



City Council Meeting

December 5, 2022

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



December 5, 2022 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We communicate openly, honestly, respectfully, and directly

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

A. Minutes from the work session held on November 21, 2022
Support Document III-A

B. Minutes from the regular meeting held on November 21, 2022
Support Document III-B

Cadillac City Council Agenda

December 5, 2022

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IV. PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Amend the City of Cadillac Zoning Ordinance to Impose Minimum Distance Between Certain Marihuana Businesses.
Support Document IV-A
- B. Public hearing to consider adoption of Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments
Support Document IV-B
- C. Public hearing to consider adoption of Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities
Support Document IV-C

V. CITY MANAGER'S REPORT

- A. Bids and recommendation regarding Household Hazardous Waste removal.
Support Document V-A
- B. Bids and recommendation regarding Water and Sewer Rate Study.
Support Document V-B

VI. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Spark Grant Resolution Authorizing Submittal of Grant Application

VII. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

- A. Planning Commission
Support Document X-A

VIII. PUBLIC COMMENTS

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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

CALL TO ORDER

Mayor Filkins opened the meeting at 4:32 pm.

ROLL CALL

Council Present: Engels, Schippers, Mayor Filkins

Council Absent: Elenbaas, King (joined meeting at 4:34 pm)

Staff Present: Peccia, Homier, Wasson

APPROVAL OF AGENDA

2022-194 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

FOLLOW-UP/FINALIZATION OF THE PERSONNEL EVALUATION FORM FOR THE CITY MANAGER

Mayor Filkins noted at the previous work session, Council provided the City Manager with some items to add to the document that would personalize it for him.

** Council Member King joined meeting at 4:34 pm*

The 2022/23 Executive Feedback Program document was provided to City Council.

City Manager Peccia referenced the 2022/23 Executive Feedback Program document and briefly recapped the previous work sessions. He noted the feedback provided by City Council during the last work session was added to the document, accordingly. He stated the intent of this work session is to review and finalize the evaluation document.

Mayor Filkins stated during the previous work session, it was discussed that the purpose is to determine what role the City Manager played in supporting or leading the goals.

King stated he wants to ensure we are developing a formula for success and stated how under Communication – Part 2 there could also be a bullet point about communicating to stakeholders or other people who are affected by upcoming issues in advance, so they have enough time to

address the public issues. Also, under Fiscal Responsibility, having a note to communicate financial obligations of a proposed program/project to Council as early as possible.

Discussion ensued regarding the evaluation process going forward.

It was determined the evaluation process would be as follows:

- Questionnaires sent to each Council Member
- Questionnaires filled out by each Council Member
- Meeting held by City Council to discuss informal evaluation answers
- Questionnaires finalized by each Council Member
- Questionnaires compiled by Mayor Filkins
- Mayor Filkins meets with City Manager to provide the evaluation summary
- City Council meets with the City Manager to provide the evaluation

Schippers noted it is very important for every Council Member to provide comments in each section of the document.

ADJOURNMENT

Mayor Filkins adjourned the meeting at 5:05 pm

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

CITY COUNCIL MEETING MINUTES

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

APPROVAL OF AGENDA

2022-195 Approve agenda as amended.

Motion was made by Engels and supported by Elenbaas to approve the agenda as amended to remove the request from Roasted Café.

Motion unanimously approved.

PUBLIC COMMENTS

Randy Lindell congratulated the CHS Girls Volleyball Team. He commented on the recent election, the population, and the amount of traffic in the City. He mentioned the RFP for a Water & Sewer Rate Study.

Michael Blackmer stated he owns businesses in Cadillac West. He noted he originally supported snowmobile trails in the City but changed his mind after he learned the cost. He noted Cadillac West does not receive funds from the City to replace asphalt and grass damaged by snowmobiles.

Paul Kurtzman, representing G&D, noted they have their own parking lot so his customers do not park on the street. He stated he believes downtown business owners already pay their fair share, so he is not in favor of the special assessment.

Martin Dubravec stated he believes a special assessment should be for special projects not a yearly continuous revenue stream.

Tim Coffey stated there are 13 public parking lots in the City and if some were closed during the winter it would save on maintenance costs.

CONSENT AGENDA

2022-196 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Friends of the Library

2022-197 Approve sign request from Friends of the Library.

Motion was made by Schippers and supported by Elenbaas to approve the sign request from Friends of the Library as presented and authorize staff to approve changes in dates if requested.

Motion unanimously approved.

APPOINTMENTS

A. Recommendation regarding reappointment to the Downtown Development Authority.

2022-198 Approve reappointment to the Downtown Development Authority.

Motion was made by Schippers and supported by Elenbaas to approve the reappointment of Lisa Swanson to the Downtown Development Authority for a 4-year term to expire on November 21, 2026.

Motion unanimously approved.

B. Recommendation regarding appointment to the Board of Review.

2022-199 Approve appointment to the Board of Review.

Motion was made by Elenbaas and supported by Engels to approve the appointment of Mary Jo O'Hagan to the Board of Review for a 2-year term to expire on November 21, 2024.

Motion unanimously approved.

Mayor Filkins noted it is nice to see new volunteers coming forward to serve on our boards.

CITY MANAGER'S REPORT

A. Snowmobile Trail Routes Within the City of Cadillac

Peccia noted earlier in the year Council approved the proposals for snowmobile routes with the understanding that City staff would come back to Council to provide the plan for what improvements would be required.

John Wallace, Community Development Director, presented the proposed snowmobile routes and associated costs (see attachment).

Peccia stated if the routes are approved by Council additional permitting will be required from the DNR, MDOT, and the Railroad.

Elenbaas noted the costs provided are just estimates and the final costs would likely be higher. He asked if the fencing would be seasonal or permanent.

Wallace stated it would be seasonal.

Elenbaas noted it would require employees to put it up in the fall and take it down in the spring which is an ongoing cost.

Schippers stated this is just the initial cost and does not include ongoing repair and maintenance costs. She noted, especially with Route 1, there would need to be extensive clearing of trees. She stated we would need to stop clearing some residential streets for the snowmobiles. She noted we implemented a noise ordinance earlier in the year and now we are considering much louder machines. She stated she is concerned that if this is permitted, snowmobilers would not stay on the designated routes. She noted people come to the area, stay at local hotels, leave their snowmobiles on trailers, and then come into the downtown area. She stated she does not support this and noted if we have some money to spend, she would love to see it go to Cadillac West to help with the snowmobile trails and damages to businesses from snowmobiles.

Elenbaas noted it is a balancing act because we want to help businesses survive and grow but the noise would be an issue for the residents. He stated the City previously stopped allowing snowmobiles because of the noise.

Engels stated he is glad that we provided the estimated costs because it was a good idea that deserved serious thought since members of the business community had approached us and it is our responsibility to consider it. He noted he does not support any of the 3 routes at this time.

King stated he believes it is important to keep an open mind but agrees it is not viable at this time based on the cost. He noted as grants become available or other options become available then we should keep the conversation going.

Mayor Filkins stated she doesn't see this as being good stewards of our resources. She noted if we are going to make an impact that is going to touch the most amount of people and our community, we should be looking at the next item on the agenda.

2022-200 Take no action at this time.

