



City Council Meeting

April 4, 2022

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



April 4, 2022 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We support each other in serving our community

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

A. Minutes from the work session held on March 21, 2022

Support Document III-A

B. Minutes from the regular meeting held on March 21, 2022

Support Document III-B

IV. PUBLIC HEARINGS

A. Public hearing to consider adoption of Ordinance to Authorize Sale of Real Property (Portion of 514 Wright Street).

Support Document IV-A

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- B. Public hearing to consider adoption of Ordinance Amending the City Zoning Map.
Support Document IV-B

V. CITY MANAGER’S REPORT

- A. Recommendation Regarding Trailhead at Cadillac Commons Construction.
Support Document V-A
- B. Schedule a public hearing for April 18, 2022 to consider approval of the Fiscal Year 2023-2028 Capital Improvement Program.
- C. Schedule a public hearing for April 18, 2022 to discuss the 2022/2023 Annual Operating Budget.
- D. Bids and recommendation regarding purchase of Ferric Chloride.
Support Document V-D
- E. Request for out-of-state travel.
Support Document V-E

VI. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding Brownfield Plan for the 101 Harris Redevelopment and set public hearing for April 18, 2022.
Support Document VI-A
- B. Adopt resolution regarding Obsolete Property Rehabilitation District Establishment for the 101 Harris Redevelopment and set public hearing for April 18, 2022.
Support Document VI-B
- C. Adopt resolution regarding Obsolete Property Rehabilitation Act Application for the 101 Harris Redevelopment and set public hearing for April 18, 2022.
Support Document VI-C
- D. Adopt Resolution Amending General Appropriations Act for Fiscal Year 2022.
Support Document VI-D

VII. PUBLIC COMMENTS

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VIII. TABLED ITEMS

- A. Ordinance to Amend Section 40-25 of the City Code Regarding Exhibition Driving.
Support Document VIII-A

IX. GOOD OF THE ORDER

X. 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 Special Meeting
Work Session Minutes
March 21, 2022

CALL TO ORDER

Mayor Filkins called the meeting to order at 3:17 pm.

ROLL CALL

Council Present: Schippers, Elenbaas, Engels, King, Mayor Filkins

Council Absent: None

Staff Present: Peccia, Roberts, Dietlin, Wallace, Ottjepka, Homier, Wasson

PUBLIC COMMENTS

There were no public comments.

DISCUSSION AND REVIEW OF THE CITY GOALS AND THE CAPITAL IMPROVEMENT PROGRAM

City Manager Peccia read through the Mission & Vision Statements.

Peccia stated there are four (4) primary goals:

- Community Development & Enhancement
- Public Safety
- Economic Health & Development
- Customer Service & Organizational Enhancement

Peccia referenced the Priority Programs chart and noted the chart displays how each of the Key Priority Programs and Projects fit into the four (4) main goal categories.

Peccia stated the Key Priority Programs and Projects have been updated. He noted completed Key Priority Programs and Projects have been removed and placed into a separate document.

Peccia briefly discussed: #15 Commuter Rail Depot, #18 Asset Management Plan & Distribution System Materials Inventory, and #19 American Rescue Plan Act (ARPA) Funding Opportunities. He noted City Council can recommend revisions or additions to the document, accordingly.

Mayor Filkins asked if there are plans to utilize a portion of the ARPA Funds to develop a grant program for community members to help them fix up their property.

Peccia noted we received a grant from the Consumers Energy Foundation and some of those funds will be used for that purpose.

Owen Roberts, Director of Finance, stated there are categories of funding. He noted one of the categories is Revenue Loss which expands the flexibility to use these funds for services traditionally provided by government. He stated a program must be setup in a manner that qualifies as a legal expenditure of public funds.

Mayor Filkins stated her hope was that adding additional funds would make it a stronger program that helps more people in the community.

Engels asked if this program should be added to the Priority Programs.

Mayor Filkins stated this is something that is very visible to the citizens of Cadillac.

King stated some individuals may be concerned that certain people are getting the benefit of grant dollars which increases the value of their property and others are not receiving this benefit. He noted he believes ARPA Funds should be seen as going to projects that benefit the entire community not specific people.

Peccia noted if we were to utilize some of the ARPA Funds for this program it would provide some additional microgrants to extend the program.

John Wallace, Community Development Director, stated the program is setup for a \$2,000 grant match on a \$4,000 façade improvement project. He noted there is \$20,000 in grant funds allocated to this program.

Peccia stated when Habitat for Humanity notifies the City that all of the grant money has been utilized, then City Council could consider a policy decision to allocate additional funds.

Peccia noted there are certain qualifications that need to be met in order for individuals to have access to the façade grant dollars.

Peccia stated with respect to management of Lake Cadillac, we believe we will be able to utilize General Fund dollars to mitigate Eurasian watermilfoil concerns for the foreseeable future.

Mayor Filkins asked if shoreline erosion is built into the plan.

Peccia noted shoreline erosion is included in the Capital Improvement Program (CIP).

Roberts noted the Capital Improvement Program (CIP) covers 6-years (Fiscal Years Ending June 30, 2023 – 2028). He noted the CIP identifies \$17.3 million in proposed projects and includes 135 different projects.

Roberts stated we have about 25,000 feet of streets programmed into the document which totals approximately \$6.6 million in costs. He noted the streets will be rated in the spring and he briefly discussed some of the recent street projects. He stated we are planning to develop a schedule of streets that we can perform maintenance on to extend the life of the streets versus doing total reconstruction.

Roberts highlighted some of the key projects included in the Year 1 of the Capital Improvement Program.

Schippers asked if we have preventative measures in place to avoid cyberattacks.

Roberts noted a few years ago IT Right rolled out a program called Sentinel One that targets ransomware attacks. He stated when the program senses an issue it can rollback the code on the database to the moment before the attack occurred. He noted IT Right conducted an audit of our network and we have changed some things accordingly.

Roberts briefly mentioned some of the projects included in Years 2-6 of the Capital Improvement Program.

Engels asked about expansion of the Fire Department and a carport for the Police Department.

Roberts noted the carport will be located in the area where the police cars are parked to enhance response time during snow and storm events.

Roberts stated the expansion of the Fire Department is in Year 4 and the priority for this project needs further evaluation. He noted we received a grant to build the exercise room. He stated we have two (2) enclosed trailers outside that house some hazmat response gear and other items.

Roberts briefly discussed the bids received for the bucket truck. He noted the bucket truck used by the DPW has reached the end of its useful life and will no longer be safety certified. He stated we were able to locate a used truck from Altech Industries which was one of the vendors that submitted a bid. He noted the truck is available and can be purchased at a much lower cost than a new truck.

Engels asked about development of lots 15-20 in the James E. Potvin Industrial Park.

Peccia noted this has been in the CIP for a number of years and would be predicated upon new investment. He stated new investment would open the door to working with the State of Michigan on grants and other funding sources to help fund expansion of the Industrial Park.

ADJOURNMENT

Mayor Filkins adjourned the meeting at 4:35 pm.

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

CITY COUNCIL MEETING MINUTES

March 21, 2022

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

APPROVAL OF AGENDA

2022-032 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

Randy Lindell commented on the need for community-wide sidewalk plowing.

CONSENT AGENDA

2022-033 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNITY SPOTLIGHT

A. First Presbyterian Church – 150th Anniversary

Pastor Mike Horlocker, First Presbyterian Church, stated it is their 150th year in ministry in Cadillac. He noted the church was founded November 13, 1872 and briefly described the history of the church. He stated they wanted to do something special to reach out to the community so they started a 150-day campaign called be the “I” in kindness. He noted members of the congregation are being encouraged to perform acts of kindness and then leave little cards that contain the message displayed on the banner which reads “Let’s Be the I in Kind”. He stated if a member of the community receives one of the cards, they ask that they pass on the act of kindness along with the card. He introduced two members of the congregation Linda Anderson and Janine Rzepka.

PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Amend Section 22-99 of the City Code Regarding Noisy or Riotous Persons.

Peccia briefly described the process regarding the public hearings on the four (4) proposed ordinances.

Adam Ottjepka, Director of Public Safety, reviewed the document titled Frequently Asked Questions Regarding Pending Code Updates (see attachment). He noted all four (4) of the proposed ordinances are being brought forward as a result of complaints that were received by the City.

Peccia noted the proposed ordinances would provide additional tools for Law Enforcement and Code Enforcement that are currently not available in the City Code.

Mayor Filkins opened the public hearing.

Randy Lindell expressed opposition to changing ordinances.

Thomas Outman stated he is a local landlord and takes various precautions to mitigate the risk of having bad tenants. He expressed concerns about the potential financial liability and negative impact to his reputation if he does have a bad tenant. He noted he wants to continue investing in the City but is concerned about the potential risks if his tenants are involved in illegal activities.

Mary Ann Spurgeon stated she has been a landlord in Cadillac since 1983. She noted prescreening does not guarantee a trouble-free tenant and the eviction process can take months.

Ben Dean expressed concern about punishing someone for something done by others. He noted the eviction process can take many months and he is concerned about the potential impact the proposed ordinance could have on landlords.

Mayor Filkins closed the public hearing.

King stated he understands the concerns expressed. He referenced Section 22-99(a) of the current ordinance which states:

It shall be unlawful for any person to permit any noise or riotous persons to assemble in any house owned, occupied or controlled by him, to the annoyance or disturbance of the neighborhood and the public peace.

King noted a landlord that has language in their lease that requires their tenants not to violate local ordinances, state statutes, or other laws is not going to be seen as permitting the types of activities outlined by the Public Safety Director. He stated he doesn't believe that adding section (b) would expose landlords to any liability or responsibility. He stated if the police were to contact a landlord and they did not have the standard language in the lease and they sent their tenant a cease-and-desist notice, the landlord will not be viewed as permitting that

activity. He noted adding section (b) would provide the ability for the landlord to notify the police to let them know they are having a problem with their tenant and the police can become involved. He stated he is a landlord so he is sensitive to the concern regarding landlord responsibility. He noted adding section (b) gives the police the tools to work hand in hand with landlords to deal with any issues.

King noted he does not want duplicative laws; however, the law is a living entity and needs to change with the times and needs to adapt to our social and community circumstances.

Elenbaas asked if the proposed ordinance would change where the money would go from the fines.

City Attorney Homier noted this ordinance already states it is punishable as municipal civil infraction so the money primarily stays with the City with some portion potentially going to the court system for administrative fees.

Engels asked the maximum fines for civil infractions.

King stated he believes a first offense is a \$50 fine and a second offense is a \$250 fine.

Schippers asked what would be the circumstance in which a landlord could be fined because she is not aware of any landlords that would knowingly permit these types of activities. She also asked if we have these types of problems or is this designed to help landlords.

King stated the type of situation he anticipates this being used in would be, for example, if a father was permitting his children to have full use of a home without his presence. The father is technically a landlord because he owns the home but if the police become involved the father could claim he is not responsible because he was not present in the home. He noted there was a situation a few years ago in which a couple owned a home, left the country for work, permitted friend to use the home, and there were many activities occurring in the home. He stated if this were in place it would give the homeowners the ability to tell the people to stop because the owners could be held responsible.

Engels stated with the growing trend of nationwide rental companies there may be a situation where the entity is located in a different state and is not responding to us so we may want the tool for that as well.

Mayor Filkins stated it seems by making this change the City Police Department (CPD) can become involved earlier than they can now because in some instances it was viewpoint of a landlord that our Police Department would just say sorry, I can't help you and they needed to contact the Sheriff's Department for that issue. She noted with this change the CPD can support landlords earlier in the process.

Ottjepka stated the CPD does currently work with landlords that submit FOIA requests for police reports. He noted the intent of the ordinance is to provide a tool for the CPD to be able to reach out to property owners for repetitive issues at a property if the CPD cannot get compliance from the residents.

2022-034 Adopt Ordinance 2022-01.

Motion was made by Engels supported by King to approve the resolution to adopt Ordinance to Amend Section 22-99 of the City Code Regarding Noisy or Riotous Persons.

Ayes: Schippers, Engels, King, Mayor Filkins

Nays: Elenbaas

Motion carried.

B. Public hearing to consider adoption of Ordinance to Amend Section 40-25 of the City Code Regarding Exhibition Driving.

Mayor Filkins opened the public hearing.

Gary VanHouten expressed support for the proposed ordinance. He stated he believes this problem has intensified in the last few years.

Jo Kennard stated she is in favor of giving the police department all the tools they need, but there was a comment in the newspaper that this is not going to apply to regular people and implied it was to focus on teenagers. She doesn't want the City to put anything in place that would target teenagers.

Randy Lindell expressed opposition to changing ordinances.

Joe Greer noted the proposed ordinance may impact the City's ability to attract people to the community, especially if they receive tickets.

Mayor Filkins closed the public hearing.

Peccia noted the City is not looking at targeting any specific group or restricting or eliminating muscle cars, motorcycles, or any other type of vehicles. He stated the City welcomes car shows, such as Back to the Bricks. He noted the intent is if or when a complaint is lodged to the CPD, they would have the tools to issue a citation at the discretion of the officer. He stated the civil infraction fees are \$50 for the first violation, \$250 for the second violation, and \$500 for the third violation.

