted to the CBRA for the 423 N. Mitchell Redevelopment that: (1) establishes the property at 423 N. Mitchell Street and adjacent property as Eligible Property, (2) outlines Non-Environmental Eligible Activities, and (3) provide for the capture by the CBRA of future increased incremental taxes generated by increased private investment on the property for reimbursement of the Eligible Activity expenses; and

WHEREAS, on December 2, 2021, the CBRA reviewed and recommended approval of the Brownfield Plan to the City Council, finding the Brownfield Plan met the requirements of Act 381 and constitutes a public purpose of increased private investment and economic development, downtown housing, job creation, and increased property tax value; and

WHEREAS, Act 381 requires the governing body to hold a public hearing on the Brownfield Plan and provide notice of the public hearing and notice to taxing jurisdictions in compliance with the requirements of Act 381; and

WHEREAS, the City Council desires to hold a public hearing to receive comments on the adoption of the Brownfield Plan at its December 20, 2021 regular meeting.

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

1. Pursuant to Act 381, a public hearing for the Brownfield Plan for the 423 N. Mitchell Redevelopment shall be held on December 20, 2021, at 6:00 p.m. in the City Council Chambers, 200 North Lake Street, Cadillac, Michigan.

2. The City Clerk is directed to provide notice of the public hearing to local taxing jurisdictions and the State of Michigan that levy taxes subject to capture not less than 10 days prior to the public hearing in accordance with Act 381. The notices shall be in substantially the form of **Exhibit A**.

3. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof, other than the part so declared to be invalid.

4. Any prior resolution, or any part thereof, in conflict with any of the provisions of this Resolution is hereby repealed, but only 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 6th day of December, 2021.

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

EXHIBIT A

Notice to Taxing Jurisdiction (TAXING JURISDICTION)

Brownfield Plan – 423 N. Mitchell Redevelopment Cadillac Brownfield Redevelopment Authority/City of Cadillac December 7, 2021

The Cadillac City Council will hold a public hearing on Monday, December 20, 2021 at 6:00 p.m. in the City Council Chambers located in the Cadillac Municipal Complex at 200 North Lake Street, Cadillac, Michigan in consideration of the Brownfield Plan for the 423 N. Mitchell Redevelopment.

This notice is being provided to (taxing jurisdiction) as a taxing jurisdiction that levies taxes subject to capture under Act 381, P.A. 1996.

Act 381 provides for the capture of the increased taxes due to investments made on contaminated, blighted, functional obsolete or historically designated properties, or brownfields, to reimburse certain Eligible Activities with the approval of a Brownfield Plan, or amendments, by the Cadillac Brownfield Redevelopment Authority (CBRA) and the Cadillac City Council and, if state taxes are being captured, approval of an Act 381 Work Plan by the Michigan Department of Environment, Great Lakes and Energy (EGLE) for Environmental Eligible Activities and the Michigan Strategic Fund (MSF) for Non-Environmental Eligible Activities.

The description of the proposed Brownfield Eligible Property is the former Speeds Automotive building and property at 423 N. Mitchell Street and adjacent property on W. Bremer Street with Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01.

The Brownfield Plan (1) establishes the property at 423 N. Mitchell Street and W. Bremer Street as Eligible Property, (2) outlines Non-Environmental Eligible Activities and (3) provides for capture by the CBRA of increased incremental taxes generated by additional private investment on the Brownfield Eligible Property for reimbursement of the Brownfield Eligible Activity expenses. The proposed project will reimburse certain Eligible Activity expenses to redevelop the subject property with estimated capital investment of \$3 million.

With the support of brownfield incentives, the project is estimated to generate approximately \$_____ in property taxes for (taxing jurisdiction) through the thirty-year term of the Brownfield Plan and will continue to accrue beyond the plan. As part of the Brownfield Plan, an estimated \$_____ in (taxing jurisdiction) taxes would be captured for the proposed project.

The proposed Brownfield Plan, maps and descriptions of the properties are available for public review during normal business hours at the Office of the City Clerk, 200 North Lake Street, Cadillac, Michigan. Copies may be made available for a reasonable charge. All aspects of the Brownfield Plan are open for discussion at the public hearing.