Motion was made by Schippers and supported by Elenbaas to take no action at this time.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Public Parking Lot Special Assessment Resolution.

Peccia noted no action on the special assessment was taken at the last meeting. He stated in order for this to be on the December tax bills, action would need to occur today. He stated after the last Council meeting, the DDA/BID in collaboration with the Chamber of Commerce facilitated a Downtown Public Forum to seek further input from those in the assessment area. He noted maintenance costs of the parking lots are approximately \$100,000 per year and the General Fund currently contributes about 36% of those costs.

King stated in the current environment our businesses need all the help they can get. He noted to have this tax carried on the backs of the businesses since 1995 is too long and we need to figure out a change. He stated it should be budgeted into the General Fund. He noted all taxpayers benefit from our businesses being downtown. He stated we have the ARPA Funds available that can be used initially if we have to go back to figure out another solution.

King noted he was glad we had a town meeting where this was one of the subjects, but it happened too quickly for businesses to be able to get involved and be part of the conversation. He stated if we need to figure out another solution, we need to take the time to talk to the businesses and the community because this is critical infrastructure and needs to be maintained. He noted the downtown business owners that also live in the City are paying twice. He stated he does not believe the assessment should be renewed at this time so we can provide a break for the business owners after nearly 30 years of the assessment being in place.

Engels stated the break for the businesses would essentially amount to \$300,000 over the 5-year period. He noted he believes it should be incorporated into the General Fund and it comes at a time where it will hopefully help head off any of the negative impacts of a possible recession. He stated we have been building momentum downtown and eliminating the special assessment would help continue that mission.

Schippers stated she was surprised that businesses that have their own parking lots were included in the special assessment. She noted when businesses were built, like the Lofts, they had to ensure they had enough parking spaces available for their business and they maintain their own parking lots. She stated she believes we should eliminate the special assessment this year and do a much different split of the cost, possibly flip the percentages paid by the business owners and the City. She noted right now we have ARPA Funds, but we won't have those funds 5 years from now. She stated she is wondering if there is a formula that is not oppressive to the business owners.

Elenbaas agreed that we should provide the business owners a break this year and reassess next year.

King stated if we eliminate the special assessment for the next 5-year period that doesn't mean that staff doesn't go out and talk to business owners to review the options going forward and to also include it in the budget so we can see the impact. He noted the special assessment could have an adverse effect on a business making a decision to come to the downtown area when we have vacancies or an existing business deciding to remain in the City.

Mayor Filkins noted she requested staff to pull historical information on this assessment over the 30-year period. She stated she wanted to know what the discussions were and if people supported or rejected it. She noted it appears that ever since the assessment was put in place it has been a bone of contention. She read a portion of a document that was signed years ago by many of the business owners. She stated we are really good as a City when we are looking at new developments so when she read that statement it really spoke to her that we need to put that same kind of energy into downtown parking and take it off the backs of our businesses. She noted we need to have something in place but doesn't know what that is at this time. She stated others have to share in that cost. She noted she does not support

renewing the assessment at this time. She stated we should start discussions about what it looks like moving forward.

2022-201 Not renew parking assessment.

Motion was made by King and supported by Elenbaas not to renew the parking assessment as proposed.

Motion unanimously approved.

INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance to Amend the City of Cadillac Zoning Ordinance to Impose Minimum Distance Between Certain Marihuana Businesses and set public hearing.

Peccia stated the Planning Commission is recommending an amendment to the Zoning Ordinance regarding a spatial separation of 2,284 feet between marihuana retail businesses. He noted if after the public hearings Council also decides to adjust the licensing for retail facilities, there would not be an influx of many more potential marihuana businesses due to the proposed revision to the spatial separation. He stated it would allow for one additional shop in Cadillac West and also allow for existing medical marihuana license holders to also do business as retail marihuana establishments and vice versa.

Engels asked if we have bubble maps showing the current marihuana businesses.

Wallace stated where businesses could be located is a combination of looking at allowable zoning districts plus the spatial separation. He noted maps could be prepared for the next meeting showing the spatial separation of the existing businesses and highlighting what zoning districts are eligible for such uses.

2022-202 Introduce Ordinance 2022-11 and set public hearing.

Motion was made by Schippers and supported by King to adopt the resolution to introduce Ordinance to Amend the City of Cadillac Zoning Ordinance to Impose Minimum Distance Between Certain Marihuana Businesses and set a public hearing for December 5, 2022.

Ayes: Schippers, Engels, King, Mayor Filkins

Nays: Elenbaas

Motion carried.

- B. Adopt resolution to introduce Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments and set public hearing.

2022-203 Introduce Ordinance 2022-12 and set public hearing.

Motion was made by Schippers and supported by King to adopt the resolution to introduce Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments and set a public hearing for December 5, 2022.

King stated this helps the City in making the process for what is allowed much more objective and less subjective based on the applications we receive.

Ayes: Schippers, Engels, King, Mayor Filkins
Nays: Elenbaas

Motion carried.

- C. Adopt resolution to introduce Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities and set public hearing.

2022-204 Introduce Ordinance 2022-13 and set public hearing.

Motion was made by Schippers and supported by King to adopt the resolution to introduce Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities and set a public hearing for December 5, 2022.

Ayes: Schippers, Engels, King, Mayor Filkins
Nays: Elenbaas

Motion carried.

MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

- A. Downtown Development Authority

PUBLIC COMMENTS

Miranda Grunow, DDA Vice-Chair and Realtor, noted the recent public forum facilitated by the DDA was well-attended. She stated they would like to continue to hold public forums to get the downtown businesses more involved and to receive input from the community. She briefly discussed the results of a recent survey and noted pedestrian safety is a major concern.

Randy Lindell discussed the importance of snow removal on the sidewalks to make Cadillac a walkable community. He commented on potholes on Maple Street and expressed support for Cadillac West. He expressed concerns regarding the plans for the Cooley School property and on the weeds in Lake Cadillac.

Michael Blackmer stated that just opening up two roads for snowmobiles would accomplish the same goal and be less costly.

Jason Towers, representing the Willow, stated the proposed snowmobile routes do seem expensive but he believes we should start cheaper and see if there is a benefit to allowing snowmobiles in the City. He stated if there is damage in Cadillac West we should consider helping them out.

Steven Barnes, DDA Chair and business owner, stated he is glad there is so much enthusiasm for downtown. He noted downtown infrastructure has been neglected for a very long time and he believes the parking assessment has opened the door to that conversation. He stated the parking assessment was a small part of the conversation during the recent public forum, but the main part of the conversation was people not wanting to park downtown due to safety issues such as traffic and the sidewalks. He stated as business owner he is not opposed to paying his fair share of snow removal because parking is necessary for businesses. He noted he is concerned where the funds for parking lot maintenance will come from in the future and he hopes the conversation continues.

GOOD OF THE ORDER

Peccia stated the tree lighting will occur on Friday, November 25th at 5:30 pm.

King thanked everyone for providing their input on the issues. He noted we can only do what business owners and citizens need if there is a conversation going. He stated the challenge for us is to make sure information is made available before decisions are made so there is input from the public.

King asked if it would ever make sense to move the Christmas tree to the section where the waterpark is located so the parking lots can stay connected.

Peccia stated it is too heavy.

Someone from the public asked if the tree could be placed in the section where the ice rink is located.