Mayor Filkins stated if someone is cited for reckless driving they will receive 6 points on their license and for careless driving they will receive 3 points on their license. She noted with exhibition driving being added it would only be 2 points on their license. She stated this would allow the officers to send a clear message without as much impact to the driver.

King stated the City has adopted the Motor Vehicle Code and all of the items we are covering under Exhibition Driving are contained in the Motor Vehicle Code. He noted he initially questioned why this is necessary if there are already laws in place. He stated the difference is that a violation cited under exhibition driving is a municipal civil infraction and there are no points associated with it.

King noted when a citation is issued under the Motor Vehicle Code, depending on the section, the section itself may have points associated with it and may also be required to be abstracted to insurance which causes an additional expense. He stated an example of some of the issues we are seeing is individuals driving back and forth on Mitchell Street purposely trying to disturb others. He noted the proposed ordinance is designed to address this type of issue and to provide the CPD a reasonable way to deal with drivers without giving them consequences that are much more economically oppressive. He stated he was initially against the proposed ordinance but making the violation a civil infraction changed his mind because if it is enforced in the community the way it is intended to be people will get the message and we will obtain the desired results.

Engels asked for clarification on whether there are points associated with exhibition driving.

King stated because the proposed ordinance is not being written under the MCL 257 Codes it is a civil infraction without points and without abstraction.

Mayor Filkins noted when the ordinance was introduced at the previous meeting, Adam Ottjepka stated careless driving is 3 points, reckless driving is 6 points, and exhibition driving is 2 points.

Ottjepka stated in the municipality of Marshall where they enforced exhibition driving it was a 2-point violation and it was 2 points on your driving record.

King asked if that was stated specifically in the ordinance.

Ottjepka stated he is unsure and there may have been an oversight.

King stated his understanding is that if it is written under the specific MCL 257 Motor Vehicle Code Section that requires it to be abstracted then it would be, but we are writing it under our own separate ordinance for exhibition driving.

Ottjepka stated even the MCL 257 Codes are written to mirror whatever our Code is that adopted the 257 Code. He noted if we wrote a careless that was under state statute mirrored by Code, the Code section in the City would go on the citation.

King asked if this is a specific ordinance that is found under MCL 257.

Ottjepka stated he does not know the answer.

Engels asked if we are allowed to add clarity to the ordinance and amend it in that manner.

Mayor Filkins stated she is not comfortable moving forward with something that we are not clear on.

King stated he believes we need an answer to that question. He noted if this automatically has 2 points associated with it would change his view.

City Attorney Homier stated he believes it is just punishable as a municipal civil infraction, but he needs more time to provide a definitive answer.

King asked if we could clarify the ordinance to indicate that this would be a zero point municipal civil infraction.

Homier noted the draft ordinance states a violation of this rule is a civil infraction but does not state whether or not there are points associated with that. He stated this originated out of the Uniform Traffic Code not the Michigan Vehicle Code and he is unsure if there are points abstractable under the Uniform Traffic Code vs. the Michigan Vehicle Code.

King stated under MCL 257 we are not allowed to make any offense have greater punishment than what is under the code. He asked if it prevents us from having an ordinance violation that is of lesser consequence.

Homier noted it is permitted in some instances.

King asked if we table this ordinance to make sure it has the effect we want it to have do we need to have a separate public hearing.

Homier stated another public hearing is not required and the item can be brought back at the next meeting.

2022-035 Table Ordinance 2022-02.

Motion was made by King and supported by Schippers to table the Ordinance to Amend Section 40-25 of the City Code Regarding Exhibition Driving to allow the City Attorney to make sure it has the intent that we do of a zero point civil infraction.

Motion unanimously approved.

Engels asked Adam Ottjepka if that is how we intend to use the tool and does it matter to him whether it is 2 points or zero points.

Ottjepka stated he just wanted a lesser infraction to give the officers another tool. He noted the officers do have discretion and all of the actions listed are already covered under MCL 257.707.

Schippers noted we just want the behavior to stop.

- C. Public hearing to consider adoption of Ordinance to Amend Section 16-145 of the City Code Regarding Motor Vehicle Noise.

Mayor Filkins opened the public hearing.

Ben Dean pointed out it should be Section 16-145 not Section 16-144. He asked why we need to add verbiage specifically related to vehicles. He noted subparagraph (9) does not state it only applies to residences.

Gary VanHouten expressed support for the proposed ordinance. He noted there is a direct link between excessive noise, especially unexpected noise, and health issues.

Randy Lindell expressed opposition to changing ordinances. He noted he is in favor of providing good kids with some leeway when they are driving.

Joe Greer expressed opposition to the proposed ordinance. He stated this law could discriminate against people driving motorcycles and convertibles.

Mayor Filkins closed the public hearing.

Schippers noted her understanding is that the decibel level we are discussing will not be like motorcycle radios or even a loud radio. She stated we are talking about being inside and having the windows rattling.

Peccia noted the Code we currently have in place deals with music and sound coming from any type of residence. He stated there is no reference included regarding music or sound coming from a motor vehicle. He noted it is not the intention to target someone driving a motorcycle or convertible with the stereo turned up. He stated it is intended to address those who are not courteous when they are stopped for an extended period of time and are doing something to the degree that generates a complaint to be received by the City. He noted if compliance is not achieved when an officer asks them to turn the music down, the proposed ordinance would allow the officer to write a ticket.

Elenbaas stated he does not know how this is enforceable because the person could claim the music was not that loud and the officer says it was too loud. He noted the driver will likely have already turned the music down when the officer pulls them over. He questioned how this could be proven because it is the word of the officer against the word of the driver.

Ottjepka noted the first reason for the proposed amendment is that the City lost a citation under this ordinance because it wasn't specific to music coming from a vehicle. He stated the second reason is when you go before the magistrate you have to articulate the reasons why the citation was issued, such as we received complaints from business owners.

Elenbaas questioned response to complaints before 11:00 pm. He noted he has been told that an officer will not respond to a noise complaint prior to 11:00 pm.

King stated he does not believe the problem involves a person in a convertible with the music turned up pulling up to a stoplight and then moving on when the light changes. He noted the complaints he has heard involve people driving up and down Mitchell Street trying to cause a disturbance. He stated he has also heard about someone who had a convertible parked in their yard loudly playing a shock jock broadcast. He noted there is currently nothing in place to address this issue because the stereo is not coming from the residence. He stated he does not support repeating laws that we already have the ability to enforce. He noted the current ordinance does not address motor vehicles and people are taking advantage.

Peccia noted the times listed in the ordinance (11:00 pm to 7:00 am) is a window of extra emphasis but Council can remove the time reference altogether. He stated it would still be enforceable 24 hours per day.

Homier noted as pointed out during the public comments it should be Section 16-145 (9) instead of Section 16-144. He noted Section 16-144 declares excessive noise a nuisance and

is defined as all loud or unusual noises or sounds and annoying vibrations which offend the peace and quiet or persons of ordinary sensibilities are hereby declared to be public nuisances. He noted this section is punishable as a municipal civil infraction. He stated a violation cited Section 16-145 (9) would be a misdemeanor. He stated Section 16-145 (9) contains the language “particularly during the hours between 11:00 p.m. and 7:00 a.m.” so it does not prohibit enforcement at other times but focuses on those hours.

Elenbaas stated he and others have been told that no noise would be addressed until 11:00 p.m.

Engels noted the proposed ordinance would add the statement “including, but not limited to, from a motor vehicle” to the existing ordinance. He stated he prefers that the hours between 11:00 p.m. and 7:00 a.m. remain in the ordinance.

Schippers stated she hopes it would be enforced at other times of the day if a complaint is received.

2022-036 Adopt Ordinance 2022-03.

Motion was made by Schippers and supported by Engels to approve the resolution to adopt Ordinance to Amend Section 16-145 of the City Code Regarding Motor Vehicle Noise.

Ayes: Schippers, Engels, King, Mayor Filkins

Nays: Elenbaas

Motion carried.

D. Public hearing to consider adoption of Ordinance to Add Section 22-139 to the City Code Regarding Marihuana Odor Mitigation.

Mayor Filkins opened the public hearing.

Mary Ann Spurgeon expressed support for controlling marihuana odor because she is concerned about children constantly being exposed to the odor.

Joe Greer stated just because you can smell and discern the odor generated from marihuana it doesn't necessarily mean it is hurting you or is a problem. He noted he is concerned about how much this will complicate the work of law enforcement officers, how much it will cost, how much time it will take, as well as extra overhead and burden for the City of Cadillac.

Jo Kennard stated she doesn't understand how we could allow marihuana businesses to open in the City and then cite them for what they are legally growing or producing.

Randy Lindell expressed opposition to changing ordinances. He noted many people are smoking marihuana and you can smell it everywhere.

Mayor Filkins closed the public hearing

Peccia clarified that when the ordinances were adopted regarding marihuana retail facilities and marihuana industrial-type facilities they included a provision for odor mitigation. He stated the proposed ordinance does not apply to marihuana businesses but is regarding marihuana odors that are emanating from personal dwellings or other spaces.

Peccia noted with regard to the potential influx of work to the CPD, if a call comes into central dispatch which is operated by the County the CPD will either respond or make a phone call to the complaining party even if it is something they can't do anything about. He stated in terms of the time and resources involved we are still going to have to engage as calls are received with this issue along with the other issues. He noted the proposed ordinance provides the CPD with the framework in which to try to help people work through the issue. He stated the proposed ordinance lists several mitigation measures that could be used to try to dissipate odors. He noted the City did receive a complaint from someone in a mixed-use building. He stated the business occupants complained that marihuana odors were emanating from the residential area. He noted the proposed ordinance would provide the tools to handle this type of situation.

Elenbaas asked if we plan to purchase and utilize olfactory devices for detection.

Peccia stated the proposed ordinance provides options for detection.

King noted businesses are regulated under separate ordinances. He stated he believes if people are growing and processing their own marihuana they should be under regulation and respectful to their neighbors. He noted he does not support Section (b) that adds "Use". He provided an example of two people living in apartments with balconies and one is outside smoking a cigar and the other is smoking marihuana. He stated the cigar smoke may offend one of the neighbors and the marihuana smoke may offend the other. He noted it seems discriminatory to say that smoking a cigar is acceptable but smoking marihuana is not when both are legal.

Elenbaas stated he agrees with Council Member King because there are some people that have a very low tolerance to the smell of marihuana.

Engels stated he is hesitant to support Section (b) of the proposed ordinance for the same reasons stated by Council Member King. He noted he is not in favor of Section (a) in private residences but does support it in a multiunit-type facility. He stated he has received complaints about odors coming from campfires and industries.

Schippers stated smoking marihuana is more harmful than growing because it is second-hand smoke. She noted when someone is growing marihuana the odor is constant.

Peccia suggested tabling the proposed ordinance if Council is considering limiting it to multiuse structures to provide the City Attorney with the opportunity to review if this would be permissible.

Mayor Filkins noted it was stated that 50% of the single-family homes in the City are rental properties. She stated she believes people understand that they need to have an odor mitigation system. She noted the voters in the City voted to legalize marihuana. She stated

we are constantly learning and we realized when this was implemented that we would probably need to tweak some things along the way.

Homier stated there needs to be a rational basis for restricting the proposed ordinance to multiuse facilities so it would need further review.

2022-036 Adopt Ordinance 2022-04.

Motion was made by King and supported by Elenbaas to approve the resolution to adopt Ordinance to Add Section 22-139 to the City Code Regarding Marihuana Odor Mitigation with the revision that Section (b) removes any reference to personal use and Section (b)(1) is amended to state “Any person who cultivates marihuana for any purpose”so it is strictly dealing with the growing and processing of marihuana.

Ayes: Elenbaas, King, Mayor Filkins

Nays: Engels, Schippers

Motion carried.

CITY MANAGER’S REPORT

A. Recommendation regarding Assessing Contract with Wexford County.

Peccia noted this item is regarding the intergovernmental service agreement the City has with Wexford County for assessing services. He noted the recommendation is for Council to waive competitive bidding and to approve the agreement. He stated the contract authorizes annual rate adjustments based on the lesser of the CPI used by the State of Michigan in the capped value formula or 2%.

2022-037 Waive competitive bidding regarding Assessing Services.

Motion was made by Schippers and supported by Elenbaas to waive competitive bidding regarding Assessing Services.

Motion unanimously approved.

2022-038 Approve agreement with Wexford County for Assessing Services.

Motion was made by Schippers and supported by King to approve the agreement with Wexford County for Assessing Services.

Motion unanimously approved.

B. Bids and recommendation regarding construction of Pole Barn.

Peccia noted the FY2022 budget for the Water and Sewer Fund includes an appropriation for construction of a pole barn to replace the current storage pole building which is over 50 years old. He stated competitive bids were received and the recommendation is to award the project to the lowest bidder, Orshal Construction, in the amount of \$40,880.

2022-039 Award Pole Barn Project.