Please contact Marcus Peccia, City Manager, at 231-775-0181 or mpeccia@cadillac.mi.net if you have questions or would like additional information.

Sent via email on December 7, 2021 to:

(Chief Executive Officer) (title)

(email)

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
Bryan Elenbass
Robert J. Engels
Stephen King

RESOLUTION NO. _____

RESOLUTION SETTING PUBLIC HEARING FOR OBSOLETE PROPERTY REHABILITATION DISTRICT ESTABLISHMENT FOR THE 423 N. MITCHELL REDEVELOPMENT

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on December 6, 2021, at 6:00 p.m., the following resolution was offered by

Councilperson _____ and supported by

Councilperson _____.

WHEREAS, the Michigan Obsolete Property Rehabilitation Act, Act 146, P.A. 2000 as amended ("Act 381"), authorizes municipalities to establish "Obsolete Property rehabilitation Districts" to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historically designated property through property tax abatements; and

WHEREAS, the City understands that certain property located at 423 N. Mitchell Street and adjacent property with the Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 ("423 N. Mitchell Redevelopment") qualifies as a obsolete property as functionally obsolete and that the owner intends to undertake various improvements to redevelop the property; and

WHEREAS, the owners of the property have filed a written request to the City requesting the establishment of the Obsolete Property Rehabilitation District for the aforementioned property;

WHEREAS, Act 146 requires the governing body to hold a public hearing on the establishment of the OPRA District and provide notice of the public hearing and notice to taxing jurisdictions in compliance with the requirements of Act 146; and

WHEREAS, the City Council desires to hold a public hearing to receive comments on the establishment of the OPRA District at its December 20, 2021 regular meeting.

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

1. Pursuant to Act 146, a public hearing for the establishment of the OPRA District for the property located at 423 N. Mitchell Street and adjacent property with the Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 known as the 423 N. Mitchell Redevelopment shall be held on December 20, 2021, at 6:00 p.m. in the City Council Chambers, 200 North Lake Street, Cadillac, Michigan.

2. Notice of the public hearing will be provide to all property owners within the District not less than 10 days prior to the public hearing in accordance with Act 146. The notices shall be in substantially the form of **Exhibit A**.

3. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof, other than the part so declared to be invalid.

4. Any prior resolution, or any part thereof, in conflict with any of the provisions of this Resolution is hereby repealed, but only 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 6th day of December, 2021.

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

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
Bryan Elenbass
Robert J. Engels
Stephen King

December 3, 2021

Leland J. Richards
LJR Property Management, LLC
223 S. Huron Road
Au Gres, Michigan 48703

Lee:

As you know, LJR Property Management, LLC has petitioned the City of Cadillac to establish an Obsolete Property Rehabilitation District for property located at 423 N. Mitchell Street and adjacent property with the Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 known as the 423 N. Mitchell Redevelopment under Act 146, PA 2000.

At their Monday, December 6 meeting, City Council will be considering setting a public for Monday, December 20, 2021 at 6:00 p.m. at the regular meeting to establish the Obsolete Property Rehabilitation District for the 423 N. Mitchell Redevelopment. The public hearing will take place at the Council Chambers, Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan.

Act 146 requires the City to give written notice by certified mail to the owners of all real property with the proposed Obsolete Property Rehabilitation District shall afford an opportunity for a hearing on the establishment of the obsolete property rehabilitation district at which any of those owners and any other resident or taxpayer of the qualified local governmental unit may appear and be heard.

On behalf of the Cadillac City Council, this letter represents the notice of public hearing on December 20, 2021 at 6:00 p.m. for establishment of the Obsolete Property Rehabilitation District for the 423 N. Mitchell Redevelopment.

Thank you for your consideration. Please contact me if you have questions or would like additional information.

Sincerely,

Carla Filkins, Mayor
City of Cadillac

City Council

Mayor
Carla J. Filkins

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



Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Bryan Elenbass
Robert J. Engels
Stephen King

RESOLUTION NO. _____

**RESOLUTION SETTING PUBLIC HEARING FOR OBSOLETE PROPERTY REHABILITATION ACT
APPLICATION FOR THE 423 N. MITCHELL REDEVELOPMENT**

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on December 6, 2021, at 6:00 p.m., the following resolution was offered by

Councilperson _____ and supported by

Councilperson _____.

