



City Council Meeting

February 5, 2024

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



February 5, 2024 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We are all accountable

CALL TO ORDER
PLEDGE OF ALLEGIANCE

I. OATH OF OFFICE

Council Member Robert J. Engels (Ward Three)

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 January 16, 2024
Support Document IV-A

Cadillac City Council Agenda

February 5, 2024

Page 2

V. COMMUNICATIONS

A. Presentation of FY2023 Audit Results by Joe Verlin of Gabridge & Co.

B. Downtown Sidewalk Cafés
Support Document V-B

VI. APPOINTMENTS

A. Recommendation regarding reappointment to the Local Development Finance Authority.
Support Document VI-A

VII. CITY MANAGER’S REPORT

A. Setting of Budget Related Work Sessions
- Goals & Capital Improvement Program Review on March 18, 2024 at 4:15 p.m.
- Fiscal Year 2025 Budget Review on April 1, 2024 at 4:15 p.m.

B. Hardship (Poverty) Exemption Policy
Support Document VII-B

VIII. MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

A. Cadillac Arts Council
Support Document VIII-A

B. Planning Commission
Support Document VIII-B

IX. PUBLIC COMMENTS

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X. GOOD OF THE ORDER

XI. ADJOURNMENT

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

Respect

Integrity

Trust

Excellence

Guiding Behaviors

We support each other in serving our community

We communicate openly, honestly, respectfully, and directly

We are fully present

We are all accountable

We trust and assume goodness in intentions

We are continuous learners

CITY COUNCIL MEETING MINUTES

January 16, 2024

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

OATH OF OFFICE

City Clerk administered the Oath of Office to Council Member Bryan Elenbaas. Elenbaas will represent Ward One and his term will expire on December 31, 2027.

City Clerk administered the Oath of Office to Mayor Carla J. Filkins and her term will expire on December 31, 2025.

ROLL CALL

Council Present: Elenbaas, Schippers, King, Mayor Filkins

Council Absent: Engels

Staff Present: Peccia, Ottjepka, Homier (via Zoom), Wasson

APPROVAL OF AGENDA

2024-001 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2024-002 Approve consent agenda as presented.

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

Motion unanimously approved.

PROCLAMATION

A. George Mitchell Day

Mayor Filkins read a proclamation recognizing the 200th Birthday of George Mitchell and declaring January 8th every year as George Mitchell Day in Cadillac.

COMMUNICATIONS

A. Friends of the Library

2024-003 Approve sign request from Friends of the Library.

Motion was made by Elenbaas and supported by King 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. City Council Member appointments, regular and alternate, to the Board of Review.

2024-004 Approve appointments to Board of Review.

Motion was made by Elenbaas and supported by King to appoint Council Member Engels as the regular member and Council Member Schippers as the alternate member to the Board of Review for a 1-year term to expire on January 16, 2025.

Motion unanimously approved.

B. Recommendation regarding appointment to the Elected Officials Compensation Commission.

2024-005 Approve appointment to the Elected Officials Compensation Commission.

Motion was made by King and supported by Schippers to approve the appointment of Sylvia Reiser to the Elected Officials Compensation Commission for a 5-year term to expire on January 16, 2029.

Motion unanimously approved.

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

2024-006 Approve appointment to the Elected Officials Compensation Commission.

Motion was made by Elenbaas and supported by King to approve the appointment of Scott Swanson to the Elected Officials Compensation Commission for a 5-year term to expire on January 16, 2029.

Motion unanimously approved.

D. Recommendation regarding appointment to the Zoning Board of Appeals.

2024-007 Approve appointment to the Zoning Board of Appeals.

Motion was made by Schippers and supported by Elenbaas to approve the appointment of Steve Brown to the Zoning Board of Appeals for a 3-year term to expire on January 16, 2027.

Motion unanimously approved.

E. Recommendation regarding reappointment to the Cemetery Board.

2024-008 Approve reappointment to the Cemetery Board.