Motion was made by Schippers and supported by King to award the FY2022 Pole Barn Project to Orshal Construction in the amount of \$40,880.

Motion unanimously approved.

C. Bids and recommendation regarding Well Cleaning.

Peccia noted the FY2022 budget for the Water and Sewer Fund includes an appropriation for well cleaning and any related repairs found during the cleaning project. He stated competitive bids were solicited and one (1) bid was received. He noted the recommendation is to award the FY2022 Water Well Cleaning Project to Raymer in the amount of \$37,000 and authorize the Utilities Department to spend up to \$5,000 for any necessary repairs.

2022-040 Award FY2022 Water Well Cleaning Project.

Motion was made by Schippers and supported by Elenbaas to award the FY2022 Water Well Cleaning Project to Raymer in the amount of \$37,000 and authorize the Utilities Department to spend up to \$5,000 for any necessary repairs.

Motion unanimously approved.

D. Bids and recommendation regarding purchase of Bucket Truck.

Peccia noted this item was discussed during the work session. He stated the recommendation is to reject the bids due to pricing and long wait times. He noted the City evaluated the option of purchasing a preowned unit.

Owen Roberts, Director of Finance, noted we were able to locate a preowned unit at Altech Industries. He stated the unit was listed at \$99,900 but after negotiations the price was reduced by \$3,000 and the company will reimburse for the cost of the plane ticket for someone to fly down and drive the vehicle back from Birmingham, Alabama. He noted this would save about \$2,500 in delivery costs and would allow Ken Payne, DPW Operations Manager, to inspect the vehicle prior to the purchase.

2022-041 Award purchase of Bucket Truck and approve out-of-state travel.

Motion was made by Elenbaas and supported by Engels to reject the bids for a new bucket truck and award the purchase of a used bucket truck per final recommendation based on availability of preowned models; also approve out-of-state travel for DPW Operations Manager Ken Payne to inspect the unit, complete the purchase, and drive it back to Cadillac.

Motion unanimously approved.

E. Recommendation regarding 2022-2023 Road Salt.

Peccia noted the City has been participating in the MiDEAL program for a number of years and the request is to participate in the program again to purchase 2022/2023 road salt.

Elenbaas asked how much of our salt did we utilize this winter.

Roberts noted we had some road salt left over from the prior year so this year we only purchased 1,300 tons but we are running low due to the recent ice storm.

Elenbaas asked if there has been a price increase.

Roberts noted the price has remained steady the past few years.

2022-042 Approve recommendation regarding 2022-2023 Road Salt.

Motion was made by Schippers and supported by Engels to authorize the City to participate in the MiDEAL competitive bidding process and approve the commitment to purchase up to 2,000 tons of seasonal road salt through the resulting State of Michigan contract at the unit cost bid approved by the State of Michigan.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARD AND COMMISSIONS

A. Cadillac West Corridor Improvement Authority

PUBLIC COMMENTS

Randy Lindell expressed concern about the noise coming from the shooting range and potential increases to water and sewer rates.

Gary VanHouten discussed concerns about noise coming from a low flying airplane during the summer. He noted this is a daily occurrence and has been ongoing for several years.

GOOD OF THE ORDER

King stated the majority of the calls he received regarding approving snowmobiles in the downtown area were regarding concerns that the proposed route went down the White Pine Trail. He noted when they were provided with the map that shows the route does not go down the White Pine Trail, everyone stated they withdrew their objections. He stated the other objection he heard was concern about the noise created by snowmobiles. He noted he pointed out that a snowmobile has to obey the 25 mile per hour speed limit on the designated route so they are not going to be loud. He stated he believes it is an important economic decision for Council to take action on. He noted it is his understanding that businesses are compiling a packet to be made available to Council in April. He stated he would like to have this issue be placed on the agenda in April for discussion. He requested John Wallace, Community Development Director, to enlarge the southern route of the map that shows it is not on the White Pine Trail.

Elenbaas noted a recent article in the Cadillac News seemed to imply that the City had sold the Market and requested clarification.

Peccia stated the Market at Cadillac Commons is owned by the City and is rented to the Cadillac Farmers Market, LLC.

Schippers noted some members of City Council recently attended the Michigan Municipal League Capital Conference. She stated there were many interesting speakers and a lot of information was

provided. She briefly discussed an organization called Braver Angels that formed several years ago for the purpose of bringing together people with different political views to talk and discover what they have in common. She stated it is good to see an organization that works with communities to help neighbors talk to one another. She noted she would like to see more people with differing political views to be able to talk to one another.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk



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

Frequently Asked Questions Regarding Pending Code Updates

Noisy or Riotous Persons; Exhibition Driving; Motor Vehicle Noise; and Marihuana Odor Mitigation

On March 7, 2022 during the City Council's regularly scheduled 6 PM meeting, the Council will be introduced to four ordinances that amend the City's Code. The legislative action for City Council to consider on March 7th, is to set the four Public Hearings for the pending Code amendments for the Council's regularly scheduled 6 PM meeting on March 21st. On March 21st, during any of the Public Hearings scheduled for that agenda, anyone from the public has an opportunity to provide comments to the City Council, however it is not a discussion with City Council.

At the close of any Public Hearing, City Council may further discuss the proposal, approve the proposal, amend and then approve the proposal, remand the item to another board if appropriate, or take no action.

1. What topics are being covered that the pending ordinances to update Cadillac's Code?

a. Answer: The proposed Code amendments cover the following:

- Noisy or Riotous Persons (Amends the City's Disorderly Conduct Regulations in Section 22-99 of the City Code)
- Noise from Motor Vehicles (Amends the City's Noise Regulations in Section 16-144 of the City Code)
- Exhibition Driving (Amends the City's Uniform Traffic Code Regulations in Section 40-25 of the City Code)
- Marihuana Odors (Updates the City's Code by adding Section 22-139, Marihuana Odor Mitigation)

2. Noisy or Riotous Persons - What is the background regarding this pending Ordinance?

- a. Answer: This Code amendment disallows property owners from allowing illegal activity from occurring at their residence. Currently, if a property is not owner-occupied, the City is only able to cite the tenant(s). The proposed amendment specifically proposes that it shall

be unlawful for any person to operate or permit to be operated in any house or place the following, and subsequently allows the City to cite the property owner for:

- Prostitution
- Gambling
- Illegal sale or use of intoxicating liquor or controlled substances
- Any other illegal activity

3. Motor Vehicle Noise - What is the background regarding this pending Ordinance?

- a. Answer: This Code amendment proposes the inclusion of motor vehicles within our pre-existing noise ordinance. The Code already in place regarding noise only references radios, TVs, phonographs, musical instruments, or music of any type, coming from homes or other dwellings. By amending the Code to include motor vehicles, this will provide the City with the ability to cite noise violators from noise emitting from motor vehicles. One example of a potential violation would be music coming from a motor vehicle that is loud enough to vibrate adjacent windows in other vehicles, homes or businesses.

4. Exhibition Driving – What is the background regarding this pending Ordinance?

- a. Answer: This Code amendment does not ban or prohibit motorcycles, classic vehicles or other licensed vehicles from legally operating within the City. This Code amendment updates the Uniform Traffic Code to add a new civil infraction regarding exhibition driving, which is defined in the proposed amendment by the following acts:
- Rapid acceleration
 - Squealing, peeling or burning of tires
 - Swaying of the motor vehicle from side-to-side, more commonly referred to as “fishtailing”
 - Racing or running of the engine of a motor vehicle at such speed to cause excessive or unusual noise
 - Unnecessary and excessive changing of lanes
 - Emission of any unreasonably loud, raucous, disturbing, or unnecessary noise from the engine or exhaust system of any motor vehicle

Currently, the City may cite anyone if noise from their vehicle exceeds what the State of Michigan currently allows (MCL 257.707), which varies by vehicle weight, and this Code amendment does not change or further restrict anyone from what is already in place.

City Police may currently cite anyone if they are driving carelessly under MCL 257.626(b), typically, if they violate a minimum of two of the above acts. Additionally, City Police may cite anyone for driving recklessly under MCL 257.626(2), typically, if they violate a minimum of three of the above acts; however, by having this additional option available, the City would be able to cite anyone if they violate only one of the above acts.

The option of citing anyone under the proposed Exhibition Driving Code versus citing someone under careless or reckless driving, even though it is likely that more than one act has been committed, reduces the financial burden to the violator as well as the number of points getting assessed against their license. The proposal also gives additional flexibility to the City's Police Department, and under the officer's discretion, provides another option.

5. Marijuana Odor – What is the background regarding this pending Ordinance?

- a. Answer: This Code amendment requires odor mitigation for all individuals who cultivate marihuana plants in the City for any purpose. Reasonable action individuals could use, for example purposes, may include the following:

- Use of activated carbon and charcoal filters
- Use of air purifiers or air filters
- Use of industrial odor-control system
- Use of a bio-filtration system
- Other common industry methods for odor mitigation

This Code amendment also prohibits marihuana odors caused by anyone cultivating or using it to where it results in a nuisance to the public or endangers the comfort, health or safety of the public. The proposed code further defines or establishes how an odor is objectionable, should either of the following conditions be met:

- Odor detectable in the ambient air is greater than a 7/1 dilution threshold (D/T) for two samples or observations not less than 15 minutes apart within a one-hour period measured by a field olfactometer device beyond the boundaries of the property.
- The City receives three or more formal complaints from individuals or entities within a 24-hour period, and the complaints are related to a single odor source. Formal complaints filed by members of the same household will be considered one complaint.

Marihuana odors caused by any licensed facility, such as a growing or cultivation facility, are currently covered in a separate section of City Code that requires mitigation control measures.

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. 2022-_____

**RESOLUTION TO ADOPT ORDINANCE TO APPROVE
SALE OF REAL PROPERTY
(PORTION OF 514 WRIGHT STREET)**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, on the 4th day of April, 2022, at 6:00 p.m. at the Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan 49601.

PRESENT: _____

ABSENT: _____

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

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

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

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

WHEREAS, the City wishes to adopt an ordinance that authorizes the sale to the Cadillac Industrial Fund Inc. (the "Fund") of real property owned by the City located in the City of Cadillac, Wexford County, Michigan and described as a portion of 514 Wright Street to be determined by agreement of the City and the Fund (the "Real Property"); and

WHEREAS, the City Clerk twice published a summary of the Ordinance in a newspaper of general circulation in the City of Cadillac, together with a notice setting the time and place for a public hearing on the Ordinance, in accordance with the Charter. A copy of the Ordinance was and is available for examination at the office of the City Clerk, and copies may be provided for a reasonable charge; and

WHEREAS, a public hearing regarding the Ordinance was held on the 4th day of April, 2022, at 6:00 p.m. ; and

WHEREAS, the sale of real property to the Fund as described in the Ordinance is in the public interest.

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

1. Pursuant to Section 5.2 and 5.6 of the City Charter, the City adopts Ordinance No. 2022-____, Ordinance to Authorize Sale of Real Property (Portion of 514 Wright Street) (the "Ordinance," attached as Exhibit 1).

2. The Mayor and the City Clerk are authorized to execute any and all documents, and to take any and all actions, as may be necessary or appropriate to close

upon the sale of the Real Property for a purchase price of 10% of the net proceeds of any subsequent sale of the Real Property by the Fund.

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

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. 2022-____, duly adopted at a regular meeting of the City Council held on the 4th day of April, 2022.

Sandra Wasson
City Clerk

ORDINANCE NO. 2022-05

**ORDINANCE TO APPROVE SALE OF REAL PROPERTY
(PORTION OF 514 WRIGHT STREET)**

THE CITY OF CADILLAC ORDAINS:

Section 1.

Pursuant to MCL 117.4e, the Charter of the City of Cadillac and other applicable authority, the City hereby approves the sale to the Cadillac Industrial Fund Inc. (the "Fund") of real property owned by the City located in the City of Cadillac, Wexford County, Michigan and described as a portion of 514 Wright Street as determined by agreement of the City and the Fund (the "Real Property"). The description will be attached as Exhibit A when the determination is made.

Section 2.

The Mayor and City Clerk are hereby authorized to execute any and all documents and to take any and all actions necessary or appropriate to close upon the sale of the Real Property to the Fund or its designee, for a sale price of 10% of the net proceeds from a subsequent sale of the Real Property by the Fund.

Section 3.

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

Section 4.

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

Section 5.

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

Approved this 4th day of April, 2022.

Sandra Wasson, City Clerk

Carla J. Filkins, Mayor

I, Sandra Wasson, City Clerk of the City of Cadillac, Michigan, do hereby certify that a summary of Ordinance No. 2022-____ was published in the Cadillac News on the ____ day of _____, 2022.

Sandra Wasson, City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

On this ____ day of _____, 2022, before me, a Notary Public, in and for said County, personally appeared Carla J. Filkins, Mayor, and Sandra Wasson, City Clerk, on behalf of the City of Cadillac, who executed the foregoing Ordinance and acknowledged that they have executed it on behalf of the City of Cadillac in their capacity as its Mayor and City Clerk, respectively.