Peccia stated he would have to consult with Public Works to determine if it is feasible this year.

Engels stated Christmas decorations in Cadillac West would be a nice idea.

Schippers wished everyone a Happy Thanksgiving.

Elenbaas congratulated the CHS Girls Volleyball Team. He thanked those who provided their input. He noted he is adamantly opposed to more than two marihuana stores in Cadillac.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk



BARBARA STREET

HOLLY ROAD

VINE STREET

SUNNYSIDE DRIVE

NON-MOTORIZED TRAFFIC ONLY
NO SNOWMOBILES ON WHITE PINE TRAIL

PROPOSED WORKOUT EQUIPMENT
CONSUMERS ENERGY PROSPERITY GRANT

MISCELLANEOUS CLEARING

MISCELLANEOUS CLEARING

SPECIAL SNOWMOBILE
CROSSING

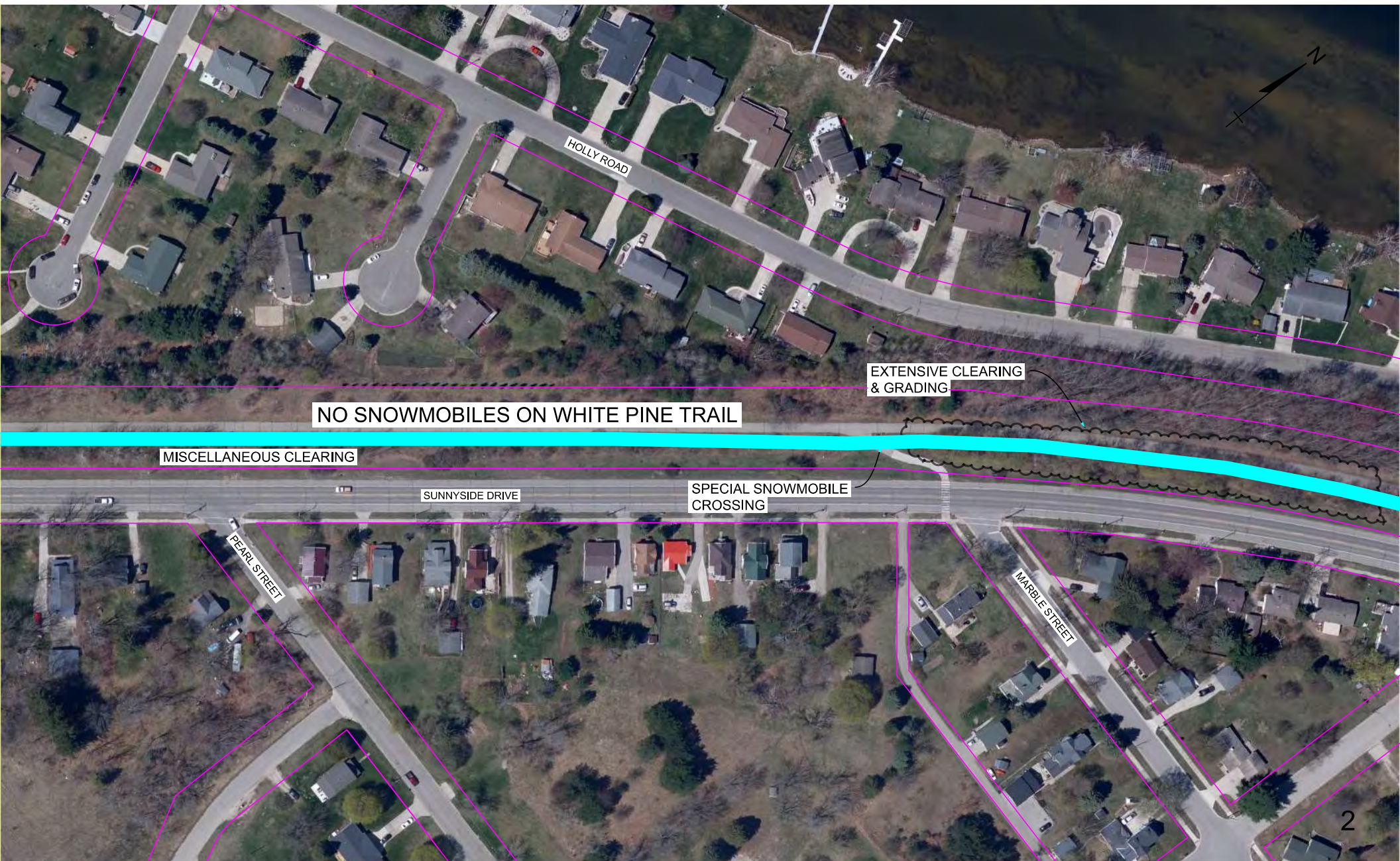
SUNNYSIDE DRIVE

SNOWMOBILE ROUTE PARALLEL WITH WHITE PINE TRAIL

CLEARING	\$40,000
PATHWAY GRADING	\$46,000
FENCING	\$6,000
SPECIAL SNOWMOBILE CROSSING MATERIAL	\$14,000
SIGNING	\$4,000
TOTAL = \$110,000	

