



City Council Meeting

January 16, 2024

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



January 16, 2024 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We are fully present

CALL TO ORDER
PLEDGE OF ALLEGIANCE

I. OATH OF OFFICE

Council Member Bryan Elenbaas (Ward One)
Mayor Carla J. Filkins

ROLL CALL

II. APPROVAL OF AGENDA

III. 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.

IV. CONSENT AGENDA

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

- A. Minutes from the regular meeting held on December 18, 2023
Support Document IV-A

Cadillac City Council Agenda

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V. PROCLAMATION

A. George Mitchell Day

VI. COMMUNICATIONS

A. Friends of the Library
Support Document VI-A

VII. APPOINTMENTS

A. City Council Member appointments, regular and alternate, to the Board of Review.

B. Recommendation regarding appointment to the Elected Officials Compensation Commission.
Support Document VII-B

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

D. Recommendation regarding appointment to the Zoning Board of Appeals.
Support Document VII-D

E. Recommendation regarding reappointment to the Cemetery Board.
Support Document VII-E

F. Recommendation regarding reappointment to the Cemetery Board.
Support Document VII-F

G. Recommendation regarding appointment to the Election Commission.
Support Document VII-G

H. Recommendation regarding reappointment to the Planning Commission.
Support Document VII-H

VIII. CITY MANAGER'S REPORT

A. Cadillac Housing Commission compensation change request.
Support Document VIII-A

IX. INTRODUCTION OF ORDINANCES

A. Adopt resolution to introduce Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities and set a public hearing for February 20, 2024.
Support Document IX-A

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X. PUBLIC COMMENTS

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XI. GOOD OF THE ORDER

XII. ADJOURNMENT

Core Values (R.I.T.E.)

Respect

Integrity

Trust

Excellence

Guiding Behaviors

We support each other in serving our community

We communicate openly, honestly, respectfully, and directly

We are fully present

We are all accountable

We trust and assume goodness in intentions

We are continuous learners

CITY COUNCIL MEETING MINUTES

December 18, 2023

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, Mayor Filkins
Council Absent: King
Staff Present: Peccia, Wallace, Dietlin, Homier (via Zoom), Lanning

APPROVAL OF AGENDA

2023-205 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2023-206 Approve consent agenda as presented.

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

Motion unanimously approved.

PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Amend City Zoning Ordinance to Codify Interpretation of Short-Term Rental Locations.

Peccia noted City Council directed City staff to codify the memorandum from the Community Development Director regarding interpretation of short-term rental locations. He stated the Planning Commission voted unanimously to recommend the proposed amendments to City Council.

Mayor Filkins opened the public hearing.

Andy VanAlst recommended placing a moratorium on adding short-term rentals outside of the districts they are currently allowed in.

John Saari stated the City needs housing and should encourage all types of housing throughout the City.

Mayor Filkins closed the public hearing.

Engels stated this will bring a lot of clarity as we move forward with the rezoning process. He noted that when a single-family residence becomes a home that is not for a family you are removing a house from the housing stock.

Elenbaas asked about short-term rentals being permitted in the B-2 districts by special use permit.

John Wallace, Community Development Director, stated we were asked to develop something that reflected the memo and that is how the interpretation was made from the existing zoning ordinance. He noted that nothing was changed during the codification process.

Elenbaas stated he sees a potential problem with short-term rentals being allowed by special use permit because if one owner receives a special use permit and the owner of a house near it does not then there could be a problem.

Engels stated this makes the B-2 district more restrictive because short-term rentals would be allowed “by right” in the other three (3) districts.

Mayor Filkins stated what we are being asked to approve tonight is what the Planning Commission voted to send forward and this is what we requested.

Peccia stated these are zones that are primarily commercial/recreational. He noted the special use permit component makes it more restrictive for the B-2 district than it is for the other districts (TS-1, TS-2, and B-1).

Schippers noted the B-2 district is adjacent to the business district and possibly adjacent to residential districts. She stated by putting that other safeguard in place we can ensure that people don’t take all of the houses just behind the downtown area.

Elenbaas asked who decides to approve or not approve a special use permit.

Peccia stated it is the Planning Commission.

Engels asked if Council is going to continue the discussion of enforcement. He stated it appears that there are new listings on the Airbnb and VRBO websites.