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

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

EXHIBIT A

That part of the SW¼ of Section 33, T22N, R09W, City of Cadillac, Wexford County, Michigan, in particular being a part of Blocks 152 thru 157 of the Plat of The Improvement Board's Addition to the City of Cadillac, as recorded, being described as:

Commencing at the W¼ Corner of said Section 33; Thence S 00°34'31" W along the West line of said section 1030.54' to the Northerly Right-of-Way line of the Ann Arbor Railroad; Thence S 73°07'50" E along said Northerly Right -of-Way 286.07'; Thence N 01°45'02" E 312.82'; Thence N 30°24'15" E 80.11' to the Point of Beginning; Thence N 00°24'59" W 329.00' to the South line of Fifth Street; Thence S 89°15'57" E along said South line of Fifth Street 442.94' to the NE Corner of Lot 2, Block 156 of said plat; Thence S 00°31'08" W along the East line of said Lot 2 extended 241.13'; Thence S 89°17'24" E 116.07'; Thence S 00°30'17" W 3.42'; Thence S 89°15'57" E 160.08'; Thence S 00°30'17" W 87.66'; Thence S 89°18'51" E 132.76' to the said Northerly and Westerly Railroad Right-of-Way line; Thence S 27°04'47" W 103.66'; Thence 441.58' along a 620.05' radius curve to the right, having a Long Chord of S 47°29'00" W 432.31'; all being along said Railroad Right-of-Way; Thence N 00°00'00" W 41.69'; Thence N 90°00'00" E 45.00'; Thence N 00°00'00" W 190.00'; Thence S 90°00'00" W 315.00'; Thence S 00°00'00" E 45.00'; Thence S 90°00'00" W 187.03'; Thence N 01°45'02" E 40.00'; Thence N 88°34'52" W 30.00'; Thence N 01°45'02" E 171.07' to the Point of Beginning. Containing 7.77 acres, more or less. All being subject to easements, restrictions, and reservations of record, if any.

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2022-____

RESOLUTION TO ADOPT ORDINANCE AMENDING THE CITY ZONING MAP

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held on the 4TH day of April, 2022, at 6:00 p.m.

PRESENT: COUNCIL MEMBERS: _____

ABSENT: COUNCIL MEMBER: _____

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

WHEREAS, TTP Financing Group, LLC (the "Owners") own real property in the City of Cadillac legally described as follows:

S 45' IF E 144' OF LOT 8, BLOCK U, G.A. MITCHELL PLAT, CITY OF CADILLAC

and whose tax identification number is 10-084-00-047-00 (hereinafter the "Parcel"); and

WHEREAS, the Parcel is currently zoned RMH Residential Mobile Home; and

WHEREAS, the Owners submitted an application (the "Application") to the City Planning Commission requesting that the Parcel be rezoned to B-3 General Business District in order to use the Parcel as an Automotive Dealership; and

WHEREAS, upon giving notice in accordance with the Michigan Zoning Enabling Act 110 of 2006, MCL 1253101 *et seq.* ("MZEA"), the City Planning Commission conducted a public hearing regarding rezoning of the Parcel on February 28, 2022; and

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

WHEREAS, the City Council held a public hearing on the proposed Ordinance on April 4, 2022; and

WHEREAS, the City Council has determined that it is in the best interests of the public health, safety and welfare to adopt the Ordinance.

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

1. Ordinance Amending the City Zoning Map (the "Ordinance," attached as Exhibit A) is hereby adopted.
2. The Ordinance shall be filed with the City Clerk.
3. The City Clerk shall publish notice of adoption in a newspaper of general circulation in the City within seven (7) days.
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: COUNCIL MEMBERS: _____

NAYS: _____

STATE OF MICHIGAN)
)ss
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. 2022-_____, duly adopted at a meeting of the City Council held on the 4th day of April, 2022.

Sandra Wasson
Cadillac City Clerk

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

ORDINANCE NO. 2022-06

AN ORDINANCE AMENDING THE CITY ZONING MAP

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends the City Zoning Map to change the RMH Residential Mobile Home District zoning designation and established use district as shown on the City Zoning Map for the real property legally described as:

S 45' IF E 144' OF LOT 8, BLOCK U, G.A. MITCHELL PLAT, CITY OF CADILLAC
(Tax identification No. 10-084-00-047-00)

to the B-3 General Business District zoning designation and corresponding use district under Chapter 46 of the Cadillac City Code.

Section 2.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3.

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

Section 4.

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

Approved this ___ day of _____, 2022.

Sandra Wasson, Clerk

Carla J. Filkins, Mayor

April 4, 2022

Council Communication

RE: Recommendation Regarding Trailhead at Cadillac Commons Construction

In 2018 the City was awarded a grant through the Michigan Natural Resources Trust Fund for the extension of the White Pine Trail and construction of a new trailhead. This project – The Trailhead at Cadillac Commons - is part of the development of the Cadillac Commons, which has been a transformational placemaking project in the City. The Trailhead at Cadillac Commons includes the extension of the White Pine Trail from the South Street & Lake Street intersection approximately 900-feet north to the corner of Cass and Lake Streets, in addition to providing a new trailhead location.

At a special meeting related to the project, Council asked that the project be rebid with the decision to redirect the location of the trail extension onto the roadway, and various other alternatives regarding the trailhead and road crossing. The following bids were received and included several alternatives requested by Council.

Contractor Name	Base Bid	Alternate 1 Reconstruct Entire Parking Lot	Alternate 2 Trail Crossing at Cottage Street	Alternate 3 Picnic Shelter
CJ's Excavating	\$416,247.19	\$28,661.60	\$8,778.73	\$63,098.30
Crawford Contracting, Inc.	\$466,946.96	\$23,975.00	\$8,448.55	\$71,207.50
Salisbury Excavating, Inc.	\$542,402.60	\$58,031.50	\$11,167.30	\$54,103.50
Malley Construction, Inc.	\$569,759.50	\$50,210.00	\$10,952.50	\$59,449.50
Greenscape General Contracting	\$649,208.01	\$33,743.50	\$14,395.88	\$100,800.00

Review of the bid package and bids by the Michigan Department of Natural Resources is in process and approval to award the construction contract is expected very soon.

Project Components

For evaluation purposes, the base bid for the project includes all components of the project that are required by the grant that the City received from the State. The bid documents for the project also included three alternates:

Alternate 1 - Fully reconstruct parking lot

Additional funds required to create a 20-year life parking lot. If not selected, maintenance activities will be performed to elongate the life of the parking lot. These activities will be more minor costs every 3 to 4 years. This alternate is not included in the final recommendation.

Alternate 2 - Crossing at Cottage Street

Based on a safety analysis by a Traffic and Safety Engineer, the Cottage Street crossing is not included in the final recommendation.

April 4, 2022

Council Communication – Trailhead at Cadillac Commons

Page 2

Alternate 3 - Picnic Shelter

Additional grant resources from a separate placemaking grant and other sources will be sought to fund all or a portion of the picnic shelter costs. It is being recommended that this alternate is approved as a part of this Council action, but construction of the shelter will not be undertaken immediately pending application and notification regarding these other grant applications. Approving this alternate allows the current construction to prepare the site to add the shelter when appropriate. Adjustments to the layout and concrete placement will be made with this year's construction to provide the base infrastructure for the picnic shelter.

Specific pricing for all components of the project is provided in the attached bid tabulation.

Recommendations for Consideration

Component	Option 1 - Base Bid Only	Option 2 - Base Bid + Alt. 1	Option 3 - Base Bid + Alt. 3
Base Bid	\$416,247.19	\$416,247.19	\$416,247.19
Alternate 1 - Parking Lot		\$28,661.60	
Alternate 3 - Picnic Shelter			\$63,098.30
	\$416,247.19	\$444,908.79	\$479,345.49
Engineering Costs	\$75,000.00	\$75,000.00	\$75,000.00
Total Costs	\$491,247.19	\$519,908.79	\$554,345.49
Outside Funds	\$336,241.35	\$336,241.35	\$336,241.35
Additional Funds Required	\$155,005.84	\$183,667.44	\$218,104.14

Funding the Project

The following chart shows the funding sources for the project, as well as the funds that the City will be required to provide should other funding sources not be available.

Source of Funds	Status	Amount
State of Michigan - Grant	Committed	\$265,200
Cadillac Area Community Foundation	Committed	\$22,500
Cadillac Area Visitors Bureau	Committed	\$5,000
Rotary Club Auction	Received	\$32,000
4Front Credit Union	Committed	\$2,300
Michigan Pipe & Valve	Committed	\$1,200
McClain Cycle and Fitness	Committed	\$2,200
Republic Services	Committed	\$5,881
Total Outside Funds		\$336,281
Project Cost Including Picnic Shelter		\$479,345
Engineering		\$75,000
Additional Funds Required		\$218,064

April 4, 2022

Council Communication – Trailhead at Cadillac Commons

Page 3

Recommended Action

It is recommended that City Council award the contract for construction of the White Pine Trail Extension and Trailhead Construction project to CJ's Excavating, Inc. as presented for the base bid. It is also recommended that a contingency of 15% be added to the contract for inflationary adjustments and field-level quantity changes, for a total contract award of \$478,684.27.

It is also recommended that City Council approve Alternate 3, the addition of the picnic shelter as described under the description of alternate 3 above. This portion of the project will be dependent on the identification of other funding sources, including the application for additional grant funding.