Motion was made by Schippers and supported by King to approve the reappointment of Bryan Elenbaas to the Cemetery Board for a 3-year term to expire on January 16, 2027.

Motion unanimously approved.

F. Recommendation regarding reappointment to the Cemetery Board.

2024-009 Approve reappointment to the Cemetery Board.

Motion was made by Elenbaas and supported by King to approve the reappointment of Thomas Olmsted to the Cemetery Board for a 3-year term to expire on January 16, 2027.

Motion unanimously approved.

G. Recommendation regarding appointment to the Election Commission.

2024-010 Approve appointment to the Election Commission.

Motion was made by Schippers and supported by Elenbaas to approve the appointment of Juanita Avila to Election Commission for a 4-year term to expire on January 16, 2028.

Motion unanimously approved.

H. Recommendation regarding reappointment to the Planning Commission.

2024-011 Approve reappointment to the Planning Commission.

Motion was made by King and supported by Schippers to approve the reappointment of David Bunce to the Planning Commission for a 3-year term to expire on February 6, 2027.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Cadillac Housing Commission compensation change request.

Peccia stated the Cadillac Housing Commission (CHC) approved a 5% pay increase and an annual membership at the YMCA for all full-time employees. He referenced Division 3, Sec 2-164 of the City Code which states "The city housing commission shall select and appoint such employees as it shall deem necessary for the proper exercise of its powers, functions and duties, and shall pay them such compensation as it shall, with the approval of the mayor and city council, fix and determine". He stated funding of the CHC does not come from City coffers.

2024-012 Approve Cadillac Housing Commission compensation change request.

Motion was made by Schippers and supported by King to approve the compensation change request from the Cadillac Housing Commission as presented.

Motion unanimously approved.

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.

Peccia noted Consumers Energy and CCI have been working together on necessary electrical upgrades. He stated Consumers Energy needs some additional space to make those upgrades.

2024-013 Set public hearing for Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

Schippers described a post on Facebook regarding a request for help by a member of our community. She stated within minutes there were multiple responses for assistance including from the Cadillac Police Department. She stated she was very proud to see our community step-up and help someone in need. She noted even though we have a lot of division sometimes and a lot of differences in this world when push comes to shove, we help each other. She thanked members of the community and the Cadillac Police Department for helping out.

Elenbaas asked when a complaint is filed is it in the procedure for the police officer to tell someone who made the complaint against them.

Adam Ottjepka, Director of Public Safety, stated it is not normal practice. He noted the phone call to 911, the report on file, and the official complaint are all public information and subject to the Freedom of Information Act. He stated it is not the practice for a police officer to mention someone's name as the complainant because we don't want neighbors pitted against neighbors.

Elenbaas stated he had that happen to him in the past so he wants to ensure that informing someone who made the complaint against them does not happen.

Ottjepka stated if Elenbaas will provide a specific incident when this happened, he will look into it.

Elenbaas stated it happened to him.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk

DRAFT

February 5, 2024

Council Communication

Re: Downtown Sidewalk Café's

Introduction

Clam-Torch RMPL, LLC, DBA Clam Lake Beer Company; Raven BBQ, LLC, DBA Raven Social; Fiester Enterprises, Inc. DBA Roaring 20's Saloon; Roasted Café, LLC and Mi Mezcal Mexican Grill, LLC, have requested approval to place sidewalk cafés in front of their downtown Cadillac restaurants in 2024. Staff has requested and received site plans showing the placement of the tables, chairs, and barriers from the five businesses. The five site plans show the café placement near the building front walls with adequate room for pedestrian traffic meeting the 60 inches of clearance required in the ordinance. The Raven additionally will have seating on the balcony in addition to the street level.