Peccia noted he is not aware of receiving any new complaints since lawsuits were filed against the two (2) property owners that were causing the issues. He stated if there are still people violating the ordinance, nobody has contacted us directly and filed a complaint. He noted if complaints come in, we will go through the process that we did previously.

Schippers asked if we have rules and regulations in place for short-term rentals.

Peccia stated that we do not. He noted this just sets up the legal enforcement of where this use is allowed. He noted we will be looking at establishing a whole robust program.

Elenbaas asked for an update regarding the letters that were sent to the two (2) property owners.

Mike Homier, City Attorney, stated one of cases was dismissed. He noted the property sold after the lawsuit was filed. He stated we sent a follow-up letter to the new owner advising them that the case was in litigation prior to them buying the property and that it may not be used for a short-term rental. He noted the other case is still pending and it's in the discovery phase. He stated he believes that case will be resolved shortly after the new year. He noted it is his understanding that the property may also be listed for sale.

2023-207 Adopt Ordinance 2023-08.

Motion was made by Schippers and supported by Elenbaas to approve the resolution to adopt an Ordinance to Amend Chapter 46 of the City of Cadillac Zoning Ordinance to Codify Interpretation of Short-Term Rental Locations.

Motion unanimously approved.

B. Public hearing to consider Amendment to the Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park.

Peccia noted the Local Finance Development Authority is recommending that Council extend the Tax Increment Financing (TIF) Plan for another three (3) years hoping that we acquire more finite information. He stated the purpose of this is treating the groundwater.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

2023-208 Approve Amendment to the Development and TIF Plan for the Harry Vanderjagt Industrial Park.

Motion was made by Engels and supported by Schippers to approve the Resolution to Amend the Development and Tax Increment Financing Plan for the Harry Vanderjagt Industrial Park.

Motion unanimously approved.

APPOINTMENTS

A. Recommendation regarding reappointment to the Historic Districts Commission.

2023-209 Approve reappointment to the Historic Districts Commission.

Motion was made by Schippers and supported by Elenbaas to approve the reappointment of Anne Engels to the Historic Districts Commission for a 3-year term to expire on December 31, 2026.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Calendar Year 2024 Council Meeting Schedule

Peccia noted the proposed Calendar Year 2024 Council Meeting Schedule sets the regular meetings on the first and third Mondays at 6:00 pm, unless otherwise noted. He reviewed the proposed meeting schedule.

2023-210 Approve Calendar Year 2024 Council Meeting Schedule.

Motion was made by Elenbaas and supported by Engels to approve the Calendar Year 2024 Council Meeting Schedule as presented.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

A. Downtown Development Authority

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

Schippers stated the next Cadillac Mayor's Youth Council meeting is scheduled for Wednesday, December 20th at 3:00 pm. She noted we are hoping to swear in some new members at that meeting and then go to Walmart to do bellringing for the Salvation Army. She noted Lt. Greg Bock is camped in the Red Kettle raising money for the Salvation Army. She stated homelessness is a big issue for many people and the Salvation Army and other organizations help these people. She encouraged everyone to donate and/or be a bellringer.

Elenbaas stated he met with a concerned citizen and Adam Ottjepka, Director of Public Safety, regarding the noise ordinance. He noted the citizen had a complaint about the music at Willow that has been going on for months. He noted the noise ordinance covers 11:00 pm to 7:00 am so the Willow is not violating the ordinance. He stated he would like to have Council consider changing the noise ordinance from 11:00 pm to 10:00 pm in the future. He wished everyone Happy Holidays, Merry Christmas, and Happy Hanukkah.

Mayor Filkins expressed her thanks to everyone for having their voices heard by being willing to step forward and participate in the discussion. She noted City Council and City staff couldn't do the jobs we do without the volunteers within the community and the people who care about this community. She wished everyone Happy Holidays, Merry Christmas, and Happy New Year.

Elenbaas noted there is a concert at the Willow on Saturday, December 23rd at 7:00 pm.

Schippers noted the concert is a fund raiser for Jam and Bread which is an organization for youth in the community who are interested in the arts.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk

DRAFT

Date: January 16, 2024

Council Communication

Re: Friends of the Library

Introduction

The Friends of the Library are asking to place yard type signs in the City Right-Of-Way for the days that they have scheduled to have their Used Book sales in 2023. The next one is scheduled for April 24 through April 27, 2024 (see attached). These three-day events benefit the library and reading programs the Friends of the Library sponsor. Included in the Friends of the Library temporary Sign Permit application is additional information describing their request. Staff have told representatives for the Friends of the Library that council approval is not needed for signs placed on library property if the signs meet the dimensional standards in the ordinance.