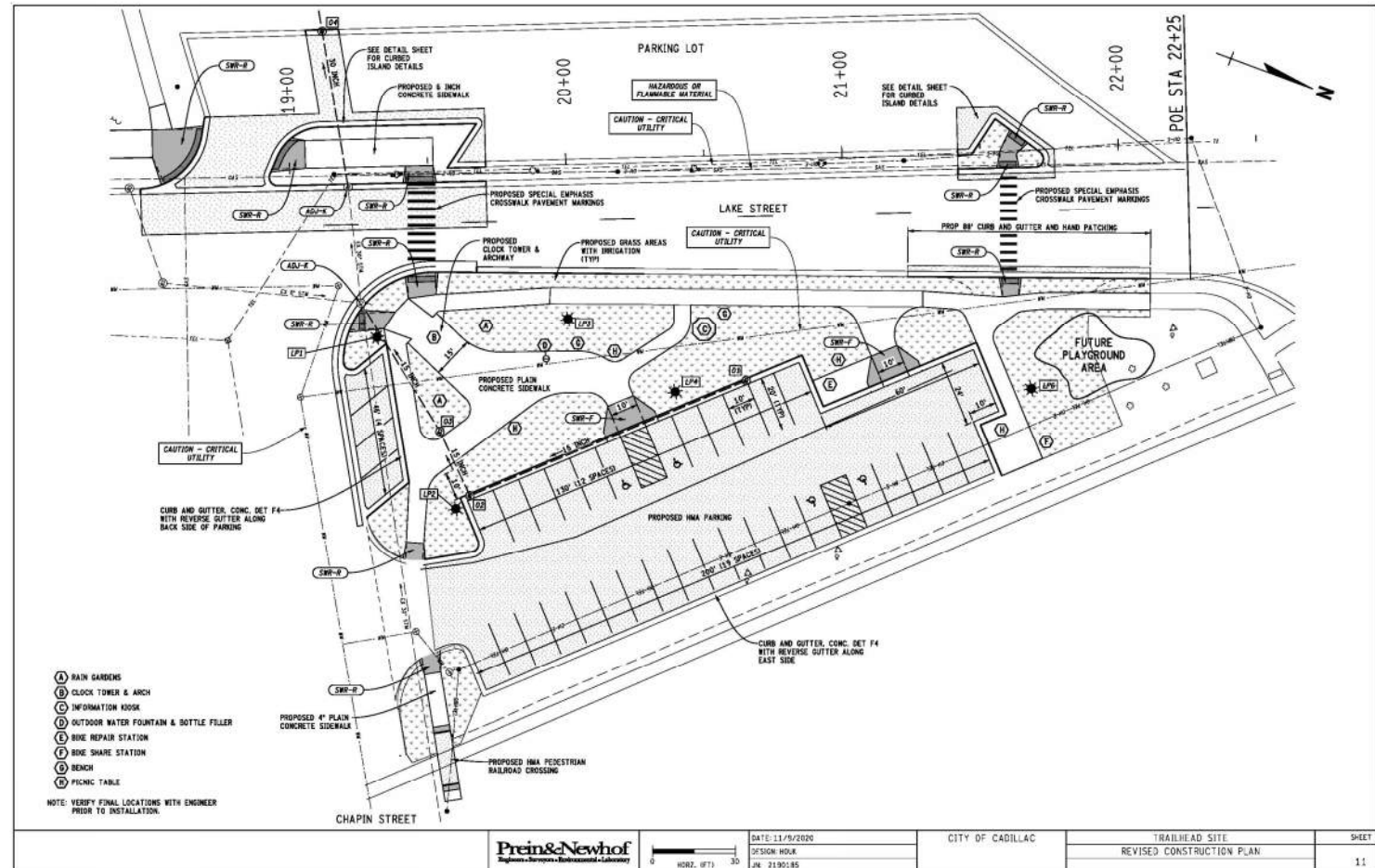


White Pine Trail Extension & Trailhead

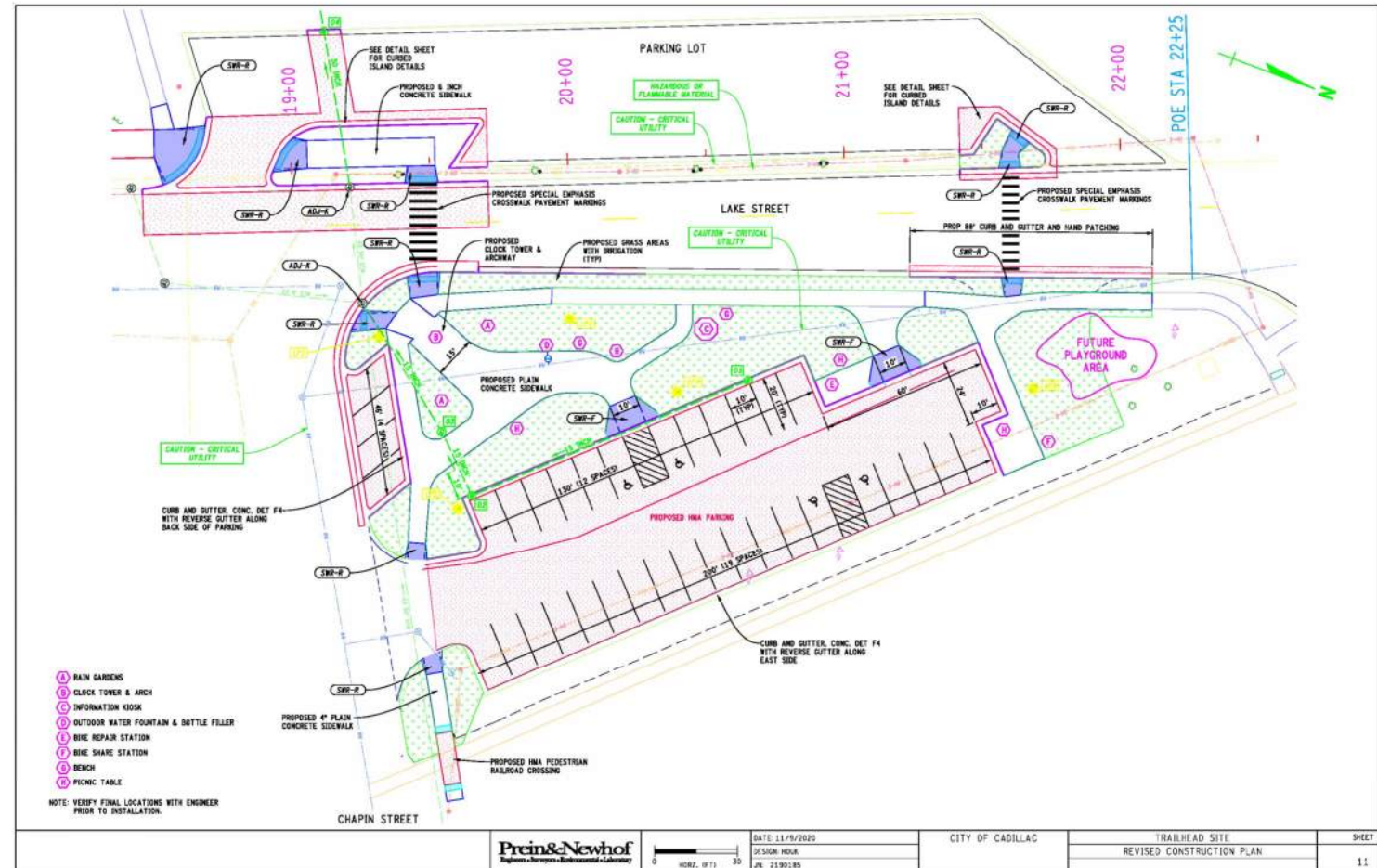
City of Cadillac
February 2022

Prein&Newhof

Trailhead Lot



Trailhead Lot



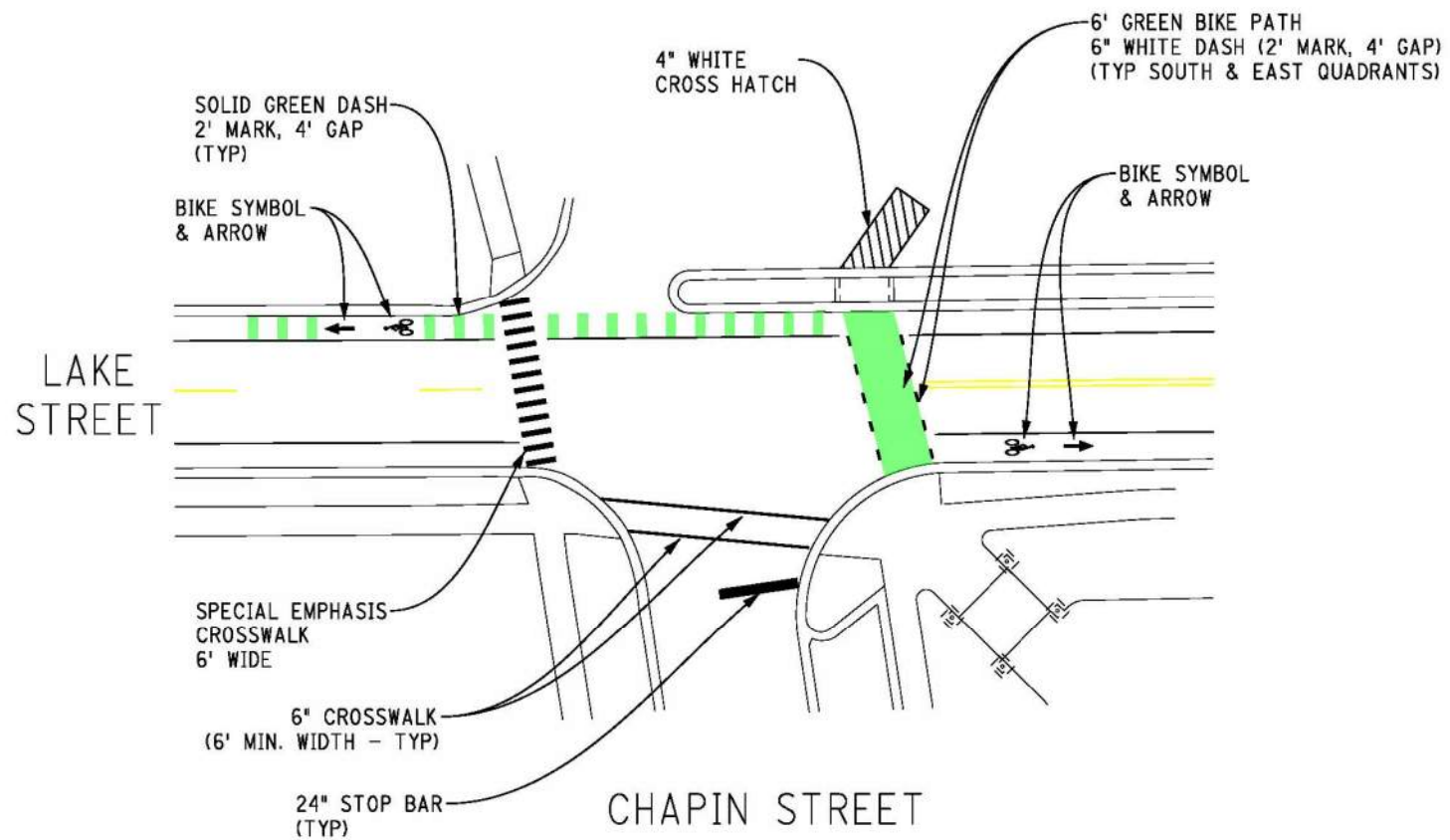
Trailhead Entrance

*Rendering
utilizing the
Clocktower*

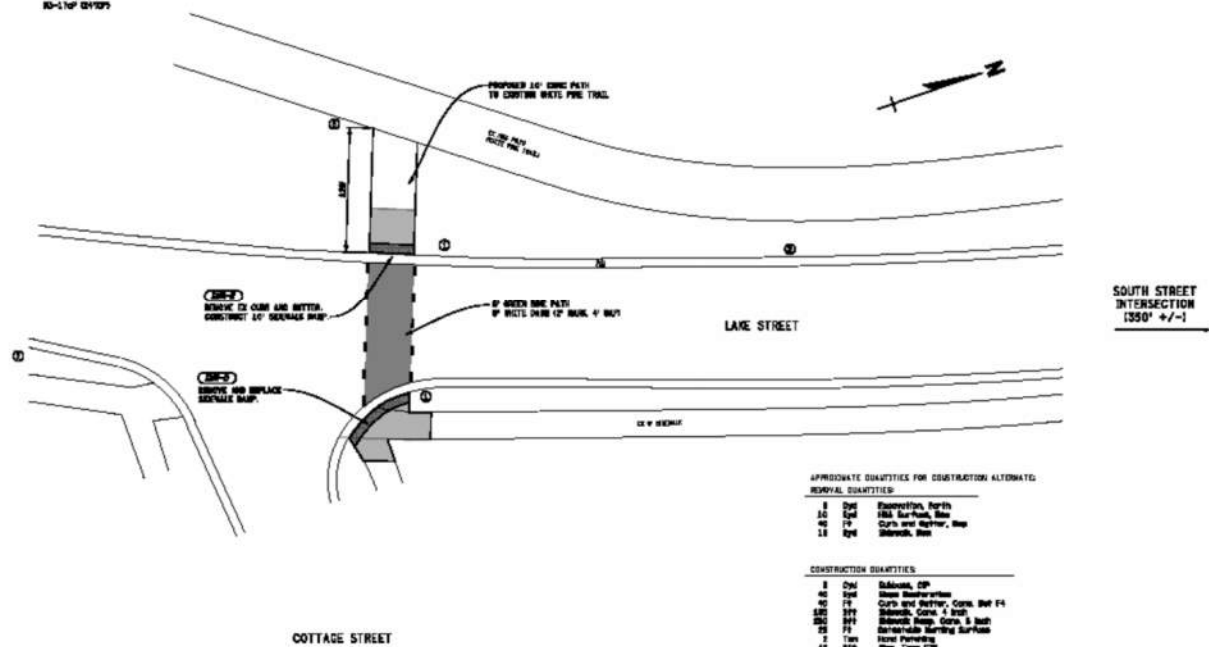


Lake Street





PROPOSED SIGNS (ADDITIONAL SIGNING TO BE DETERMINED)



APPROXIMATE QUANTITIES FOR CONSTRUCTION ALTERNATE:
REMOVAL QUANTITIES:

8	Cyl	Excavation, North
10	Cyl	18A Surfcast, Box
40	Fr	Cyls and Spiller, Bay
18	Cyl	Shorecast, Box

2	Cyd	Subbase, CP
40	Syd	Stone Reinforcement
90	Ft	Curb and Retain. Cons. Ref F4
180	399	Subbase, Cons. 4 inch
280	399	Subbase Reinf. Cons. 8 inch
28	Ft	Concrete Slab Surface
2	Ton	Hot Painting
45	399	Rein. Type 328
130	Ft	Port. Steel 3 to

ALTERNATE NO. 2
TRAIL CROSSING AT COTTAGE ST.