NOTE: MDOT PERMIT REQUIRED

CADILLAC SHORES DRIVE

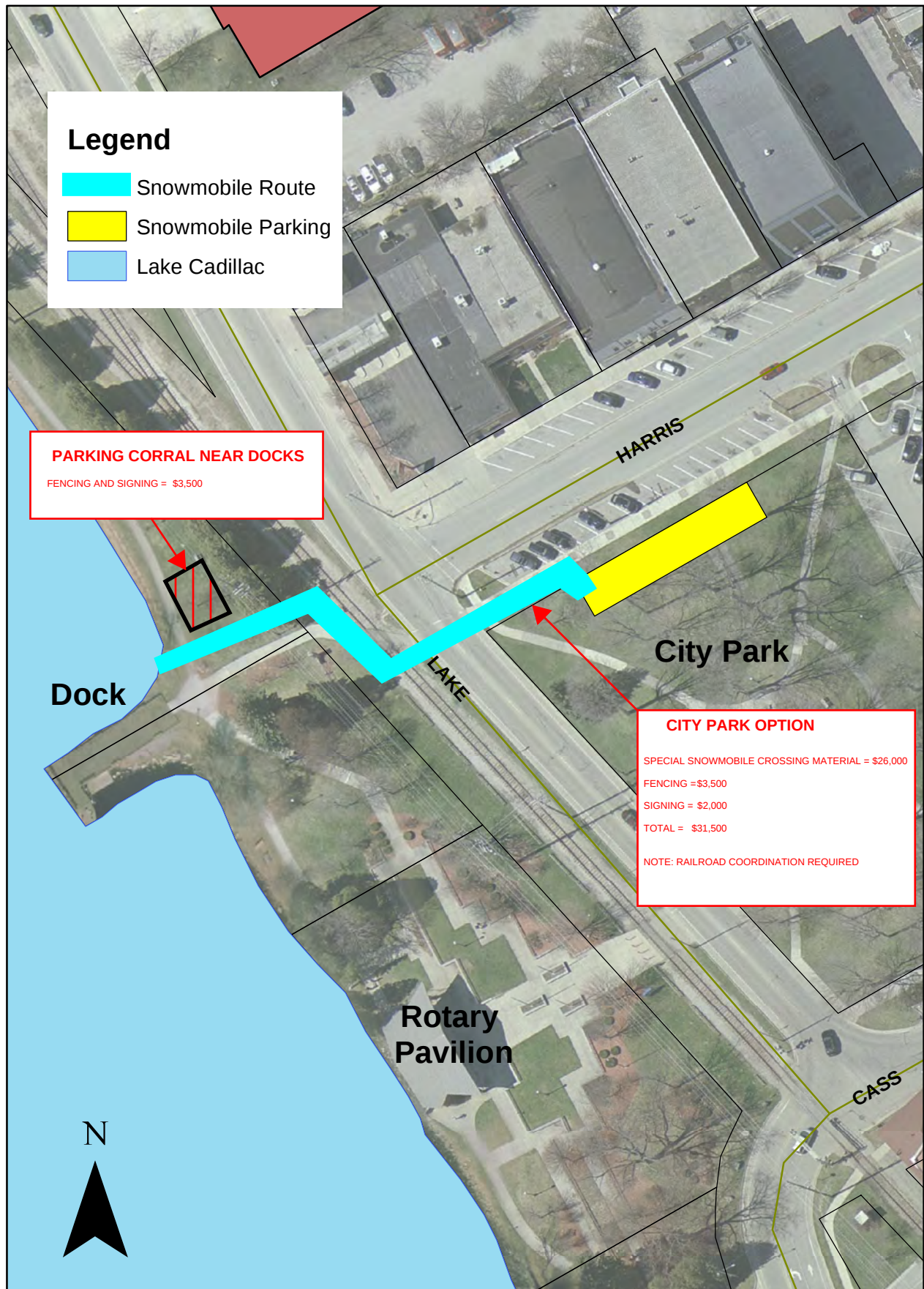




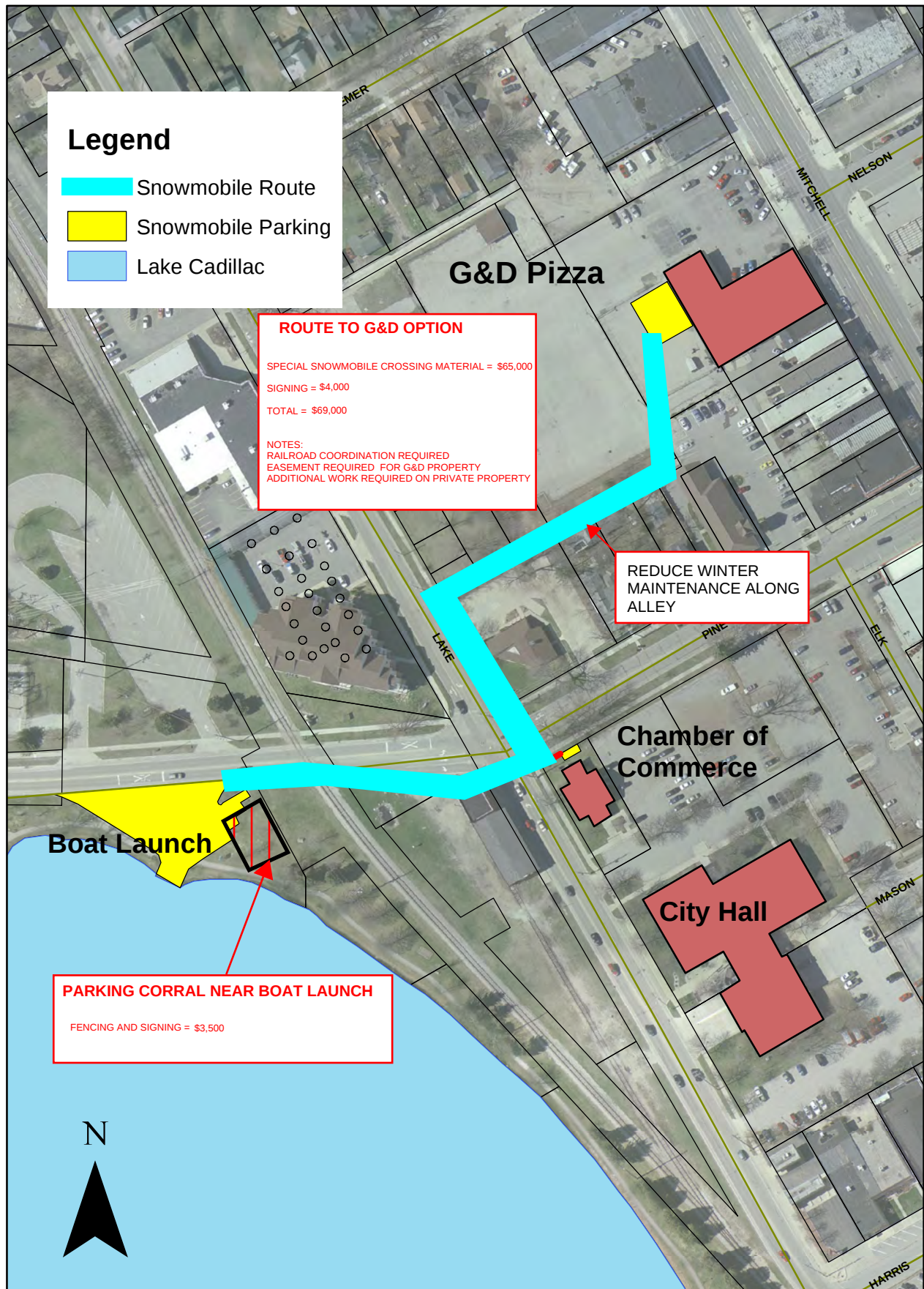


PARKING AGREEMENT
NEEDED ON PRIVATE
PROPERTY

Snowmobile Routes and Parking



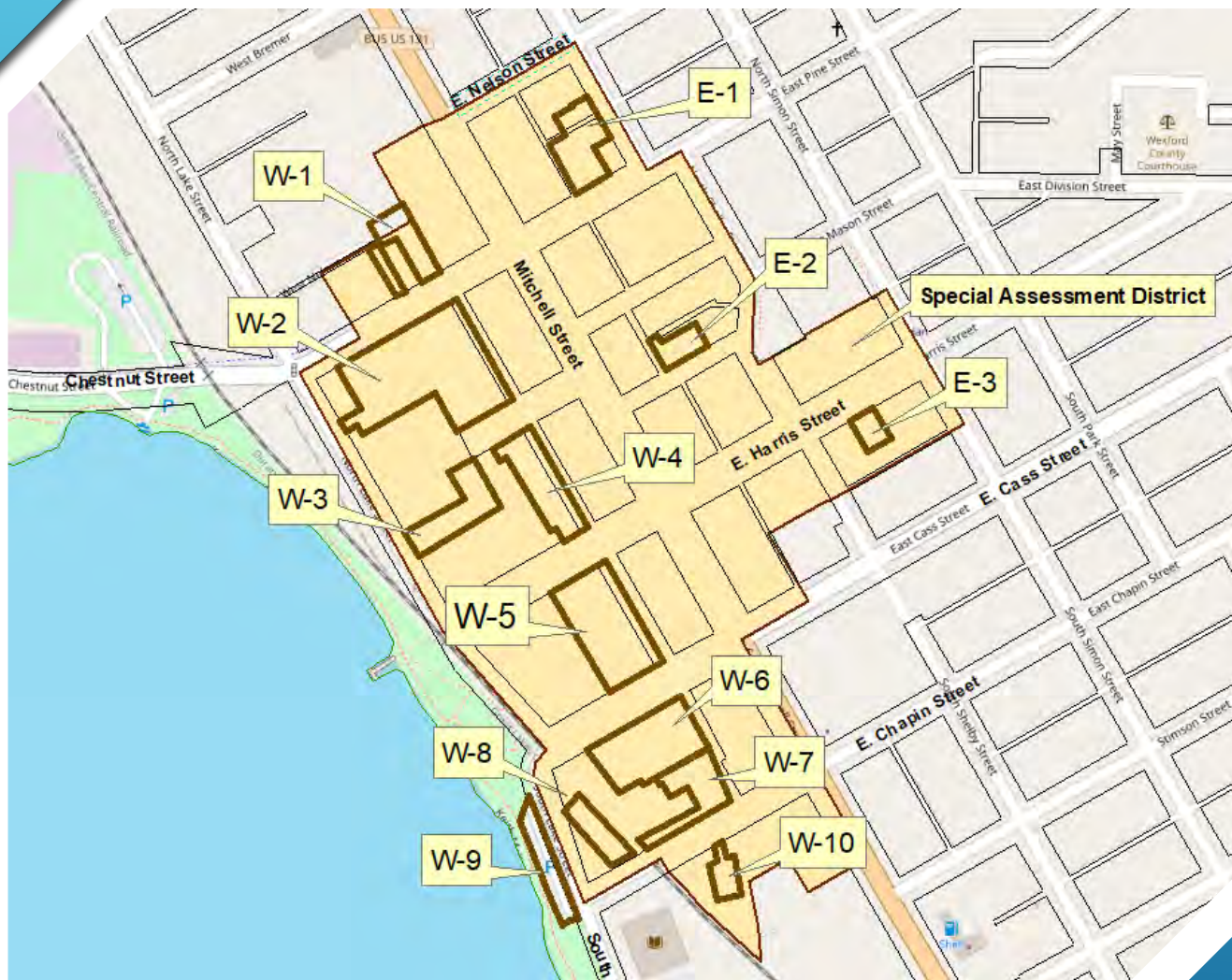
Snowmobile Routes and Parking



CITY OF CADILLAC DOWNTOWN PARKING ASSESSMENT DISTRICT

SPECIAL ASSESSMENT DISTRICT WITH PUBLIC PARKING LOT LOCATIONS

- ▶ 13 Public Parking Lots
- ▶ 82 Properties in District



PARKING LOT ASSESSMENT ROLL BUDGET

- ▶ Total Fund Annual Budget \$ 92,400 100%
- ▶ Reimbursed by Assessment \$ 59,400 64%
- ▶ City Funded Portion \$ 33,000 36%
- ▶ Total Fund Budget- 5-year \$462,000
 - ▶ Business Portion \$ 297,000
 - ▶ City Portion \$ 165,000
- ▶ Note: Total fund budget includes 10% increase over the previous 5-year assessment period.

- ▶ **Assessment is based on three factors:**
 - ▶ **Parking demand generation (50% of assessment)** (How much parking is needed to service a business or organization).
 - ▶ A business is assigned a parking demand formula of 1 to 6 parking spaces per 1,000 square feet of gross floor area based on type of business to determine their parking requirement. Credit is given for parking spaces a business provides on their own property. (Parking demand from ITE Parking Generation Manual 5th Edition)
 - ▶ **Building size (30% of assessment)** (based on square feet within a building according to the county assessment records).
 - ▶ **Contiguity with the public parking lots (20% of assessment)** (Is the business contiguous or not contiguous to a public parking lot).

PARKING LOT ASSESSMENT FORMULA

▶ Assessment Factor:	<u>%</u>	<u>Portion of Assessment</u>
▶ Square Feet Assessment:	30%	\$17,820
▶ Parking Deficiency Assessment	50%	\$29,700
▶ Contiguous/Proximity Assessment	20%	\$11,880

YEAR 1 ASSESSMENT (\$59,400)

- ▶ Annual projected cost for maintenance \$92,400
- ▶ Public parking lot spaces: 687
- ▶ Annual maintenance cost per parking space: **\$134.00**
- ▶ Private Parking Lot Maintenance Example: Cobb/Mitchell Building (35 space parking lot)
 - ▶ Annual plowing and salting: \$5,046
 - ▶ Other Maintenance (striping, sealing, top coating and inflation): \$2,200
 - ▶ Annual cost per parking space: **\$207.00**

MAINTENANCE COST COMPARISON

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 ADOPTING AN ORDINANCE TO
AMEND CITY ZONING ORDINANCE TO IMPOSE MINIMUM DISTANCE
BETWEEN CERTAIN MARIHUANA BUSINESSES**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held on the 5th day of December, 2022, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