The locations the group is requesting are;

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

The signs will read as shown in the attached pages with their sign permit application. The locations are where council has approved in previous years.

Requested Council Action

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



Permit Number:	<u>PSD-24</u>	Date:	<u>1/8/24</u>
Zoning District:	<u>DS1</u>	Payment Received:	
Fee (Circle one)	Permanent \$20	Temporary \$10	
Approved By:	<u>John Wallace</u>		

Sign Permit Application

Applicants Name Vicki Long Phone [REDACTED]
Applicants Email Address [REDACTED]
Applicant's Address [REDACTED]
Site Address (If Different) 411 S Lake St, Cadillac, MI 49601
Business Name Friends of the Cadillac Wexford Public Library
Property Owner's Name Cadillac Wexford Public Library
Property Owner's Address 411 S Lake St, Cadillac, MI 49601

Circle Sign Type **WALL** **POLE** **PROJECTING** **HANGING** **MONUMENT**
If sign is temporary, how many days will it be projected? 3 Events, 4 days each - Schedule attached

Circle Purpose Type **INSTITUTION** **BUSINESS** **DISPLAY**
Value of Sign _____ Height _____ Width _____
Set Back(s) _____
Height of Building (if applicable) _____

****ALL SIGN PERMIT APPLICATIONS MUST INCLUDE A COMMERCIAL BUILDING PERMIT****

Please see attached for photos and dimensions of the signs and locations

****ALL SIGN PERMIT APPLICATIONS REQUIRE A DRAWING OR SKETCH OF THE SITE****

DRAWINGS MUST INCLUDE THE FOLLOWING:

- HEIGHT AND WIDTH OF SIGN
- LIGHTING SPECIFICATIONS
- TOTAL DISPLAY AREA
- PROJECTION DISTANCE FROM BUILDING WALL

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

Applicant Signature Vicki Long Date 01/01/2024

Payment Code: ZONING

Friends of the Library Book Sale Schedule for 2024

April 24 – 27, 2024

July 17 – 20, 2024

October 16 - 19, 2024

Friends of the Library Book Sale Signs

Two Sided Yellow Signs: 42" x 25

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



Friends of the Library Book Sale Signs

Two White Sandwich Board Signs: 38" x 24"

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



Friends of the Library Book Sale Signs

One Yellow Sandwich Board Signs: 41" x 24

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



January 16, 2024

COUNCIL COMMUNICATION

Re: Appointment of Sylvia Reiser to a Five-Year Term on the Elected Officials Compensation Commission.

Sylvia Reiser has expressed interest in being appointed to serve as a member of the Elected Officials Compensation Commission.

Requested Council Action:

Motion to appoint Sylvia Reiser to a five-year term on the Elected Officials Compensation Commission, term will end on 1/16/2029.



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

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

RECEIVED
OCT 18 2023
BY: _____

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

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

Please print or type:

Name SYLVIA REISER Address [REDACTED]

Telephone: Home [REDACTED] Business/cell [REDACTED]

E-mail [REDACTED] Date available for appointment -OPEN-

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

Community Service

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

CADILLAC HOUSING COMMISSION, various board positions

NW MI COMMUNITY ACTION AGENCY - 34 years - Personnel
Committee Chair

Employment and Education

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

EXPERIENCE

2 terms as Commissioner, WX CTY BD/COMM. Personnel
Cmte Chair

EDUCATION

College 2 1/2 years

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

If yes, please list dates and names of departments.

ELECTION OFFICIAL approx 25+ years

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

As a former elected official, I appreciate the onus of duties and restraints imposed on governing bodies. I also understand the responsibilities of those elected. I hope to use that knowledge for the benefit of the City of Cadillac.

Personal

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

If yes, please indicate potential conflicts.

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

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

- See statement at bottom of page 2. -

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

Signature *Sylvia Reiser*

Date *10 17 23*

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

Mail or return your completed application to:

Marcus Peccia, City Manager
City of Cadillac
200 N. Lake St.
Cadillac MI 49601

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

January 16, 2024

COUNCIL COMMUNICATION

Re: Appointment of Scott Swanson to a Five-Year Term on the Elected Officials Compensation Commission.