Bid Tabulation Summary

Contractor Name		Base Bid Amount without Alternates	Alternate No. 1 Reconstruct Entire Parking Lot	Alternate No. 2 Trail Crossing at Cottage Street	Alternate No. 3 Picnic Shelter
1st	CJ's Excavating, Inc	\$416,247.19	\$28,661.60	\$8,778.73	\$63,098.30
2nd	Crawford Contracting, Inc.	\$466,946.96	\$23,975.00	\$8,448.55	\$71,207.50
3rd	Salisbury Excavating, Inc.	\$542,402.60	\$58,031.50	\$11,167.30	\$54,103.50
4th	Malley Construction, Inc.	\$569,759.50	\$50,210.00	\$10,952.50	\$59,449.50
5th	Greenscape General Contracting	\$649,208.01 *	\$33,743.50	\$14,395.88	\$100,800.00 *

* Denotes correction made by Engineer

Low Bidder

CJ's Excavating, Inc. - Base Bid Amount

\$416,247.19

Alternate No. 1	Alternate No. 2	Alternate No. 3
Reconstruct Entire Parking Lot	Trail Crossing at Cottage Street	Picnic Shelter
\$28,661.60	\$8,778.73	\$63,098.30

Trailhead Funding

TRAILHEAD FUNDING		
SOURCE	AMOUNT	STATUS
State of Michigan (Michigan Natural Resources Trust Fund Grant)	\$265,200	Committed
Cadillac Area Community Foundations	\$22,500	Committed
Cadillac Area Visitors Bureau	\$5,000	Committed
Rotary Club Auction	\$32,000	Received
4Front Credit Union	\$2,300	Committed
Michigan Pipe & Valve	Cost of 1 bench (\$1,200)	Committed
McClain Cycle and Fitness	Cost of Bike Repair Station (\$2,200)	Committed
Republic Services	Cost of 3 sets of waste and recycle containers (\$5,881)	Committed
Subtotal of Funds Committed/Received	\$336,281.00	

Bid Tabulation

Owner: City of Cadillac				1st CJ's Excavating, Inc.	
Project Title: White Pine Trail Extension and Trailhead TF17-0091					
Bid Date & Time: November 3, 2021 at 2:00 p.m.		Project #: 2190185			
Item No.	Description	Quantity	Unit	Unit Price	Total Amount
1	Mobilization, Max. \$30,000	1	LSUM	\$30,000.00	\$30,000.00
2	Maintaining Traffic and Site Protection, Max. \$5,000	1	LSUM	\$5,000.00	\$5,000.00
3	Excavation, Earth	400	Cyd	\$10.23	\$4,092.00
4	Tree, Rem, 6 inch to 18 inch	2	Ea	\$488.60	\$977.20
5	Cold Milling, HMA Surface	870	Syd	\$4.11	\$3,575.70
6	HMA Surface, Rem	1,496	Syd	\$3.97	\$5,939.12
7	Pavt, Rem	45	Syd	\$7.92	\$356.40
8	Curb and Gutter, Rem	1,086	Ft	\$7.87	\$8,546.82
9	Sidewalk, Rem	362	Syd	\$6.78	\$2,454.36
10	Dr Structure, Rem	4	Ea	\$827.65	\$3,310.60
11	Sewer, Rem, Less than 24 inch	84	Ft	\$9.85	\$827.40
12	Sewer, Rem, 24 inch to 48 inch	84	Ft	\$11.83	\$993.72
13	Subbase, CIP	220	Cyd	\$12.21	\$2,686.20
14	Embankment, CIP	50	Cyd	\$6.16	\$308.00
15	Approach, CI I, 6 inch (21AA)	826	Syd	\$12.47	\$10,300.22
16	HMA Approach	200	Ton	\$205.00	\$41,000.00
17	Hand Patching	37	Ton	\$275.00	\$10,175.00
18	Curb and Gutter, Conc, Det F4	866	Ft	\$22.39	\$19,389.74
19	Driveway Opening, Conc, Det M	55	Ft	\$22.16	\$1,218.80
20	Sidewalk, Conc, 4 inch	825	Sft	\$5.44	\$4,488.00
21	Sidewalk, Conc, 6 inch	4,750	Sft	\$6.09	\$28,927.50
22	Sidewalk, Ramp, Conc, 6 inch	1,154	Sft	\$6.69	\$7,720.26
23	Detectable Warning Surface	109	Ft	\$82.00	\$8,938.00
24	Dr Structure, 48 inch dia	4	Ea	\$3,033.81	\$12,135.24
25	Dr Structure, 48 inch dia (Perforated Sump)	1	Ea	\$3,814.90	\$3,814.90
26	Dr Structure, 72 inch dia	2	Ea	\$4,984.70	\$9,969.40
27	Sewer, CI E, 12 inch, Tr Det B	275	Ft	\$37.66	\$10,356.50
28	Sewer, CI E, 30 inch, Tr Det B	84	Ft	\$82.51	\$6,930.84
29	Dr Structure, Cover, Adj, Case 1	1	Ea	\$387.60	\$387.60
30	Dr Structure Cover, Type G	1	Ea	\$784.04	\$784.04
31	Dr Structure Cover, Type K	6	Ea	\$1,092.27	\$6,553.62
32	Dr Structure Cover, ADA Gutter	1	Ea	\$1,013.00	\$1,013.00
33	Dr Structure, Tap, 30 inch	1	Ea	\$1,202.30	\$1,202.30
34	Culv End Sect, Conc, 30 inch	1	Ea	\$1,848.90	\$1,848.90
35	Water Service, Copper Type K, 3/4 inch	10	Ft	\$98.28	\$982.80
36	Water Service, Corporation Stop, 3/4 inch	1	Ea	\$224.00	\$224.00
37	Water Service, Curb Stop and Box, 3/4 inch	1	Ea	\$388.30	\$388.30
38	Gate Box, Adj	1	Ea	\$465.00	\$465.00
39	Erosion Control, Inlet Protection, Fabric Drop	8	Ea	\$126.51	\$1,012.08
40	Erosion Control. Silt Fence	100	Ft	\$3.35	\$335.00

Bid Tabulation

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
41	Riprap, Plain	10	Syd	\$139.62	\$1,396.20
42	Pavt Mrkg, Waterborne, 6 inch, White	2,435	Ft	\$0.55	\$1,339.25
43	Pavt Mrkg, Waterborne, 4 inch, Yellow	925	Ft	\$0.55	\$508.75
44	Pavt Mrkg, Waterborne, for Parking Lot, 4 inch, White	710	Ft	\$1.50	\$1,065.00
45	Pavt Mrkg, Waterborne, for Parking Lot, 4 inch, Blue	300	Ft	\$1.75	\$525.00
46	Pavt Mrkg, Polyurea, 6 inch, Crosswalk	440	Ft	\$2.95	\$1,298.00
47	Pavt Mrkg, Polyurea, 12 inch, Crosswalk	210	Ft	\$5.95	\$1,249.50
48	Pavt Mrkg, Polyurea, 24 inch, Stop Bar	100	Ft	\$12.95	\$1,295.00
49	Pavt Mrkg, Polyurea, Bike, Small Symbol	6	Ea	\$140.00	\$840.00
50	Pavt Mrkg, Polyurea, Directional Arrow Symbol, Bike	6	Ea	\$140.00	\$840.00
51	Pavt Mrkg, Polyurea, Accessible Symbol	4	Ea	\$150.00	\$600.00
52	Pavt Mrkg, Bike Lane, Green	1,100	Sft	\$12.50	\$13,750.00
53	Post, Steel, 3 lb	362	Ft	\$6.50	\$2,353.00
54	Sign Type IIIB	116	Sft	\$18.00	\$2,088.00
55	Light Stn Fdn, Special	4	Ea	\$850.00	\$3,400.00
56	Decorative Light Pole Attachments	1	LSUM	\$20,253.07	\$20,253.07
57	Decorative Light Pole Assembly	2	Ea	\$0.05	\$0.10
58	Area Light Pole Assembly, Type 3	1	Ea	\$0.05	\$0.05
59	Area Light Pole Assembly, Type 4	1	Ea	\$0.05	\$0.05
60	Lighting Control Panel and Enclosure	1	Ea	\$2,000.00	\$2,000.00
61	Handhole, Elec	4	Ea	\$0.05	\$0.20
62	Clock Tower Controller and Lighting, Salv and Reconnect	1	Ea	\$1,500.00	\$1,500.00
63	Accent Spot Light for Clock Tower	2	Ea	\$650.00	\$1,300.00
64	Outdoor Receptacle, 20 Amp	8	Ea	\$650.00	\$5,200.00
65	RV Outlet Panel, 50/30/20 Amp	1	Ea	\$950.00	\$950.00
66	Electrical Service, Allowance	5,000	Dlr	\$1.00	\$5,000.00
67	Bench	2	Ea	\$1,181.23	\$2,362.46
68	Picnic Table, ADA Accessible	4	Ea	\$1,520.31	\$6,081.24
69	Waste Receptacle	1	Ea	\$1,384.90	\$1,384.90
70	Bicycle Rack	8	Ea	\$908.06	\$7,264.48
71	Bicycle Repair Stand and Pump	1	Ea	\$2,161.00	\$2,161.00
72	Outdoor Water Fountain	1	Ea	\$8,253.12	\$8,253.12
73	Clock Tower, Concrete Footings	1	LSUM	\$7,655.60	\$7,655.60
74	Clock Tower, Steel Fabrication and Installation	1	LSUM	\$17,983.00	\$17,983.00
75	Information Kiosk	1	Ea	\$6,837.48	\$6,837.48
76	Recycle Receptacle	1	Ea	\$1,521.80	\$1,521.80
77	Slope Restoration	1,240	Syd	\$6.43	\$7,973.20
78	Automated Irrigation System	1	LSUM	\$6,933.00	\$6,933.00
79	Underdrain, Subgrade, 4 inch	250	Ft	\$13.25	\$3,312.50
80	Storm Water Filtration Biomass, and Mulch	100	Cyd	\$33.86	\$3,386.00
81	Freeman Maple, 3 inch	2	Ea	\$762.62	\$1,525.24
82	Autumn Blaze Pear, 3 inch	2	Ea	\$861.00	\$1,722.00
83	Anise Hyssop, 1 Gal	10	Ea	\$14.76	\$147.60
84	October Skies Aster, 1 Gal	11	Ea	\$14.76	\$162.36
85	Joe Pye Weed, 1 Gal	8	Ea	\$17.22	\$137.76
86	Butterfly Weed, 1 Gal	9	Ea	\$17.22	\$154.98

Bid Tabulation

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
87	Dwarf Lake Iris, 1 Gal	27	Ea	\$17.22	\$464.94
88	Black Eyed Susan, 1 Gal	16	Ea	\$14.76	\$236.16
89	Tara Prairie Dropseed, 1 Gal	12	Ea	\$17.22	\$206.64
Total Bid					\$416,247.19 *
Participating Grant Items					\$377,143.69
Non- Participating Grant Items					\$39,103.50

* Denotes correction made by Engineer

Alternate No 1					
Reconstruct Entire Parking Lot					
5	Cold Milling, HMA Surface	-870	Syd	\$4.11	-\$3,575.70
6	HMA Surface, Rem	870	Syd	\$3.97	\$3,453.90
3	Excavation, Earth	150	Cyd	\$10.23	\$1,534.50
15	Approach, Cl I, 6 inch (21AA)	870	Syd	\$12.47	\$10,848.90
16	HMA Approach	80	Ton	\$205.00	\$16,400.00
Total Cost for Alternate No. 1					\$28,661.60

Alternate No 2					
Trail Crossing at Cottage Street					
6	HMA Surface, Rem	10	Syd	\$3.97	\$39.70
3	Excavation, Earth	8	Cyd	\$10.23	\$81.84
8	Curb and Gutter, Rem	40	Ft	\$7.87	\$314.80
9	Sidewalk, Rem	18	Syd	\$6.78	\$122.04
13	Subbase, CIP	5	Cyd	\$12.21	\$61.05
77	Slope Restoration	40	Syd	\$6.43	\$257.20
17	Hand Patching	2	Ton	\$275.00	\$550.00
18	Curb and Gutter, Conc, Det F4	40	Ft	\$22.39	\$895.60
20	Sidewalk, Conc, 4 inch	165	Sft	\$5.44	\$897.60
22	Sidewalk, Ramp, Conc, 6 inch	260	Sft	\$6.69	\$1,739.40
23	Detectable Warning Surface	26	Ft	\$82.00	\$2,132.00
53	Post, Steel, 3 lb	135	Ft	\$6.50	\$877.50
54	Sign Type IIIB	45	Sft	\$18.00	\$810.00
Total Cost for Alternate No. 2					\$8,778.73

Alternate No 3					
Picnic Shelter					
90	Picnic Shelter	1	LSUM		\$57,466.80
91	Picnic Shelter Lighting and Receptacles	1	LSUM		\$3,500.00
21	Sidewalk, Conc, 6 inch	350	Sft	\$6.09	\$2,131.50
Total Cost for Alternate No. 3					\$63,098.30

Trailhead at Cadillac Commons
Frequently Asked Questions Regarding The Pending Project
Updated 3/31/22

Please visit www.cadillac-mi.net to see the current draft recommendation for the Trailhead at Cadillac Commons project under “News and Announcements”

Q1: Do you have to paint the bike path green? You would save \$14,000 and not have to spend that every 3-4 years. Could put up some simple signs.

A1:

- Colored pavement within a bike lane increases the visibility of the facility and identifies potential areas of conflict. These spot treatments are often called ‘bike boxes’ or ‘conflict areas’.
- The area of green markings on our proposed project is minimized, and is being used to define where bicyclists should be crossing Lake Street at both the Trailhead at Chapin Street and at the South Street intersection. Both locations have bicyclists interacting with traffic at opposing directions, and the separation of pedestrians and bicyclists has been a concern with local residents.
- The bright green color calls attention to the area and encourages drivers to use extra caution. Green lanes also help organize traffic on the road, and encourage bicyclists to position themselves more accurately as they travel across intersections.
- The material proposed is a durable product and has been used on other locations in the State of Michigan as well as many other cold weather winter states. The City will continue to evaluate the green markings for effectiveness, public reaction, and maintainability. City Council also concurred with the recommendation to include this type of pavement treatment when they last met regarding this project, and redirected staff to seek new bids.

Q2: Why would you put edge line pavement markings in the bid? It was just done last year. Savings \$3,000.