WHEREAS, the City wishes to amend the Zoning Ordinance to provide that medical marihuana provisioning centers and adult-use marihuana retailers cannot be located within 2,284 feet of another provisioning center or retailer; and

WHEREAS, the City Planning Commission held a public hearing on the proposed amendments on October 24, 2022; and

WHEREAS, the City Planning Commission recommended approval of the proposed amendments to the City Council in the form attached as Exhibit A; and

WHEREAS, the City Council held a duly noticed public hearing on the proposed amendments on December 5, 2022; and

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

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

1. Ordinance No. _____, Ordinance to Amend the City of Cadillac Zoning Ordinance to Impose Minimum Distance Between Certain Marihuana Businesses (the "Ordinance," attached as Exhibit A), is hereby adopted.

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

3. The City Clerk is directed to publish a Notice of Adoption within seven (7) days after its adoption.

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

YEAS: _____

NAYS: _____

- b. A grower, processor, or safety compliance facility may not be located within a district zoned exclusively for residential use.
- c. A provisioning center may not be located within a district zoned exclusively for residential use or within 100 feet of any existing one-family dwelling.
- d. **A provisioning center may not be located within 2,284 feet of any other provisioning center or adult-use marihuana retailer.**
- e. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana facility; provided, however, that for purposes of subsections (c) **and (d) only**, the distance shall be computed by measuring a straight line between the two closest points of the subject buildings.

Section 3. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 30 days after its adoption.

Section 4. Severability; Repeal of Prior Ordinances. The provisions of this Ordinance are severable. If any provision of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining provisions of this Ordinance. Any ordinances that conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

YEAS: Council Member(s) _____

NAYS: Council Member(s) _____

ABSTAIN: Council Member(s) _____

ABSENT: Council Member(s) _____

CERTIFICATION

As the City Clerk of the City of Cadillac, Wexford County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Cadillac City Council at a regular meeting held on _____, 2022.