Scott Swanson has expressed his interest in being appointed to serve as a member of the Elected Officials Compensation Commission.

Requested Council Action:

Motion to appoint Scott Swanson to a five-year term on the Elected Officials Compensation Commission, term will end on 1/16/29.



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

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

Please print or type:

Name Scott Swanson Address [REDACTED]

Telephone: Home [REDACTED] Business/cell [REDACTED]

E-mail [REDACTED] Date available for appointment whenever

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

Community Service

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

CAPS School Board (10 years)

Employment and Education

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

BS Western Mich College

Retired Claims rep. (State Farm Ins)

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

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

Add. Board needed - req. made by
Jack Dillon -

Personal

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

If yes, please indicate potential conflicts.

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

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

10 years CAPS School Board
50 years Cadillac Res.

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

Signature Scott Swanson Date 10-17-23

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

Mail or return your completed application to:

Marcus Peccia, City Manager
City of Cadillac
200 N. Lake St.
Cadillac MI 49601

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

January 16, 2024

COUNCIL COMMUNICATION

Re: Appointment of Steve Brown to a Three-Year Term on the Zoning Board of Appeals.

Steve Brown has expressed his interest in serving as a member of the Zoning Board of Appeals for a three-year term.

Requested Council Action:

Motion to appoint Steve Brown to a three-year term on the Zoning Board of Appeals, which will end on 1/16/2027.



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

RECEIVED
DEC 19 2023

RECEIVED
DEC 19 2023

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

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

Please print or type:

Name STEVE BROWN Address [REDACTED]

Telephone: Home [REDACTED] Business/cell [REDACTED]

E-mail [REDACTED] Date available for appointment JAN 02 OR AFTER

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

Community Service

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

TREASURER - MARINA SHORES CONDOMINIUMS, CADILLAC,
2020 - 2021

Employment and Education

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

1986 - 2016 SKF USA Inc VARIOUS ENGINEERING &
MANAGEMENT POSITIONS
(RETIRED AS GENERAL MANAGER
OF LINEAR MOTION FACTORY IN
ARMADA, MI)

B.S. - AGRICULTURAL ENGINEERING, MICHIGAN STATE, 1983

MBA - UNIVERSITY OF DETROIT, 1991

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

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

BEING RELATIVELY NEW TO CADILLAC, I'D LIKE TO
BECOME MORE INVOLVED WITH AND GIVE BACK TO
THE CADILLAC COMMUNITY. I HAVE ALWAYS HAD
AN INTEREST IN REAL ESTATE, BOTH FROM ~~THE~~ TECHNICAL
AND BUSINESS STANDPOINTS. THIS COMMISSION/BOARD
SEEMS A GOOD OPPORTUNITY TO GIVE TO THE
COMMUNITY IN AN AREA I'M VERSED AND INTERESTED IN.

Personal

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

If yes, please indicate potential conflicts.

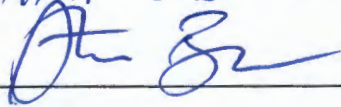
Are you aware of the time commitment necessary to serve on the committee, board and/or commission to which you seek appointment, and will you have such time? ☒ Yes ☐ No

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

DURING MY PROFESSIONAL CAREER I WAS INVOLVED IN THE PURCHASE AND SALE OF SEVERAL INDUSTRIAL PROPERTIES. PERSONALLY I'VE ALSO BEEN INVOLVED IN THE PURCHASE AND SALE OF SEVERAL RESIDENTIAL INVESTMENT PROPERTIES. I ALWAYS FOUND THE VARIOUS DEALINGS WITH LOCAL GOVERNMENT TO BE INTERESTING AND THOUGHT I'D LIKE TO BE INVOLVED

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

Signature



Date

19 DEC, 2023

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

Mail or return your completed application to:

Marcus Peccia, City Manager
City of Cadillac
200 N. Lake St.
Cadillac MI 49601

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

January 16, 2024

COUNCIL COMMUNICATION

Re: Reappointment of Bryan Elenbaas to a Three-Year Term on the Cemetery Board

Bryan Elenbaas has expressed his interest in continuing his service to the Cemetery Board for another three-year term. He was originally appointed in 2019.

Requested Council Action:

Motion to reappoint Bryan Elenbaas to a three-year term on the Cemetery Board which will end on 1/16/2027.