A2:

- This project design included a complete pavement marking plan for Lake Street, from South Street north to Cass Street. The project bid package was prepared prior to the City pavement markings being painted last fall.
- The condition of the existing pavement markings will be evaluated at the time of construction and saved where possible. The contract amount will be adjusted as necessary to only reflect the

quantity of new pavement markings that are deemed necessary, and we anticipate we do expect a savings on the pavement marking pay item.

Q3: Why put in sub base drains? No other parking lot has them. Savings \$3000.

A3:

- Underdrains in the design are for the rain gardens, not a parking lot.
- If during excavation for the rain gardens, the underlying subgrade material is clean sand, the Engineer will instruct the Contractor to not install the underdrain. The underdrain in that scenario will not be used, and therefore it will result in a savings for the project.
- If during excavation for the rain gardens the underlying subgrade material is not clean sand, the 4" underdrain is designed to be placed around the perimeter of the two rain garden areas.
- Drainage under a rain garden is important so that the rain garden biomass material does not become super-saturated, and so it can perform at its potential.

Q4: Is it wise to put at \$60,000 - \$70,000 picnic shelter over very old and big high pressure water main?

A4:

- When a new water main is installed, it will be installed along Lake Street, not under the Trailhead parking lot or under the picnic shelter. The old water line is abandoned and pumped full of a mortar, and the water main will not be replaced in the current location through the park.

Q5: Is the EGLE ok with the picnic shelter blocking their view?

A5:

- Although a viewer inside the EGLE (Michigan Department of Environment, Great Lakes, and Energy), former DEQ building, may have a few restricted sight lines to Lake Cadillac, the proposed picnic shelter is an open sided building. From some offices, a column or the roof may obstruct a small segment of the view, but overall, there will still be an amazing view to the lake due to the wide angle of open space and the elevation difference between the 2 floors.
- The picnic shelter would be a great public gathering space, and the location would be ideal for this type of use.
- The overall purpose of the EGLE Building, which is owned by the City and rented to EGLE, is for office purposes, and while incredible views of our Lake Cadillac are nice to have, they are not required. (Views will not be completely impeded)

Q6: Wouldn't it be cheaper and more efficient to remove the 4 Chapin Street parking spaces and put them in the NW corner of the parking lot. (alt. # 3).

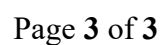
A6:

- Additional parking is a discussion point and request that City frequently is asked by residents and businesses alike, and the City strives to try to add convenient and free parking whenever possible to accommodate additional spaces. With the Trailhead parking now occupying some of the spaces

The northwest corner area of the parking lot within the Trailhead that is mentioned will remain grass, which will allow room for children to play, throw a frisbee back and forth, kick a ball, lay out a blanket, or even listen to music playing at the nearby Rotary Performing Arts Pavilion for example. The intent was to not overwhelm the Trailhead with pavement, concrete, and hardscape elements.

The additional costs for the diagonal parking on the street versus the extra spaces in the lot is minimal, since it would only be for the gutter that runs down the street at the back of the diagonal spaces.

Additional parking spots in the suggested location might actually block more of the clear view from the Amvets/After 26 building and EGLE building due to the cars being parked there. Please see the clip below.



April 4, 2022

Council Communication

Re: Purchase of Ferric Chloride

The City recently received bids for the purchase of ferric chloride for the Cadillac Waste Water Treatment Plant. Ferric chloride is a process chemical that is used to treat the phosphorus in the waste stream. Three vendors returned completed bid forms with the following bids:

Vendor	Bid
Webb Chemical Service Corporation Muskegon, MI	\$0.374/dry pound
PVS Technologies Detroit, MI	\$0.397/dry pound
Kemira Water Solutions, Inc. Lawrence, KS	\$0.489/dry pound

Currently, about \$40,000 per year is spent on ferric chloride. The bid prices above are good for the two-year period from May 1, 2022 through April 30, 2024.

Recommended Action

It is recommended that the contract for purchasing ferric chloride for the period of May 1, 2022 through April 30, 2024 be awarded to Webb Chemical Service Corporation at a price of \$0.374 per dry pound. Funds are available in the Nutrient Removal Department of the Water and Sewer Fund.

April 4, 2022

Council Communication

Re: Out of State Travel Request

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

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

1. **Annual International Association of Chiefs of Police (IACP) Conference and Exposition** – The Director of Public Safety has requested to attend this Conference, which is taking place this October in Dallas, Texas. The dates for the conference are October 15th through the 18th. The Director is an active member of the IACP and the MACP (Michigan chapter), and this event provides leaders with the opportunity to learn new strategies, connect with resources, and network with law enforcement professionals from around the world. In 2019 City Council last approved the IACP conference in Chicago, Illinois.

The 2022 Conference will include sessions on, but not limited to the following areas:

- At-Risk Populations
- Case Studies of High Visibility Events
- Community-Police Engagement
- Controlled Substances
- Critical Incident Management, Critical Incident Response
- Digital/Technology
- Innovations in Policing
- Intersection of Public Health and Public Safety
- Officer Safety and Wellness
- Organizational Culture and Leadership Development
- Recruitment, Hiring, Retention, and Training
- Use of Force
- Violent Crime

In accordance with our current travel policy, the City Manager has reviewed and is recommending approval of this out-of-state travel request. Costs of the conference are anticipated to be approximately \$3000, and the FY2022 budget has adequate appropriations.

Recommended Action

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

April 4, 2022

Council Communication

Re: 101 Harris Redevelopment Project

Val Vista RV Park, LLC own and are redeveloping the former Northwoods Hotel and adjacent property into a mixed use residential / commercial project. The development currently is projected to have 23 apartments totaling 10,692 square feet, and commercial/retail space totaling 1,142 square feet. Estimated private investment is \$4.6 million.

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, and public infrastructure improvements along Harris Street. Eligible Activity costs are estimated at \$504,210.

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 March 21, 2022 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 April 18, 2022.

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 former Speeds 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 April 18, 2022.

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, Interlocal Agreement, Reimbursement Agreement (Completed)	CBRA	March 21
Approve Resolutions Establishing Public Hearing for Brownfield Plan, OPRA District, and the OPRA application	City Council	April 4
Approve Interlocal Agreement	DDA	March 30
Notices to Taxing Jurisdictions for both Brownfield Plan and OPRA District and OPRA Property Owners (certified mail for OPRA District)	Mac	No later than April 8
Hold Public Hearings and Approve Brownfield Plan, OPRA District, and OPRA application.	City Council	April 18

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 101 Harris Redevelopment for the City Council meeting of April 18, 2022.

2. OPRA District

Approve the Resolution to Establish Public Hearing to establish the Obsolete Property Rehabilitation Act District for 101 E. Harris Street and adjacent property with Parcel Identification Numbers 10-086-00-160-00 and 10-086-00-172-00 for the 101 Harris Redevelopment for the City Council meeting of April 18, 2022

3. OPRA Application

Approve the Resolution to Establish Public Hearing for the Obsolete Property Rehabilitation Act application for 101 E. Harris Street and adjacent property with Parcel Identification Numbers 10-086-00-160-00 and 10-086-00-172-00 for the 101 Harris Redevelopment for the City Council meeting of April 18, 2022.

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 Elenbaas
Robert J. Engels
Stephen King

RESOLUTION NO. _____

**RESOLUTION SETTING PUBLIC HEARING FOR COMBINED BROWNFIELD PLAN
FOR THE 101 HARRIS REDEVELOPMENT**

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on April 4, 2022, 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, Act 381 was recently amended to provide for Combined Brownfield Plans that combine the elements of a Brownfield Plan (which identifies the Brownfield Eligible Property and Activities and estimates the impacts to taxing jurisdictions, among other items) with the elements of an Act 381 Work Plan (which details the proposed project, the specific eligible activities that will be undertaken to alleviate Brownfield conditions, and the costs and time frame of the project, and which is necessary for state tax capture approval); and

WHEREAS, the City understands that certain property located at 101 E. Harris Street and adjacent property on E. Harris Street ("101 Harris Redevelopment") qualifies as a Brownfield Eligible Property and that the owner intends to undertake various Brownfield Eligible Activities, including lead and asbestos abatement, selective demolition, and infrastructure improvements to redevelop the property; and

WHEREAS, a Combined Brownfield Plan was submitted to the CBRA for the Northwood 101 Harris Redevelopment that: (1) establishes the property at 101 E. Harris 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, the CBRA reviewed and approved the Combined Brownfield Plan at their March 21, 2022 meeting and recommends approval to the City Council, finding the Combined Brownfield Plan met the

requirements of Act 381 and constitutes a public purpose of job creation, increased private investment and economic development, downtown housing, and increased property tax value; and

WHEREAS, Act 381 requires the governing body to hold a public hearing on the Combined 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 Combined Brownfield Plan at its April 18, 2022 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 Combined Brownfield Plan for the 101 Harris Redevelopment shall be held on April 18, 2022 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 4th day of April 2022.

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) Combined Brownfield Plan –101 Harris Redevelopment Cadillac Brownfield Redevelopment Authority April 5, 2022

The Cadillac City Council will hold a public hearing on Monday, April 18, 2022 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 Combined Brownfield Plan for the 101 Harris 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 Combined Brownfield Plan, or amendments, by the Cadillac Brownfield Redevelopment Authority (CBRA) and the Cadillac City Council and, if state taxes are being captured, approval 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 proposed Brownfield Eligible Property includes two parcels with the following addresses and Parcel Identification Numbers: 101 E. Harris Street, 10-086-00-163-00 and E. Harris Street, 10-086-00-172-00.

The Combined Brownfield Plan (1) establishes the property described above as Eligible Property, (2) outlines Environmental and 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 capture certain Eligible Expenses to redevelop the Eligible Property with estimated capital investment over time of \$4,600,000.

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 Combined Brownfield Plan and will continue to accrue beyond the plan. As part of the Combined Brownfield Plan, an estimated \$_____ in (taxing jurisdiction) taxes would be captured for the proposed project.

The proposed Combined 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 Combined 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 and mail on April 5, 2022 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 101 HARRIS REDEVELOPMENT**

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on April 4, 2022, 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 ("OPRA"), 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 101 East Harris Street and adjacent property with the Parcel Identification Numbers 10-086-00-163-00 and 10-086-00-172-00 ("101 Harris Redevelopment") qualifies as an 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 April 18, 2022 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 101 East Harris Street with the Parcel Identification Numbers 10-086-00-163-00 and 10-086-00-172-00 known as the 101 Harris Redevelopment shall be held on April 18, 2022, at 6:00 p.m. in the City Council Chambers, 200 North Lake Street, Cadillac, Michigan.

2. Notice of the public hearing will be provided 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 4th day of April, 2022.

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

April 5, 2022

Dale Piske
Val Vista RV Park, LLC
1 Broadcast Way
Cadillac, MI 49601

Dale:

As you know, Val Vista RV Park, LLC has petitioned the City of Cadillac to establish an Obsolete Property Rehabilitation District for property located at 101 Harris Street and adjacent property with the Parcel Identification Numbers 10-086-00-160-00 and 10-086-00-172-00 known as the 101 Harris Redevelopment under Act 146, PA 2000.

At their Monday, April 4, 2022 meeting, City Council will be considering setting a public for Monday, April 18, 2022 at 6:00 p.m. at the regular meeting to establish the Obsolete Property Rehabilitation District for the 101 Harris 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 April 18, 2022 at 6:00 p.m. for establishment of the Obsolete Property Rehabilitation District for the 101 Harris Redevelopment.

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

Sincerely,

Carla J. Filkins, Mayor
City of Cadillac

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 ACT
APPLICATION FOR THE 101 HARRIS REDEVELOPMENT**

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on April 4, 2022, 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 ("OPRA"), 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 101 East Harris Street and adjacent property with the Parcel Identification Numbers 10-086-00-163-00 and 10-086-00-172-00 ("101 Harris Redevelopment") qualifies as an 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 OPRA Application for the 101 Harris Redevelopment at its April 18, 2022 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 101 East Harris Street with the Parcel Identification Numbers 10-086-00-163-00 and 10-086-00-172-00 known as the 101 Harris Redevelopment shall be held on April 18, 2022, 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 4th day of April 2022.

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 – 101 Harris Redevelopment City of Cadillac April 5, 2022

The Cadillac City Council will hold a public hearing on Monday, April 18, 2022 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 101 Harris 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 April 18, 2022 meeting for the property noted below.

An Application for Obsolete Property Rehabilitation Exemption Certificate has been received from Val Vista RV Park, LLC for the former Northwoods Hotel and property at 101 E. Harris Street and adjacent property with Parcel Identification Numbers 10-086-00-160-00 and 10-086-00-172-00.

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 April 18, 2022. 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 April 5, 2022 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
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2022-____

**RESOLUTION AMENDING GENERAL APPROPRIATIONS ACT
FOR FISCAL YEAR 2022**

At a regular meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 4th day of April, 2022, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City adopted Ordinance No. 2021-09, Ordinance Adopting General Appropriations Act for Fiscal Year 2022 ("General Appropriations Ordinance") on May 17, 2021, which approved a general appropriations act for the 2022 fiscal year; and

WHEREAS, Section 10.5 of the City Charter provides that the City Council may make additional appropriations during the fiscal year for unanticipated expenditures required of the City; and

WHEREAS, Section 9 of the General Appropriations Ordinance authorizes the City Council to make such additional appropriations by resolution; and

WHEREAS, the City Council has determined that additional appropriations are required due to unanticipated expenditures;

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

1. The general appropriations act for the 2022 fiscal year is hereby amended in
the manner set forth in the attached Exhibit A, which is incorporated by reference.