Date: _____, 2022

Carla Filkins, Mayor

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE CITY OF CADILLAC ZONING ORDINANCE TO IMPOSE MINIMUM DISTANCE BETWEEN CERTAIN MARIHUANA BUSINESSES

Section 1. Amendment of Section 46-752(8)

Subsection 8 of Section 46-752, entitled “Adult-Use Marihuana Establishments,” is amended as follows:

8. The following minimum-distancing regulations apply:
 - a. An establishment other than a retailer may not be located within 1,000 feet of a public or private K-12 school or a college or university. A retailer may be located within 1,000 feet of a public or private K-12 school or a college or university, subject to subsections (8)(c) **and (d)**.
 - b. A grower, processor, safety compliance establishment, or microbusiness may not be located within 500 feet of any existing one-family dwelling.
 - c. A retailer may not be located within 100 feet of any existing one-family dwelling.
 - d. **A retailer may not be located within 2,284 feet of any other retailer or medical marihuana provisioning center.**
 - e. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana establishment; provided, however, that for purposes of subsections (c) **and (d) only**, the distance shall be computed by measuring a straight line between the two closest points of the subject buildings.

Section 2. Amendment of Section 46-753(10)

Subsection 10 of Section 46-753, entitled “Medical Marihuana Facilities,” is amended as follows:

(10) The following minimum-distancing regulations apply:

- a. A facility may be located within 1,000 feet of a public or private K-12 school or a college or university, subject to subsection (10)(b), ~~and (c)~~, **and (d)**. However, a facility may not be located adjacent to a public or private K-12 school or a college or university.

Date: _____, 2022

Sandra Wasson, City Clerk

Introduced: _____, 2022

Adopted: _____, 2022

Published: _____, 2022

Effective: _____, 2022

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 meeting of the City Council held on the 5th day of December, 2022.

Sandra Wasson
Cadillac City Clerk

26499:00005:6816948-1

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2022-_____

**RESOLUTION TO ADOPT ORDINANCE NO. _____,
AN ORDINANCE TO AMEND SECTION 10-2 OF THE CADILLAC CITY CODE RELATING
TO RECREATIONAL (ADULT-USE) MARIHUANA ESTABLISHMENTS**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 5th day of December, 2022, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

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

WHEREAS, the City wishes to amend Section 10-2 of the City Code to eliminate marihuana license caps for certain establishments; and

WHEREAS, pursuant to Section 5.2 of the City Charter, the City introduced a proposed Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments on November 21, 2022; and

WHEREAS, the City held a duly noticed public hearing concerning the proposed Ordinance on December 5, 2022.

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

1. Ordinance No. ____, Ordinance to Amend Section 10-2 of the Cadillac City Code Relating to Recreational Marihuana Establishments (the "Ordinance," attached as Exhibit A), is hereby adopted.
2. The Ordinance shall be filed with the City Clerk.
3. The City Clerk is directed to publish a Notice of Adoption within seven (7) days after its adoption.
4. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2022-____, duly adopted at a meeting of the City Council held on the 5th day of December, 2022.

Sandra Wasson
Cadillac City Clerk

26499:00005:6816709-1

City Council

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



Mayor
Carla Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

ORDINANCE NO. 2022-____

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

Section 1. Amendment of Section 10.2-02(b). Section 10.2-02(b) of Chapter 10 of the Cadillac City Code is hereby amended as follows:

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

- (1) Unlimited for growers operating under Class A licenses;
- (2) Unlimited for growers operating under Class B licenses;
- (3) Unlimited for growers operating under Class C licenses;
- (4) ~~Not more than two~~ **Unlimited for** retailers;
- (5) Unlimited for processors;
- (6) Unlimited for secure transporters;
- (7) Unlimited for safety compliance establishments;
- (8) ~~Not more than one~~ **Unlimited for** microbusinesses;
- (9) Zero designated consumption establishments (prohibited in the city);
- (10) Zero excess marihuana growers (prohibited in the city); and
- (11) Zero temporary marihuana events (prohibited in the city).

Section 2. Amendment of Section 10.2-03(c). Section 10.2-03(c) of Chapter 10 of the Cadillac City Code is hereby amended to add new subsection (3) as follows:

(c) Initial receipt period set by resolution.

- (1) For any establishment type subject to numerical limitations under section 10-2.02, the initial receipt period will commence on December 9, 2019, and will end on February 28, 2020, at 4:00 p.m. The city council may extend this initial receipt period by resolution.
- (2) Thereafter, from time to time, the city manager may open a new receipt period and establish a deadline for applications for any establishment type for which licenses remain available under the numerical limitations in section 10-2.02. Each receipt period must last for at least 30 days. The city will post notice of each new receipt period on its website.
- (3) **For establishment types that are not subject to a numerical limitation, the city clerk will accept applications on an ongoing basis.**

Section 3. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 20 days after its adoption.

YEAS: Council Member(s) _____

NAYS: Council Member(s) _____

ABSTAIN: Council Member(s) _____

ABSENT: Council Member(s) _____

CERTIFICATION

As the City Clerk of the City of Cadillac, Wexford County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Cadillac City Council at a meeting held on December 5, 2022.

Date: _____, 2022

Carla Filkins, Mayor

Date: _____, 2022

Sandra Wasson, City Clerk

Introduced: _____, 2022

Adopted: _____, 2022

Published: _____, 2022

Effective: _____, 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
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2022-_____

**RESOLUTION TO ADOPT ORDINANCE NO. _____,
AN ORDINANCE TO AMEND SECTION 10-3 OF THE CADILLAC CITY CODE RELATING
TO MEDICAL MARIHUANA FACILITIES**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 5th day of December, 2022, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

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

WHEREAS, the City wishes to amend Section 10-3 of the City Code to eliminate
marihuana license caps for certain facilities; and

WHEREAS, pursuant to Section 5.2 of the City Charter, the City introduced a proposed Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities on November 21, 2022; and

WHEREAS, the City held a duly noticed public hearing concerning the proposed Ordinance on December 5, 2022.

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

1. Ordinance No. ____, Ordinance to Amend Section 10-3 of the Cadillac City Code Relating to Medical Marihuana Facilities (the "Ordinance," attached as Exhibit A), is hereby adopted.

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

3. The City Clerk is directed to publish a Notice of Adoption within seven (7) days after its adoption.

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2022-____, duly adopted at a meeting of the City Council held on the 5th day of December, 2022.

26499:00005:6816316-1

Sandra Wasson
Cadillac City Clerk

City Council

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



Mayor
Carla Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

ORDINANCE NO. 2022-____

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

Section 1. Amendment of Section 10.3-02(b). Section 10.3-02(b) of Chapter 10 of the Cadillac City Code is hereby amended as follows:

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

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

Section 2. Amendment of Section 10.3-03(c). Section 10.3-03(c) of Chapter 10 of the Cadillac City Code is hereby amended to add new subsection (3) as follows:

(c) Initial receipt period set by resolution.

- (1) For any facility type subject to numerical limitations under section 10-3.02, the initial receipt period will commence on December 9, 2019, and will end on February 28, 2020, at 4:00 p.m. The city council may extend this initial receipt period by resolution.
- (2) Thereafter, from time to time, the city manager may open a new receipt period and establish a deadline for applications for any facility type for which licenses remain available under the numerical limitations in section 10-3.02. Each receipt period must last for at least 30 days. The city will post notice of each new receipt period on its website.
- (3) **For facility types that are not subject to a numerical limitation, the city clerk will accept applications on an ongoing basis.**

Section 3. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 20 days after its adoption.