January 16, 2024

COUNCIL COMMUNICATION

Re: Reappointment of Thomas Olmsted to a Three-Year Term on the Cemetery Board

Thomas Olmsted has expressed his interest in continuing his service to the Cemetery Board for another three-year term. He was originally appointed in 2014.

Requested Council Action:

Motion to reappoint Thomas Olmsted to a three-year term on the Cemetery Board which will end on 1/16/2027.

January 16, 2024

COUNCIL COMMUNICATION

Re: Appointment of Juanita Avila to a Four-Year Term on the Election Commission Board.

Juanita Avila would like to be appointed to serve as a member of the Election Commission Board representing First Ward.

Requested Council Action:

Motion to appoint Juanita Avila to a four-year term on the Election Commission, which will end on 1/16/28.

January 16, 2024

COUNCIL COMMUNICATION

Re: Reappointment of David Bunce to a Three-Year Term on the Planning Commission representing Ward 2.

David Bunce has expressed his interest in being reappointed to serve as a member of the Planning Commission, representing Ward 2. David Bunce has served on this board since 2018.

Requested Council Action:

Motion to reappoint David Bunce to a three-year term on the Planning Commission representing Ward 2, term will end on 2/06/2027.

CADILLAC HOUSING COMMISSION

RESOLUTION #676

Employee Wage Increase

Commission Members Present: Commissioner Frost
Commissioner VanHouten
Commissioner Coffey

Commission Members Absent: Commissioner Iehl and Puruleski.

The following resolution was offered by Commissioner Frost and supported by Commissioner VanHouten.

BE IT RESOLVED, by the Cadillac Housing Commission that:

WHEREAS, the Executive Director, Carrie VanderMolen, researched 2024 employee wage increase data and,

WHEREAS, the Finance and Personnel Committee discussed and approved an annual cost of living 5% pay increase for all CHC staff starting 1/1/2024.

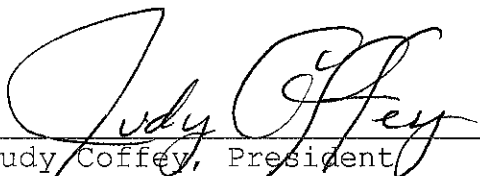
BE IT RESOLVED that the Commission approves of the information presented and agrees to the 5% wage increase for all CHC employees and an annual membership at the YMCA for all CHC full-time employees.

AYES: Commissioner Frost, VanHouten and Coffey

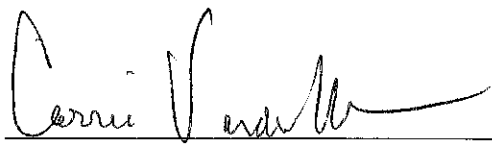
NAYS: None

ABSENT: Commissioner Iehl and Puruleski

RESOLUTION DECLARED APTOTED ON DECEMBER 18, 2023, by President Coffey.



Judy Coffey, President



Carrie VanderMolen, Secretary

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. 2024-_____

**RESOLUTION TO INTRODUCE ORDINANCE TO APPROVE GRANTING OF AN
EASEMENT TO CONSUMERS ENERGY COMPANY FOR ELECTRIC FACILITIES
AND SET A PUBLIC HEARING FOR FEBRUARY 20, 2024**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, at the Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan on the 16th day of January, 2024, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City of Cadillac ("City") is authorized by statute to buy, own and sell
real property (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 consider adopting an ordinance that approves the granting of an easement to Consumers Energy Company (“Consumers”) for electric facilities on property near 908 6th Avenue, Cadillac, Michigan owned by the City and described in the proposed Easement for Electric Facilities between the City and Consumers; and

WHEREAS, the best interests of the City will be served by granting an easement to Consumers in the Easement Area (as defined in the proposed Easement Agreement); and

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

1. Pursuant to Section 5.2 and 5.6 of the City Charter, the City introduces Ordinance No. 2024-____, Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities (near 908 6th Avenue) (the “Ordinance”).
2. A public hearing regarding the proposed Ordinance shall be held on the 20th day of February 2024, at 6:00 p.m. at the City offices at the Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan.
3. The City Clerk is directed to publish a summary of the proposed 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 proposed Ordinance, in accordance with the Charter. The summary and notice of the hearing shall be substantially in the form of Exhibit 2.

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

5. Any and all resolutions that are in conflict with this Resolution are 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. 2024-____, duly adopted at a meeting of the City Council held on the 16th day of January, 2024.