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and
complete copy of Resolution No. _____, duly adopted at a regular meeting of the
City Council held on the 4th day of April, 2022.

Sandra Wasson
Cadillac City Clerk

City of Cadillac

EXHIBIT A

Financial Services Department
FY2022 Budget Amendment #1
April 4, 2022

Current Budget	Amended Budget	Increase (Decrease)
-------------------	-------------------	------------------------

GENERAL FUND

Department: Revenue	\$7,333,100	\$7,950,100	\$617,000
Amended Line Items Detail			
Current Property Taxes	3,320,000	3,385,000	65,000
State Shared Revenue - Constitutional	905,000	1,015,000	110,000
Revenue Sharing - Marihuana	0	112,000	112,000
Local Community Stabilization Authority	540,000	700,000	160,000
Federal Grants	0	80,000	80,000
Solid Waste Collection	625,000	645,000	20,000
Contribution from Private Sources	5,000	75,000	70,000

Purpose: To recognize additional revenue from the following:

Current Property Taxes - actual revenue from final tax roll.

State Shared Revenue - Constitutional - based actual received and updated projections for remainder of fiscal year

Revenue Sharing - Marihuana - new revenue for FY2022; based on actual amount received

Local Community Stabilization Authority - based actual received and updated projections for remainder of fiscal year

Federal Grants - Recognize portion of ARPA funds for employee payments

Solid Waste Collection - Actual revenue based on current year contract

Contributions from Private Sources - funds were received for Cadillac Leadership Project

Department: City Manager	\$311,600	\$328,600	\$17,000
Amended Line Items Detail			
Salaries and Wages	197,000	198,000	1,000
Fringes	84,000	100,000	16,000

Purpose: Appropriate additional funds for payments made to employees.

Department: Financial Services	\$354,700	\$369,700	\$15,000
Amended Line Items Detail			
Salaries and Wages	191,000	199,000	8,000
Fringes	118,000	125,000	7,000

Purpose: Appropriate additional funds for payments made to employees.

City of Cadillac

EXHIBIT A

Financial Services Department
FY2022 Budget Amendment #1
April 4, 2022

Current Budget	Amended Budget	Increase (Decrease)
-------------------	-------------------	------------------------

Department: Clerk/Treasurer	\$319,000	\$347,000	\$28,000
Amended Line Items Detail			
Salaries and Wages	166,000	175,000	9,000
Fringes	101,000	120,000	19,000

Purpose: *Appropriate additional funds for payments made to employees.*

Department: City Hall	\$312,600	\$459,600	\$147,000
Amended Line Items Detail			
Salaries and Wages	37,000	41,000	4,000
Fringes	32,500	35,000	2,500
Capital Outlay	27,000	167,500	140,500

Purpose: *Appropriate additional funds for payments made to employees. Appropriate funds for repair and recoating of flat roof on municipal complex. Project bid and awarded 12/2021.*

Department: Police Department	\$2,227,000	\$2,335,000	\$108,000
Amended Line Items Detail			
Capital Outlay	62,000	170,000	108,000

Purpose: *Re-appropriate funds for two patrol vehicles that were approved in prior year but not delivered until current fiscal year.*

Department: Public Works	\$933,600	\$980,000	\$46,400
Amended Line Items Detail			
Public Works Administration			
Salaries and Wages	37,000	50,000	13,000
Fringes	26,000	35,000	9,000
Sidewalks and Alleys			
Salaries and Wages	11,000	15,000	4,000
Fringes	7,100	7,500	400
Equipment Rental	20,000	35,000	15,000
Waste Removal			
Removal Contract	595,000	600,000	5,000

Purpose: *Appropriate additional funds for payments made to employees and extra DPW hours and equipment rental based on actual time allocations. Additional hours spent on an activity will be offset with less activities in other maintenance activities. Appropriate additional funds for actual costs of trash removal contract based on current rate and customer count.*

City of Cadillac

EXHIBIT A

Financial Services Department
FY2022 Budget Amendment #1
April 4, 2022

Current Budget	Amended Budget	Increase (Decrease)
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Department: Parks and Recreation	\$286,000	\$315,000	\$29,000
Amended Line Items Detail			
Salaries and Wages	46,000	57,000	11,000
Fringes	36,000	41,000	5,000
Equipment Rental	15,000	28,000	13,000

Purpose: Appropriate additional funds for payments made to employees and extra DPW hours and equipment rental based on actual time allocations. Additional hours spent on an activity will be offset with less activities in other maintenance activities.

Department: Planning and Zoning	\$169,500	\$173,000	\$3,500
Amended Line Items Detail			
Salaries and Wages	104,000	106,000	2,000
Fringes	47,500	49,000	1,500

Purpose: Appropriate additional funds for payments made to employees.

Department: Community Promotions	\$55,400	\$140,400	\$85,000
Amended Line Items Detail			
Special Projects	5,000	90,000	85,000

Purpose: Appropriate funds for Cadillac Leadership project - Shay Locomotive upgrades - that was 100% funded by the Leadership class.

Department: Other Financing Uses	\$55,400	\$165,400	\$110,000
Amended Line Items Detail			
Transfer Out - Trailhead	0	110,000	110,000

Purpose: Appropriate funds for funding the remaining portion of Trailhead project.

General Fund Summary	Prior Approved	Amended	Change
Revenues	\$7,333,100	\$7,950,100	\$617,000
Expenditures	7,325,900	7,914,800	588,900
Revenues Over (Under) Expenditures	\$7,200	\$35,300	

City of Cadillac

EXHIBIT A

Financial Services Department
FY2022 Budget Amendment #1
April 4, 2022

Current Budget	Amended Budget	Increase (Decrease)
-------------------	-------------------	------------------------

Water and Sewer Fund

Revenue	\$4,516,000	\$4,676,000	\$160,000
Amended Line Items Detail			
Water Sales	1,510,000	1,580,000	70,000
Sewer Sales	2,320,000	2,410,000	90,000

***Purpose:** To recognize actual revenue from user charges projected for the year.*

Expenditures	\$4,511,000	\$4,553,500	\$42,500
Amended Line Items Detail			
Administration			
Salaries and Wages	371,000	400,000	29,000
Fringes	226,500	240,000	13,500

***Purpose:** Appropriate additional funds for payments made to employees.*

Sludge Treatment			
Repair and Maintenance	5,000	45,000	40,000

***Purpose:** Appropriate additional funds for emergency and unexpected repair.*

Meter Operations and Maintenance			
Salaries and Wages	125,000	140,000	15,000
Fringes	76,300	95,000	18,700

***Purpose:** Appropriate additional funds for payments made to employees.*

City of Cadillac

EXHIBIT A

Financial Services Department
FY2022 Budget Amendment #1
April 4, 2022

Current Budget	Amended Budget	Increase (Decrease)
-------------------	-------------------	------------------------

Cemetery Operating Fund

Revenue	\$125,000	\$146,100	\$21,100
Amended Line Items Detail			
Sale of Lots	10,000	12,000	2,000
Grave Openings	35,000	37,000	2,000
Transfer In	70,000	80,000	10,000
Contribution from Private Sources	0	7,100	7,100

Purpose: Recognize revenue additional transfer from General Fund (\$5,000) and Cemetery Perpetual Care Fund (\$5,000) to cover costs of operations and to purchase an additional stand-on leaf blower per the recommendation and action taken by the Cemetery Board. Recognize revenues from a private contribution to fund costs of enhancing public portion of Cemetery.

Cemetery Operations	\$160,000	\$187,800	\$27,800
Amended Line Items Detail			
Salaries	55,000	59,000	4,000
Fringes	18,200	20,000	1,800
Operating Supplies	15,000	22,000	7,000
Equipment Rental	15,000	25,000	10,000
Capital Outlay	0	5,000	5,000

Purpose: Appropriate additional funds for payments made to employees. Appropriate funds to purchase items in accordance with private donation. Appropriate additional wages and equipment rental based on actual DPW activity. Appropriate funds to purchase stand-on leaf blower.

City of Cadillac

EXHIBIT A

Financial Services Department
FY2022 Budget Amendment #1
April 4, 2022

Current Budget	Amended Budget	Increase (Decrease)
-------------------	-------------------	------------------------

Brownfield Redevelopment Authority Fund

Revenue	\$465,000	\$470,000	\$5,000
Amended Line Items Detail			
Taxes	60,000	65,000	5,000

Purpose: Recognize actual tax capture for FY2022 based on final property values.

Economic Development	\$0	\$5,000	\$5,000
Amended Line Items Detail			
Contractual Services	60,000	65,000	5,000

Purpose: Appropriate funds for actual reimbursement costs due to developers for brownfield-eligible projects.

The Trailhead at Cadillac Commons Fund

Revenue	\$465,000	\$556,100	\$91,100
Amended Line Items Detail			
State of Michigan Grant	265,000	265,000	0
Contributions from Private Sources	200,000	71,100	(128,900)
Federal Grants - ARPA	0	110,000	110,000
Transfer In - General Fund	0	110,000	110,000

Purpose: Recognize additional funds required to fully fund project.

Construction	\$0	\$91,100	\$91,100
Amended Line Items Detail			
Construction	465,000	556,100	91,100

Purpose: Appropriate funds for actual costs of project.

April 4, 2022

Council Communication

Re: Ordinance to Amend Section 40-25 of the City Code Regarding Exhibition Driving.

Pursuant to City Council discussion at the meeting on 3/21/22, an updated copy of the ordinance is attached and specifically identifies this violation as a zero-point violation.

Recommended Action

Adopt resolution to approve Ordinance to Amend Section 40-25 of the City Code Regarding Exhibition Driving as presented.

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. 2022-xxxx

**RESOLUTION TO ADOPT
ORDINANCE TO AMEND SECTION 40-25 OF THE CITY CODE REGARDING
EXHIBITION DRIVING**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held on the ___ day of ___, 2022, at 6:00 p.m.

PRESENT: COUNCIL MEMBERS: _____

ABSENT: COUNCIL MEMBER: _____

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

WHEREAS, the City has adopted the Uniform Traffic Code by reference;

WHEREAS, section 40-25 of the City Code incorporates amendments to the Uniform Traffic Code; and

WHEREAS, the City wishes to adopt an amendment to the Uniform Traffic Code to add a paragraph regulating exhibition driving and designating violations as civil infractions; and

WHEREAS, the City wishes to consider an Ordinance amending section 40-25 accordingly; and

WHEREAS, the City Council held a public hearing on the proposed Ordinance on March 21, 2022; and

WHEREAS, the City Council has determined that it is in the best interests of the public health, safety and welfare to adopt the Ordinance.

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

1. Ordinance No. 2022-xx, Ordinance to Amend Section 40-25 of the City Code Regarding Exhibition Driving (the "Ordinance," attached as Exhibit A) is hereby adopted.
2. The Ordinance shall be filed with the City Clerk.
3. The City Clerk shall publish notice of adoption in a newspaper of general circulation in the City within seven (7) days.
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: COUNCIL MEMBERS: _____

NAYS: _____

STATE OF MICHIGAN)
)ss
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. 2022-xxxx, duly adopted at a meeting of the City Council held on the _____ day of _____, 2022.

Sandra Wasson
Cadillac City Clerk

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert J. Engels
Stephen King
Bryan Elenbaas

ORDINANCE NO. 2022-_____

**ORDINANCE TO AMEND SECTION 40-25 OF THE CITY CODE REGARDING
EXHIBITION DRIVING**

THE CITY OF CADILLAC ORDAINS:

Section 1

Section 40-25 of the City Code regarding amendments to the Uniform Traffic Code is hereby amended to add a subparagraph (4) to read as follows:

(4) *Rule 1490b.* Exhibition driving; a violation of this rule is a zero point civil infraction.

a. No operator of a motor vehicle shall engage in exhibition driving. The term "exhibition driving" means the driving of a motor vehicle in an unusual manner or out of the usual flow of traffic, whether or not there is anyone present, or consisting of any of the following acts:

1. Rapid acceleration;
2. Squealing, peeling or burning of the tires;
3. The swaying of the motor vehicle from side to side, commonly referred to as "fishtailing";
4. Racing or running of the engine of a motor vehicle at such speed (revolutions per minute) as to cause excessive or unusual noise in excess of the limitations under MCL 257.707c;
5. Unnecessary and excessive changing of lanes;

6. The emission of any unreasonably loud, raucous, disturbing or unnecessary noise from the engine or exhaust system of any motor vehicle in excess of the limitations under MCL 257.707c.

Section 2

Any section or subsection not expressly amended by this Ordinance shall remain in full force and effect. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3

This Ordinance shall take effect 20 days after its adoption.

Dated: _____

Sandra Wasson, City Clerk