WHEREAS, the Michigan Obsolete Property Rehabilitation Act, Act 146, P.A. 2000 as amended ("Act 381"), authorizes municipalities to establish "Obsolete Property rehabilitation Districts" to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historically designated property through property tax abatements; and

WHEREAS, the City understands that certain property located at 423 N. Mitchell Street and adjacent property with the Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 ("423 N. Mitchell Redevelopment") qualifies as a obsolete property as functionally obsolete and that the owner intends to undertake various improvements to redevelop the property; and

WHEREAS, the owners of the property have submitted an Obsolete Property Rehabilitation Act Application for the aforementioned property;

WHEREAS, Act 146 requires the governing body to hold a public hearing on the OPRA Application and provide notice of the public hearing and notice to taxing jurisdictions in compliance with the requirements of Act 146; and

WHEREAS, the City Council desires to hold a public hearing to receive comments on the the OPRA Application for the 423 N. Mitchell Redevelopment at its December 20, 2021 regular meeting.

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

1. Pursuant to Act 146, a public hearing for the OPRA Application for the property located at 423 N. Mitchell Street and adjacent property with the Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01 known as the 423 N. Mitchell Redevelopment shall be held on December 20, 2021, at 6:00 p.m. in the City Council Chambers, 200 North Lake Street, Cadillac, Michigan.

2. The City Clerk is directed to provide notice of the public hearing to local taxing jurisdictions that levy taxes subject to Act 146 not less than 10 days prior to the public hearing in accordance with Act 146. The notices shall be in substantially the form of **Exhibit A**.

3. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof, other than the part so declared to be invalid.

4. Any prior resolution, or any part thereof, in conflict with any of the provisions of this Resolution is hereby repealed, but only 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 6th day of December, 2021.

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

EXHIBIT A

Notice to Taxing Jurisdiction
(TAXING JURISDICTION)
OPRA Application – 423 N. Mitchell Redevelopment
City of Cadillac
December 7, 2021

The Cadillac City Council will hold a public hearing on Monday, December 20, 2021 at 6:00 p.m. in the City Council Chambers located in the Cadillac Municipal Complex at 200 North Lake Street, Cadillac, Michigan in consideration of an Obsolete Property Rehabilitation Act (OPRA) Application for the 423 N. Mitchell Redevelopment.

This notice is being provided to (taxing jurisdiction) as a taxing jurisdiction that levies taxes in accordance with Act 146, P.A. 2000.

Act 146 provides for freezing existing taxable value for certain qualified properties for which improvements will be made, thereby abating local property taxes for the improvements for a period of up to 12 years. An OPRA District must be established by the Cadillac City Council and an OPRA application for each development in the District must be approved by the Cadillac City Council.

The Cadillac City Council will consider establishing an Obsolete Property Rehabilitation District at their December 20, 2021 meeting for the property noted below.

An Application for Obsolete Property Rehabilitation Exemption Certificate has been received from LJR Property Management, LLC for the former Speeds Automotive building and property at 423 N. Mitchell Street and adjacent property on W. Bremer Street with Parcel Identification Numbers 10-086-00-055-01 and 10-086-00-089-01.

With the approval of the Certificate by the Cadillac City Council and the State Tax Commission, the taxable value for the building will be frozen at its current value and improvement will not be subject to local taxes for a proposed period of 12 years.

A Brownfield Plan is also under consideration by the Cadillac City Council on December 20, 2021. Notice of the Brownfield Plan public hearing will be provided to taxing jurisdictions separately.

Please contact Marcus Peccia, City Manager, at 231-775-0181 or mpeccia@cadillac.mi.net if you have questions or would like additional information.

Sent via email on December 7, 2021 to:

(Chief Executive Officer) (title)

(email)

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2021-_____

**RESOLUTION INTRODUCING AND SETTING PUBLIC HEARING FOR
AN ORDINANCE TO AMEND SECTION 46-752 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 electronically on the 6th day of December 2021, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

WHEREAS, the City desires to amend the City's Zoning Ordinance regarding recreational marihuana establishments. Specifically, the ordinance would amend Section 46-752 to authorize co-location, authorize stacked licenses in industrial zones, and reduce spatial restrictions for certain recreational marihuana establishments; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed amendments on November 29, 2021; and

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

WHEREAS, the City Council desires to adopt the proposed amendments.