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

CERTIFICATION

As the City Clerk of the City of Cadillac, Wexford County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Cadillac City Council at a meeting held on December 5, 2022.

Date: _____, 2022

Carla Filkins, Mayor

Date: _____, 2022

Sandra Wasson, City Clerk

Introduced: _____, 2022

Adopted: _____, 2022

Published: _____, 2022

Effective: _____, 2022

26499:00005:6788939-1

December 5, 2022

Council Communication

Re: Household Hazardous Waste

The City of Cadillac has been partnering with Wexford County to host semi-annual household hazardous waste collection events for the last five years. These events have collected from 19,000 up to 29,000 pounds of hazardous waste each year. This keeps these materials out of the ground and importantly out of local sewer systems. The events are free to all County residents.

The removal contract was recently re-bid and the bid requested fixed pricing for the next three years. Proposals are summarized in an attachment to this communication, using an average estimated collection year to project annual removal costs.

The low bidder, Environmental Recycling Group, has been the City's vendor for this service for several years and has provided excellent service. In addition, Wexford County has expressed their commitment to continue to share the costs of the service so that it can remain open to all county residents.

Recommended Action

It is recommended that the contract for Household Hazardous Waste Collection Services be awarded to Environmental Recycling Group of Livonia, Michigan through December 31, 2025 in accordance with their bid. Funds are available in the Water and Sewer Fund to cover the City's portion of the annual collection costs.

City of Cadillac

Summary of Household Hazardous Waste Collection Bids
December 5, 2022

		ERG		Clean Earth		Clean Harbors	
Site Fee (Lump Sum)		\$2,500.00	\$2,500.00	\$8,627.85	\$8,627.85	\$10,150.00	\$10,150.00
		Bid per lb.	Estimated Cost	Bid per lb.	Estimated Cost	Bid per lb.	Estimated Cost
Oil Based Paints	5,483	\$1.50	\$8,224.50	\$1.42	\$7,785.86	\$1.95	\$10,691.85
Aerosol Cans	650	\$1.50	\$975.00	\$1.57	\$1,020.50	\$1.95	\$1,267.50
Acidic Products	154	\$1.50	\$231.00	\$1.71	\$263.34	\$3.45	\$531.30
Caustic/Basic Products	208	\$1.50	\$312.00	\$1.71	\$355.68	\$3.45	\$717.60
Toxic Products	6,267	\$1.50	\$9,400.50	\$1.77	\$11,092.59	\$3.45	\$21,621.15
Fire Extinguishers	142	\$1.50	\$213.00	\$7.20	\$1,022.40	\$30.00	\$4,260.00
Herbicides/Pesticides	877	\$1.50	\$1,315.50	\$1.77	\$1,552.29	\$3.65	\$3,201.05
Oil/Antifreeze	2,354	\$1.50	\$3,531.00	\$0.67	\$1,577.18	\$0.85	\$2,000.90
Propane Cylinders	121	\$1.50	\$181.50	\$7.20	\$871.20	\$18.00	\$2,178.00
Flammable Liquid	492	\$1.50	\$738.00	\$0.59	\$290.28	\$3.45	\$1,697.40
Medicines	134	\$1.50	\$201.00	\$1.77	\$237.18	\$3.75	\$502.50
Reactives	186	\$1.50	\$279.00	\$5.93	\$1,102.98	\$8.28	\$1,540.08
Fluorescent Light Bulbs	528	\$1.50	\$792.00	\$2.67	\$1,409.76	\$3.35	\$1,768.80
PCB Ballast	36	\$1.50	\$54.00	\$2.17	\$78.12		\$0.00
Household Batteries	1,760	\$1.50	\$2,640.00	\$1.49	\$2,622.40	\$1.77	\$3,115.20
Mercury Items	27	\$33.00	\$891.00	\$17.14	\$462.78	\$45.00	\$1,215.00
Medical Waste (Sharps Only)	45	\$1.50	\$67.50	\$2.10	\$94.50	\$6.50	\$292.50
	19,464		\$32,546.50		\$40,466.89		\$66,750.83

December 5, 2022

Council Communication

Re: Comprehensive Water and Sewer Rate Study

As discussed during the FY2023 budget process, the City recently requested proposals for a comprehensive water and sewer rate study. The following proposals were received:

Vendor	Proposal
Municipal Analytics Ann Arbor, MI	Waterworth software-based: \$18,690 Excel-based: \$18,800
Stantec Consulting Services Ann Arbor, MI	\$36,470

The proposal from Municipal Analytics included two options, one that would provide the City with the required comprehensive analysis and reporting along with an Excel spreadsheet that could be updated in the future. Their other proposal included the required comprehensive analysis and reporting, while utilizing a subscription to a web-based software platform that is specifically designed for providing data analytics related to structuring water and wastewater rates to help achieve financial stability for these systems. The proposal includes a one-year subscription to the software and the City can continue this subscription year-to-year which will facilitate regular analysis and updates to rate changes and scenarios. Because of the ability that this software offers to provide regular analysis of the systems, this is the recommended approach.

By awarding the contract at tonight's meeting, study results can be incorporated into the FY2024 budget process this spring.

Recommended Action

It is recommended that the contract for a comprehensive water and sewer rate study be awarded to Municipal Analytics in accordance with their proposal, including the subscription to Waterworth software. Funds are available in the Water and Sewer Fund.

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE
SPARK GRANT
- CADILLAC COMMONS ENHANCEMENTS -**

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 5th day of December, 2022, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City of Cadillac supports the submission of an application titled, "Cadillac Commons Enhancements" to the Spark Grant Program for enhancements to the Cadillac Commons which include a fishing pier and dock, a walkway/bridge, overhead doors on The Market, a picnic shelter, and a playground all in The Cadillac Commons; and

WHEREAS, the City of Cadillac in making a financial commitment with local funds from its general fund, community development fund and its American Rescue Plan Act funds in the amount of (\$100,000); and

WHEREAS, the proposed project is consistent with the local Community Development Plan as described in the Application; and

NOW, THEREFORE, BE IT RESOLVED that the City of Cadillac hereby authorizes submission of a Spark Application for (\$850,000), and further resolves to make available its financial commitment of (\$100,000) (10%) for a total project of (\$950,000), and further resolves to designate Marcus Peccia (City Manager) as the Certifying Officer, the person authorized to certify the Spark Grant Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

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 5th day of December, 2022.

Sandra Wasson
Cadillac City Clerk



Planning Commission
May 23, 2022, Meeting Minutes

Call to Order

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

Roll Call

Planning Commission: Filkins, Putvin, Baumann, Rice, Bunce, Bosscher
Staff: Wallace, Peccia, Pluger

Approval of Agenda for May 23, 2022

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

Approval of February 28, 2022, Meeting Minutes

- A. Motion to approve the minutes by Filkins. Supported by Baumann.
 - a. Motion approved unanimously.