Staff has reviewed and approved the five site plan requests and supports the program subject to the following conditions:

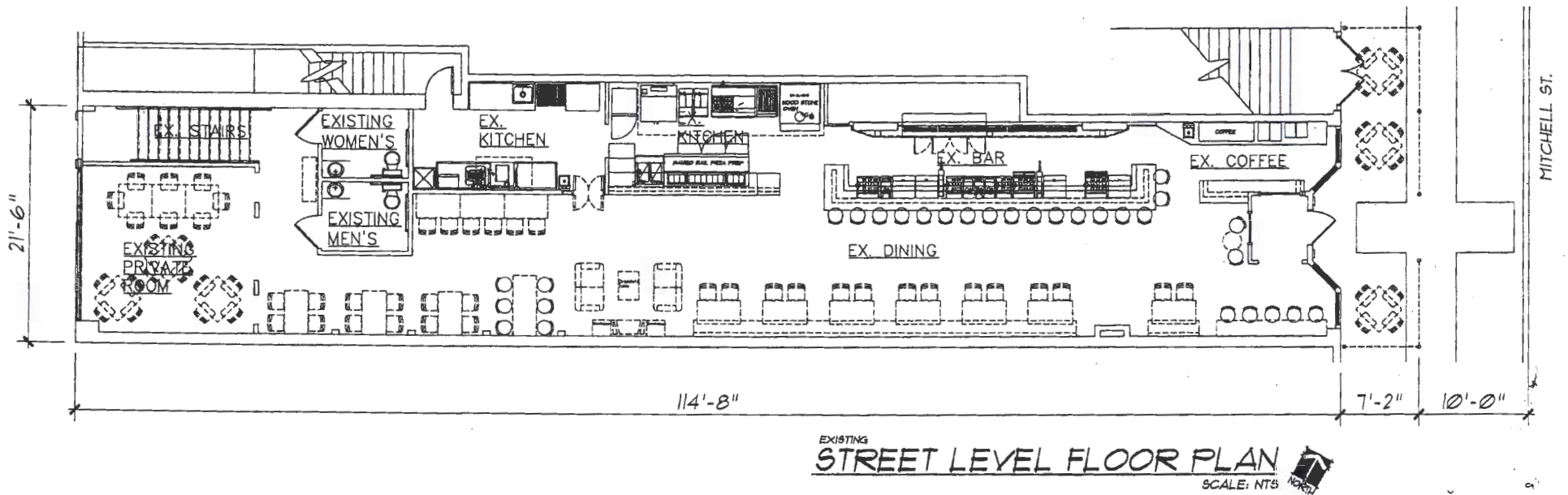
- 1) The Cadillac City Code of Ordinance that relates to sidewalk cafes in Section 46-395 is followed which includes a requirement for a site plan and proof of insurance.
- 2) Businesses with a sidewalk café on Mitchell Street/Business US-131 acquire the needed sidewalk café permit through the State of Michigan.

Requested Council Action

Council is asked to approve the request of Clam-Torch RMPL, LLC, DBA Clam Lake Beer Company; Raven BBQ, LLC, DBA Raven Social; Fiester Enterprises, Inc. DBA Roaring 20's Saloon; Roasted Café, LLC and Mi Mezcal Mexican Grill, LLC, to have sidewalk cafes in front of their businesses in 2024, meeting the two conditions listed above.

Clam Lake Beer Co.

106 S. Mitchell Street



APPROVED

REVIEWED FOR COMPLIANCE WITH
CADILLAC ZONING ORDINANCE

Danell Smith 1/26/24

CADILLAC ZONING DEPARTMENT

Mi Mezcal Mexican



APPROVED

REVIEWED FOR COMPLIANCE WITH
CADILLAC ZONING ORDINANCE

Danell Smith 1/24/24

CADILLAC ZONING DEPARTMENT

BUILDING WIDTH
100 FEET

CAFE
ENTRANCE

DELI
ENTRANCE

OPA'S
ENTRANCE



PICKET FENCE
BARRIER



PICKET FENCE
BARRIER

8 feet from fence barrier
to curb.

16 feet from building
to curb cut.

All entrances will be kept accessible

24 feet from building
to the outside of bump out.