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces Ordinance No. 2021-____, Ordinance to Amend Section 46-752 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 the ____ day of _____ 20__, at 6:00 p.m.

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, within seven (7) days. The summary and notice of the hearing shall be substantially in 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. 2021-____, duly adopted at a meeting of the City Council held on the 6th day of December 2021.

Sandra Wasson
Cadillac City Clerk

Exhibit A:

ORDINANCE NO. 2021-____

**AN ORDINANCE TO AMEND SECTION 46-752 OF THE CADILLAC CITY CODE
RELATING TO RECREATIONAL MARIHUANA ESTABLISHMENTS**

Section 1. Amendment of Section 46-752. Section 46-752 of Chapter 46 of the Cadillac City Code is hereby amended to add new Subsections 2 and 3 and to re-number the remaining Subsections accordingly:

~~(2) Co-located marihuana establishments and stacked grower licenses are prohibited.~~

(2) Co-located establishments are permitted in the city subject to Section 10.2-02(c)(1) of the Cadillac City Code.

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

Section 2. Amendment of Section 46-752(8). Section 46-752(8) of Chapter 46 of the Cadillac City Code is hereby amended as follows:

(8) The following minimum-distancing regulations apply:

- a. ~~An establishment other than a retailer may not be located within 1,000 feet of a public or private K-12 school or a college or university. A retailer~~ **An establishment** may be located within 1,000 feet of a public or private K-12 school or a college or university, subject to subsection (8)(b) and (c)., ~~and except that a~~ **However, an establishment** may not be located adjacent to a public or private K-12 school or a college or university.
- b. ~~A grower, processor, or safety compliance establishment, or microbusiness may not be located within 500 feet of any existing one-family dwelling.~~
- c. **A retailer or microbusiness may not be located within a district zoned exclusively for residential use or within 100 feet of any existing one-family dwelling.**
- d. **The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana establishment; provided, however, that for purposes of subsection (c) only, the distance shall be computed by measuring a straight line between the two closest points of the subject buildings.**

Section 3. 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 PUBLIC HEARING ON
AN ORDINANCE TO AMEND SECTION 46-752 OF THE CADILLAC CITY CODE
RELATING TO RECREATIONAL MARIHUANA ESTABLISHMENTS**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Council Chambers, Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan, on _____, 20____, at 6:00 p.m., at a meeting of the City Council.

At this meeting, the City Council will consider and hold a public hearing on possible amendments to Section 46-752 of the City Zoning Ordinance to authorize co-location, authorize stacked licenses in industrial zones, and reduce spatial restrictions for certain recreational marihuana establishments.

The City Council is receiving written comments concerning the proposed amendments at the City Hall, 200 Lake Street, Cadillac, Michigan. Comments must be received by the Township prior to the start of the public hearing on _____, 20____, at 6:00 p.m.

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.

CITY OF CADILLAC, MICHIGAN

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

26499:00004:5965054-1

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2021-_____

**RESOLUTION INTRODUCING AND SETTING PUBLIC HEARING FOR
AN ORDINANCE TO AMEND SECTION 46-753 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 electronically on the 6th day of December 2021, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

WHEREAS, the City desires to amend the City's Zoning Ordinance regarding recreational marihuana establishments. Specifically, the ordinance would amend Section 46-753 to authorize co-location, authorize stacked licenses in industrial zones, and reduce spatial restrictions for certain medical marihuana facilities; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed amendments on November 29, 2021; and

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

WHEREAS, the City Council desires to adopt the proposed amendments.

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces Ordinance No. 2021-____, Ordinance to Amend Section 46-753 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 the ____ day of _____ 20____, at 6:00 p.m.

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, within seven (7) days. The summary and notice of the hearing shall be substantially in 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. 2021-____, duly adopted at a meeting of the City Council held on the 6th day of December 2021.