Public Hearings

- A. Special Land Use: 1649 Leeson Ave Microbusiness. Putvin opened the public hearing presentation to Wallace. Wallace gave a presentation outlined in the power point giving description of use and photos of the site and planned renovations. Wallace displayed the outline of how the applicant met the general standards, included in PowerPoint.
 - a. Peccia explained this step at Planning Commission is the last step of the marihuana process. The state and City Council have approved the applicant. The city marihuana committee already issued the licenses to the applicant.
 - b. Wallace outlined the conditions for approval as outlined in his PowerPoint presentation.
 - c. Wallace then outlined Microbusiness standards as set forth by the ordinance.
 - d. Dotson Addressed the commission addressing runoff, hours, idea to have after hours in a secured vestibule
 - i. Rice questioned number of security cameras and Dotson stated there around thirty.
 - ii. Peccia asked if the vestibule would have a time that it shut down? Dotson explained the vestibule would be open 24 hours, but the store would only be open normal/allowed hours.
 - iii. Baumann stated he felt the vestibule idea is not something that the Planning Commission should address. He feels it should be address by City Council. Discussion followed and confirmed that these standards were set up by ordinance and the idea would need to be reviewed by the lawyers to decide. Permission was not granted during this meeting for the locked vestibule distribution.

- iv. Filkins asked for clarification from Peccia about the approved licenses that City Council put in place. Peccia explained that the Micro Marihuana License allows for the small amount of growing, processing, and retail of that small amount. It does not allow the micro business to sell any items from another vendor or supplier, they must produce their own marihuana.
- v. Putvin questioned the marihuana subcommittee meeting which described building another building for growing. Peccia clarified this meeting is only about Land Use, not for the two other conditional licenses granted at the committee meeting, which will need to go before this board at a different time.
- vi. Dotson explained that the parking plan is different than presented last year, it is now on the outside of the building. It would eliminate a truck well to provide an entrance, public will now enter in the rear.
 - 1. Putvin clarified that entrance will now be on the back of the building.
 - 2. Putvin asked if the parking lot would be paved, and Dotson explained it would not be paved at this time. There will be identification for each parking space.
- vii. Dotson explained the façade plan, the signs and that security will be present. Wallace asked about the number of doors and the placement. He explained that the doors will be moved to accommodate the design.
- viii. Discussion followed about the design lay out and the board requested clarification on which layout is the most updated. It was determined that C-2 was the correct layout of the facility.
- ix. Bosscher asked about the zoning of this business, as it is zoned industrial. His caution is that by allowing retail in the industrial park, it will open the door to more businesses wishing to do so. Peccia explained this was approved previously by City Council and the Marihuana Committee. This is only for marihuana, not for any other business.
- x. Baumann clarified who holds the license, and it was determined that the license is not to any specific person but is the LLC.
- e. Putvin asked for other questions from the board, none were asked.
- f. Putvin opened the Public Hearing. No comments made and Public Hearing was closed.
- g. The Commission requested that the motion be pulled up and the discussion followed.
 - i. Putvin expressed his desire that the SLU be attached to the LLC, not the land to allow that if this applicant moves then it would not be attached to the land and another applicant could come into a different location.
 - 1. Peccia stated it would not be required because another applicant would be required to go through the entire licensing process all over again and it would protect that.
- h. Motion by Baumann to approve the special land use permit for a marihuana microbusiness for Michelle Clark operating under the business name of Golden Shores Provisioning Center at 1649 Leeson Street as proposed in the application and subject to the following conditions:

- i. Ongoing compliance with all the marihuana microbusiness standards as contained in the Section 46-752 of the city's zoning ordinance.
 - ii. The submittal and city approval of plans for how the north truck well will be filled in.
 - iii. The deletion in the plans to have access boxes for clients between the outer and inner doors for the business.
- i. Supported by Bunce.
 - i. Approved unanimously.

New Business

A. Permit of Property Use by the Chestnut St Boat Launch Area

- a. Peccia explained that Council approved this on Monday.
- b. Wallace explained that Hoffert will be selling items along the lake, in the park and open space district. The Council and Planning Commission must approve temporary uses in the district. Wallace explained the pilot project will have recreational equipment in a secured container for rent. It is in the open space by the boat launch and dimensions were given.
- c. Putvin asked Hoffert how he will display the items and when it will be utilized.
- d. Wallace recommended the motion to approve the use in the portion of the property near the Chestnut St boat launch as submitted in his site plan, to operate a rental business of kayaks, paddle boards, bicycles, and paddle boats for a period of one year.
- e. Bosscher asked for clarification on the ordinance for businesses wanting to do items like this to run a business on parks and recreational property. Peccia explained this is a pilot project and there are no specific guidelines for this. The City does allow for mobile food and wears vending in 6 locations around the lake. This use did not meet those programs guidelines and the decision was made to allow this use. Hoffert's Pine Street location will be used to assist this. Discussion followed about the approved locations and uses. Clarification was made that this is a Pilot Program and will be reviewed after one year based on feedback and turnout.
- f. Rice questioned the distance from the railroad. It was discussed that this land was proposed to be in City control. It was clarified that if an issue were to occur, Hoffert would be required to move it over to accommodate.
- g. Putvin asked how people will arrange to pay and open the locks to get their items out. Hoffert explained that there is nothing set in stone yet, they are looking at different options. The hope is that they will not have to come down to 301 N. Mitchell.
- h. Motion by Filkins to approve the temporary use to use a portion of the Chestnut area as outlined in the site plan for the rental of kayaks, paddle boards, bicycles, and paddle boats for a period of one year. Supported by Baumann. Approved unanimously.

Old Business - None

Board Members Comments

- A. Discussion about the Farmers Market versus the Market based on a recent article in the paper. Filkins explained that the Market Place is owned by the City but the Farmers Market is an LLC that changed ownership.

Communications – None

Public Comments

- A. Troy Baxter spoke about his church and their involvement in the community. He explained he is here to address that the school is redoing the Zoning Ordinance. Baxter explained that his ministry wanted to operate in the school for a community center. Baxter explained he felt he did not get a fair shake from the school during the bidding process. Baxter explained he has multiple households and letters stating they do not want the zoning to change from R-2.
- B. Linda Beal addressed the commission stating that she does not want an apartment building in the school. She expressed that she does not want the apartment complex to look down into her yard. She wants to see a playground on the grounds because the street is too busy. Beal attempted to give documents to Chairperson Putvin, and he directed her that this is just public comments, and they cannot accept documentation at this time.
- C. Sheryl Crips described where she lives and explained there is no place for children to play in this area and they want to see children have a safe place to stay. Expressed that there are too many rentals at this time, and they do not want more. Crips asked Putvin to take her letter she brought, and he explained this is not a topic to Planning Commission and he cannot accept a letter at this time. Crips asked why the process has not been in the public? Wallace explained the city has not been involved in the plans for a few years. This is school property, and the city will address it once something has been presented to them.
- D. Philip Hayner expressed that this property is the only safe place for kids to play and he wishes to see this green space stay, not to be used as structures.

Other Business – None

- A. Peccia spoke to inform that the city has not put any public information out to the public because nothing has been presented to the city. CAPS received a grant in 2018 to get community feedback, which the city was involved in, but has not been involved since. Once an application for this use comes to the city, letters would be sent to the neighbors.
- B. Bosscher asked for clarifications about the zoning ordinance changes. Peccia explained that part of the RRC certification the city is required to update the Master Plan which includes updates to the Zoning Ordinance. This will be presented to the Planning Commission in the future, but it is not sure how.
 - a. Baxter asked if there is a mandate for the city to publicize when the Zoning Ordinance will be updated.

Adjourn

- Adjourned at 7:16 PM.