Sandra Wasson
City Clerk

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

ORDINANCE NO. 2024-_____

**ORDINANCE TO APPROVE GRANTING OF AN EASEMENT TO
CONSUMER'S ENERGY COMPANY FOR ELECTRIC FACILITIES
(NEAR 908 6TH AVENUE)**

THE CITY OF CADILLAC ORDAINS:

Section 1.

Pursuant to MCL 117.4e, the Charter of the City of Cadillac and other applicable authority, the City hereby approves the granting of an easement (the "Easement Agreement") to Consumers Energy Company for electric facilities on a portion of real property owned by the City as described in the attached Easement for Electric Facilities, in the City of Cadillac, Wexford County, Michigan, in accordance with the terms of the attached Easement Agreement between Consumers Energy Company and the City, which is incorporated by reference. The City's real property is located near 908 6th Avenue, Cadillac, Michigan and is legally described in the Easement Agreement.

Section 2.

The Mayor and City Clerk are hereby authorized to execute the Easement Agreement (in substantially the form attached) and any and all documents related thereto, and to make such minor changes as may be necessary or appropriate.

Section 3.

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

Section 4.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed

but only to the extent necessary to give this Ordinance full force and effect.

Section 5.

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

Approved this 20th day of February, 2024.

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. 2024-____ was published in the Cadillac News on the ____ day of _____, 2024.

Sandra Wasson, City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

On this ____ day of _____, 2024, 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:
Scott H. Hogan
Foster, Swift, Collins & Smith PC
1700 East Beltline NE, Suite 200
Grand Rapids, Michigan 49525
26499:00005:200112030-1

EASEMENT FOR ELECTRIC FACILITIES

SAP# 1068367144
Design# 11585008
Agreement# MI00000075770

CITY OF CADILLAC, a municipal corporation, whose address is 200 Lake Street, Cadillac, Michigan 49601 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

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

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Cadillac, County of Wexford, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers' facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

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

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

Date: _____

Owner: CITY OF CADILLAC, a municipal corporation

Signature

By: Carla Filkins

Its: Mayor

Acknowledgment

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

on _____ by Carla Filkins, Mayor of the City of Cadillac, a municipal corporation, on behalf
Date
of the corporation.

Notary Public

Print Name

County, _____

Acting in _____ County

My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**

Kelli Kline
Consumers Energy Company
330 Chestnut Street
Cadillac, MI 49601

Prepared By:
Nicole Corts 01/10/2024, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

**REGISTER OF DEEDS OFFICE USE
ONLY**

Return recorded instrument to:
Carrie J. Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

Date: _____

Owner: CITY OF CADILLAC, a municipal corporation

Signature

By: Sandra Wasson

Its: Clerk

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, _____,
on _____ by Sandra Wasson, Clerk of the City of Cadillac, a municipal corporation, on
Date
behalf of the corporation.

Notary Public

Print Name

County, _____

Acting in _____ County

My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**

Kelli Kline
Consumers Energy Company
330 Chestnut Street
Cadillac, MI 49601

Prepared By:
Nicole Corts 01/10/2024, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

**REGISTER OF DEEDS OFFICE USE
ONLY**

Return recorded instrument to:
Carrie J. Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

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

A part of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 32, T22N, R9W, described as commencing at the Center 1/4 corner of said Section 32, City of Cadillac, Wexford County, Michigan; Thence N 89°48'28" E, along the East-West 1/4 Line 1320.14 feet; Thence S 00°00'50" E 33 feet to the South right-of-way of 6th Street to the point of beginning; Thence N 89°48'28" E 446.05 feet, previously recorded as 440.00 feet; Thence S 00°01'09" E along West right-of-way of 8th Avenue, 366.00 feet; Thence N 89°58'51" E 33 feet to the center line; Thence S 00°01'09" E along the center line of vacated 8th Avenue, 367.01', previously recorded as 365.25 feet; Thence N 73°44'00" W, 184.38 feet; Thence S 00°01'09" E 68.00 feet to the North right-of-way of railroad property; Thence N 73°44'00" W along said right-of-way 314.76 feet, previously recorded as 308.51 feet; thence N 00°00'50" W 659.70 feet to the point of beginning.

Also known as: 1001 Sixth Street, Cadillac, Michigan 49601

Parcel ID: 10-109-00-001-00

EXHIBIT B

Easement Area

A 30.00-foot-wide strip of land, being 15.00 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.