214 N. Mitchell Street

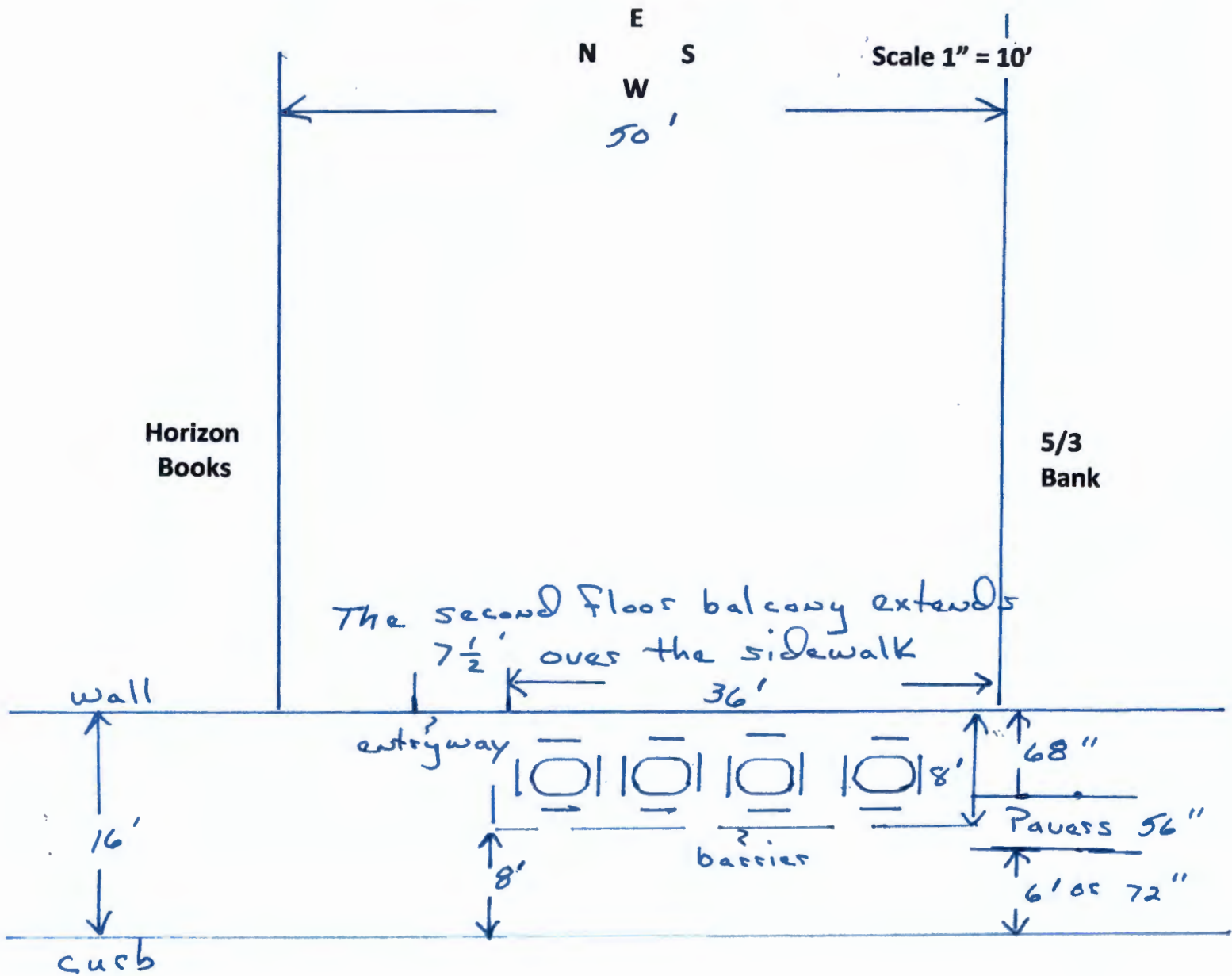
APPROVED

REVIEWED FOR COMPLIANCE WITH
CADILLAC ZONING ORDINANCE

Danelli D 1/26/24

CADILLAC ZONING DEPARTMENT

Raven Brewing & BBQ



119 S. Mitchell St.

APPROVED

REVIEWED FOR COMPLIANCE WITH
CADILLAC ZONING ORDINANCE

Daniel R 1/24/24
CADILLAC ZONING DEPARTMENT



Roasted Cafe
115 W. Mitchell

Lee & Bobbi Brown
Building
109 - 113 W. Mitchell
Evolve yoga

← 25' →

Blossom
Boutique

Entry Door

sidewalk

16'



base or
potted plant

Mitchell street

12

Mitchell Street

Sidewalk

16'2"

6' 8' 19' OUTDOOR Seating 8'

APPROVED
REVIEWED FOR COMPLIANCE WITH
CADILLAC ZONING ORDINANCE
Daneille Rm 11/26/24
CADILLAC ZONING DEPARTMENT

Roaring 20's
Saloon
210 S. Mitchell St.
CADILLAC, MI
(231) 884-3618

25'6"

February 5, 2024

COUNCIL COMMUNICATION

Re: Reappointment of Jennifer Brown to a Four-Year Term on the Local Development Finance Authority (LDFA) Board.

Jennifer Brown has expressed her interest in being reappointed to serve as a member on the Local Development Finance Authority (LDFA) Board. Jennifer has served on this board since 2019.

Requested Council Action:

Motion to reappoint Jennifer Brown to a four-year term on the Local Development Finance Authority (LDFA), which will end on 2/05/28.

February 5, 2024

Council Communication

Re: Hardship (Poverty) Exemption Policy

Public Act 390 states that the governing body of the local assessing unit shall determine and make available to the public, the policy and guidelines the local assessing unit uses for granting hardship (poverty) exemptions. Furthermore, MCL 211.7u requires local units to **annually** adopt a policy, including an asset test used to approve or deny poverty exemptions.