Sandra Wasson
Cadillac City Clerk

Exhibit A:

ORDINANCE NO. 2021-____

**AN ORDINANCE TO AMEND SECTION 46-753 OF THE CADILLAC CITY CODE
RELATING TO MEDICAL MARIHUANA FACILITIES**

Section 1. Amendment of Section 46-753(2). Section 46-753(2) of Chapter 46 of the Cadillac City Code is hereby amended to add new Subsections 2 and 3 and to re-number the remaining Subsections accordingly:

~~(2) Co-located marihuana facilities and stacked grower licenses are prohibited.~~

(2) Co-located facilities are permitted in the city, subject to Section 10.3-02(c)(1) of the Cadillac City Code.

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

Section 2. Amendment of Section 46-753(8). Section 46-753(8) of Chapter 46 of the Cadillac City Code is hereby amended as follows:

(8) The following minimum-distancing regulations apply:

- a. ~~A facility other than a provisioning center may not be located within 1,000 feet of a public or private K-12 school or a college or university. A facility provisioning center may be located within 1,000 feet of a public or private K-12 school or a college or university, subject to subsection (8)(b) and (c). , and except that a provisioning center~~ **However, a facility** may not be located adjacent to a public or private K-12 school or a college or university.
- b. A grower, processor, or safety compliance facility may not be located within **a district zoned exclusively for residential use.** ~~500 feet of any existing one-family dwelling.~~
- c. A provisioning center may not be located **within a district zoned exclusively for residential use or** within 100 feet of any existing one-family dwelling.
- d. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana facility; provided, however, that for purposes of subsection (c) only, the distance shall be computed by measuring a straight line between the two closest points of the subject buildings.

Section 3. 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 PUBLIC HEARING ON
AN ORDINANCE TO AMEND SECTION 46-753 OF THE CADILLAC CITY CODE
RELATING TO MEDICAL MARIHUANA FACILITIES**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Council Chambers, Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan, on _____, 20____, at 6:00 p.m., at a meeting of the City Council.

At this meeting, the City Council will consider and hold a public hearing on possible amendments to Section 46-753 of the City Zoning Ordinance to authorize co-location, authorize stacked licenses in industrial zones, and reduce spatial restrictions for certain medical marihuana facilities.

The City Council is receiving written comments concerning the proposed amendments at the City Hall, 200 Lake Street, Cadillac, Michigan. Comments must be received by the Township prior to the start of the public hearing on _____, 20____, at 6:00 p.m.

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.

CITY OF CADILLAC, MICHIGAN

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

Elected Officials Compensation Commission

Minutes

Monday, November 29, 2021

11:00 A.M.

City of Cadillac

200 N. Lake St.

Cadillac, MI 49601

Members Present: Jack Dillon, *Mickey Putman (via phone), Daniel Alto

Members Absent: None

Staff Present: Sandra Wasson, City Clerk

**Mickey Putman stated he is attending the meeting via phone due to a medical condition that prevents him from attending in-person.*

I. CALL TO ORDER

The meeting was called to order by Chairperson Dillon at 11:00 a.m. and he welcomed new member Daniel Alto.

II. APPROVAL OF AGENDA

- Approved by unanimous consent on motion by Alto, supported by Putman to approve the agenda as presented.

III. APPROVAL OF MINUTES

- Approved by unanimous consent on motion by Alto, supported by Putman to approve the minutes from the November 20, 2019 meeting.

IV. PUBLIC COMMENTS

Randy Lindell stated the Commission should not raise the salaries of elected officials and more should be done for the citizens of Cadillac.

V. NEW BUSINESS

Discussion and possible determination on salaries of all City elected officials.

Commission Members reviewed and discussed a spreadsheet showing the City Council Annual Salary - Calendar Years 2005 to 2021.

- Motion was made by Putman and supported by Alto to increase the City Council salaries for the years 2022 and 2023 as follows:

<u>Year</u>	<u>Council Member</u>	<u>Mayor</u>
2022	\$3,300	\$4,600
2023	\$3,400	\$4,700

Ayes: Dillon, Putman, Alto

Nays: None

Motion carried.

VI. ADJOURNMENT

- Approved by unanimous consent on motion by Putman, supported by Alto the meeting was adjourned by Chairperson Dillon at 11:11 a.m.

Respectfully submitted,

Sandra L. Wasson
City Clerk