The City of Cadillac has adopted and incorporated the federal poverty guidelines established by US Department of Health & Human Services. The revision to our existing policy establishes the 2023 Health and Human Services Poverty guidelines. The Board of Review utilizes these guidelines when a hardship (poverty) application comes before them.

The Audit of Minimum Assessing Requirements (AMAR) requires the local unit to set an actual dollar amount for assets with the exemption of the primary resident. We have included language in this policy to set the amount of \$50,000 as the asset amount not to exceed, excluding the primary home.

Council Action

Adopt the updated Hardship (Poverty) Exemption Policy utilizing the 2023 Health and Human Services Poverty guideline as well as a \$50,000 asset guideline, excluding the primary home.

POLICY: Hardship (Poverty) Exemption

DATED: January 21, 1997

REVISED: February 16, 1998; March 1, 1999; February 6, 2006; May 7, 2007; December 15, 2008; December 11, 2012; November 18, 2013; March 5, 2018; February 18, 2019; January 21, 2020; January 19, 2021, February 22, 2022, February 6, 2023, February 5, 2024

PURPOSE: Public Act 390 of 1994 was passed by the Michigan legislature and signed by the Governor on December 29, 1994, and said Public Act makes significant changes to the poverty exemption policy found in 211.70 as amended, of the Michigan Compiled laws. Public Act 390 states that the governing body of the local assessing unit shall annually determine and make available to the public, the policy and guidelines the local assessing unit uses for granting hardship (poverty) exemptions. The City of Cadillac develops a hardship exemption policy of real and personal property of persons, who, in the opinion of the Board of Review, by reason of poverty, are unable to contribute towards the public charges. MCL 211.7u (1)

POLICY: In order to be eligible for a hardship (poverty) exemption, the claimant must establish or comply with all of the following:

1. Be the owner and occupant of property that is his/her principal residence for the year for which the exemption is requested. If requested by the Board of Review, a copy of the deed, land contract, or other evidence of ownership of the property.
MCL 211.7u (2) (a)+(d)
2. Not own any other real estate and/or recreational vehicles in or out of the State of Michigan.
3. Fully complete the Declaration of Poverty Request for tax relief application, including the asset and income schedule.
4. Hardship exemption may be granted up to a maximum of 50 percent.
5. The exemption is also dependent upon the total household income of the applicant meeting the guidelines established by the City of Cadillac.
 - a. Total household income is defined as money, wages, and salaries before deductions; net receipts from non-farm self-employment, business, professional, enterprise, or partnership after deductions; payments from social security, retirement, unemployment compensation, veteran's payments, public assistance; alimony, child support, military family allotments or other regular support from an absent family member or someone not living in the household; private pensions, government pensions, annuity or insurance payments; scholarships, grants, fellowships, assistantships; dividends, interest, rental income, royalties, periodic receipts from estates or trusts, gambling or lottery winnings.
 - b. In compliance with *Ferrero v Walton Township*, 295 Mich App 475: 813 NW2d 368 (2012), when determining "total household income" of the applicant, the City shall not include or consider monies the applicant received from claiming homestead property tax credit.

6. Provide a current or preceding year federal and state income tax returns for all persons residing in the principal residence
7. Provide a valid driver's license or other form of identification if requested by the Board of Review. MCL 211.7u (2)(c)
8. Meet the City of Cadillac's income standards for "Poverty Threshold" for the calendar year in question. As its "Poverty Threshold", the City of Cadillac has adopted and incorporated the federal poverty guidelines updated annually in the Federal Register by the United States Department of Health and Human Services. (under authority of Section 673 of subtitle B of Title VI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35, 42 USC 9902)

2023 HHS POVERTY GUIDELINES

Persons in Family/Household	Poverty Guideline
1	\$14,580
2	\$19,720
3	\$24,860
4	\$30,000
5	\$35,140
6	\$40,280
7	\$45,420
8	\$50,560

*Families with more than 8 persons, add \$5,140 for each person.

9. Even if the income guidelines are met, assets shall not exceed \$50,000 with the exception of the Primary home.
10. This policy applies only to individuals and is not for trusts or other types of ownerships such as corporations, limited liability companies, partnerships, associations, and co-owners (the only exception being the individual owner of a life estate).
11. Only the assessed value of the principal residence of an owner of a life estate shall apply, but the incomes of the owner of a life estate and income of all interested persons and household members shall be combined for determination of the poverty threshold. The owner of the life estate must reside and use the property as his or her principal residence.
12. Any tax exemption given to an individual under these guidelines shall be for the one (1) year's taxes. A new application will be required each year an exemption is
13. During the deliberation process, the Board of Review must remain totally objective and ensure that their decisions is in no way arbitrary. The Board of Review must follow this hardship exemption policy and the guidelines set forth within.
14. The City Assessor and the Board of Review shall notify in writing all applicants whose application for exemption is being denied. The applicant may appeal the

decision by applying to the Michigan Tax Tribunal and filing the appeal in writing prior to June 30th for a March Board of Review action. For July and December Board of Review actions the appeal must be filed with the Tax Tribunal within 30 days of receipt of your answer from the Board of Review. The address is Michigan Tax Tribunal, 611 West Ottawa, PO Box 30232, Lansing, Michigan 48909.

15. The assessor will act as an advisor for the Board of Review. The Board of Review will have the final determination for a hardship exemption. A person who files a claim is not prohibited from also appealing the assessment on the property for which that claim is made before the Board of Review in the same year.

MCL211.7u (6).

16. The application filing for an exemption under this policy shall be filed after January 1, but before the day prior to the last day of the Board of Review.

MCL 211.7U (3)

Cadillac Arts Council Minutes

9-25-2023

Up North Arts

Members in attendance in person at UNA

Rosemary Rokita (FOL), Paul Brown (Gopherwood), Linda Anderson (MAL/Vice President), Kurt Baney (MAL), Mike Smith (Clam Lake Band), Lisa Martek (Cadillac Community Chorus), Marla Courtney (Jam and Bread), Joseph Baumann (Footliters), Mary Kidder (Garden Club), Amy Gonzales (UNA), Kathleen Kelso (Cadillac Philharmonic), Mike Filkins (Cadillac Symphony/President), Mandy Alsager (MAL/Secretary), Chris Fisher (MAL), Lois Durham (MAL/Treasurer)

Public in attendance: Heath Urbaniak

Meeting called to order at 7:00

Introductions made.

Agenda Approval: Motion was made to approve by Kurt Baney. Seconded by Rosemary Rokita. Posted for a vote and passed.

Treasurer's report: \$10,306.70 checking account balance. Motion was made to approve by Rosemary Rokita and seconded by Kathleen Kelso. Posted for vote and was passed.

Secretary's Report: April 24, 2023 meeting minutes. Report given by Kurt Baney, prior Secretary, as this was the first time Mandy Alsager was in her role as the current Secretary. Motion was made to approve by Linda Anderson and seconded by Lois Durham. Posted for vote and was passed.

Member Group Reports

Up North Arts – Written report submitted by Amy Gonzalas

Up North Arts Update

9/25/2023

CAPS Crew

- Begins 9/19/2023. Offering Creative Writing, Painting, and Clay classes to middle school students and grades 3-5.
- Say it in Japanese to begin in October for middle school students and grades 3-5.

Digital Sign (Rotary Fundraiser)

- Waiting on permit approval by the City. Installation expected in the next few weeks. Nonprofits associated with the CAC can send Rosemary Rokita a request 60 days before their event to post the sign.

Painting/Beautification Project

- Painting of the Drill Deck and exterior is near completion. Drill Deck floors will be waxed and buffed. Encouraged all to stop by and look at the space and consider it for interested groups' next events.
- Working on the exterior landscaping and Artwalk project. More details to come.

Mission/Vision/Strategic Plan

- Vision is locked in. Putting the final touches on the Mission. Then will move into the 3 year Strategic Plan.

Grants

- UNA has received roughly \$27,500 YTD in grand funding for programming and enhancements.
- \$500 grant from Cadillac Area Women's Giving Circle
- \$500 grant from Cadillac Area Men's Giving Circle
- \$3,500 grant from the Michigan Arts and Culture Council.
- \$22,000 from Cadillac Rotary Charities.

- UNS has applied for and will potentially receive up to \$44,000 in additional grant funding and assistance for FY2024-\$40,000 from the Michigan Non-Profit Relief Fund and \$4,000 from the Michigan Arts and Culture Council.

Cadillac Garden Club

Submitted written report from Mary Kidder via email.

- Fall clean up will be happening soon in the Sound Garden.
- The October meeting will be on indoor plants.
- Most of the group efforts are on the Christmas Home Tour. On home is a new construction, one is a condo, and two are in the Historic District. Tour is the say day as the Historic Museum's Santa for kids day. A great day to introduce the holiday season to Cadillac.

Clam Lake Band

Submitted Written Report from Mike Smith -

- The Clam Lake Band's 48th year in Concert was a lot of work, but resulted in a a great season.
- The band was introduced to approximately 46 pieces of music not previously played.
- The CLB performed seven concerts plus the Cadillac Arts Festival. Good weather and good crowds were the norm.
- The "Battle of the March King" was the best attended concert. This year Sousa and Fillmore had a new challenger in Karl King. At the end of the evening, Sousa retained the title. The real winner was the CLB as the very generous community spirited the competition to help exceed our fund raising expectations.
- Another highlight was the debut of the Clam Lake March which was arranged by Doug Shuller, who had traveled from Saginaw to be in attendance that evening
- Music Directors Zach and Chelsea VanderGraaff are starting the school year with new positions in Frankenmuth after leading the band for 8 years. While they will be missed, the CLM is delighted to introduce Michelle Nuffer, Band and Choir Director at Manton Consolidated Schools as the new CLB Band Director.
- Practice schedule and concert dates are set for the 49th year in concert.
-

Friends of the Cadillac Wexford Public Library (FOL)

Submitted written report from Rosemary Rokita via email.

- The Friends continue to support the Library financially by providing funding for Summer reading programs for children and adults along with other funding as needed or requested by the Library. The Friends applied for and were awarded a grant for \$5000 from the Cadillac Area Community Foundation (CACF) for the purchase of graphic novels for children and teens.
- FOL also supports the Cadillac Area Adult Literacy Council for adults who cannot read as well as English as a Second Language tutoring. The Literacy group is always looking for new tutors.
- In May, the Friends participated in the Cadillac city-wide park clean-up by cleaning the lake-side park across the street from the Library.
- The FOL usually tends not to have programs during the summer as attendance is sparse due to the weather (too nice to be inside).
- The Friends participated in the Festival of the Arts by having their annual Festival of the Arts Used Book Sale (July 20 - 22), one of three or four usually held during the year and a primary source of raising funds. Very successful. Yes, people are still buying books! Another book sale is coming up on October 5-7.
- Vicki Long sponsored a potluck dinner at her home at the August meeting to celebrate the Friends and all we do.
- FOL is sponsoring Friends member and Vice President, Heidi Fenner, in the 2023-2024 Chamber of

Commerce Leadership Class.

- On Friday, Saturday, October 20-21, the Friends are presenting actor Doug Taurel and his one-person performance, *The American Soldier*, at the Elenbaas in McBain. The Friends are bringing this emotionally moving professional performance about the American Soldier (from the American Revolution to modern times) in celebration of National Friends of the Library week.
 - The 2023 CAC Allocation Request (\$890) that the Friends received is going toward this program.
 - If any CAC organization would like to have their programs/events promoted in the FOL newsletter, please email information to Rosemary at rokitaro55@gmail.com
-

Cadillac Philharmonic

Submitted written report by Kathleen Kelso via email.

- Cadillac Philharmonic Club is celebrating 100 years of existence. We had performers at the Cadillac Arts Festival to kick off our celebration.
- September 11th we held a luncheon where we enjoyed local performers and recognized members and community members who have made significant contributions to the group throughout the years.
- We received recognition from the Governor and the Mayor along with the President of the Arts Council.
- There will be a display of Philharmonic history at the Cadillac Library September 25 thru October 5th. October 9th at 4:00 the seven students who received music awards from us will perform at Zion Lutheran Church followed by light refreshments.
- The public is invited to join us. November will be a luncheon meeting, 12:30, at Zion Lutheran.
- Our annual Holiday program is scheduled for December 11th, 1:00, at the United Methodist Church. The Philharmonic Chorus will perform.
- We are looking for members to join. Refreshments will be served after the program. Other meetings will be April 8th, May 6th, and June 3rd .

Cadillac Community Chorus

Lisa Martek represented, No Written Report Submitted

Cadillac Footliters

Report given verbally by Joe Bauman, then emailed.

- Footliters begins its 60th Season in Cadillac with Junior B. Jones Jr. The Musical, presented for four shows in McBain at the Elenbaas Performing Arts Center, this weekend September 28-October 1. The show has nearly 30 brand new actors, performing on the Footliters stage for the first time! Tickets available at Brinks and Horizon Books, as well as at cadillacfootliters.com.
- Our next show is Steel Magnolias, opening October 27 at the Cadillac Elks, for eight shows! Tickets will be available in the next few weeks.
- Rounding out our 60th Season are Noises Off (January), Our Town (April), Hello Dolly (May/June), and Newsies the Musical (July).
- Logos to follow!

Cadillac Area Symphony Orchestra

Mike Filkins submitted a verbal report.

Nov 19, 2023 Holiday Concert at the Cadillac Community Auditorium; featuring Raylin Vance from. The CCA (Cadillac Community Auditorium) has been fully functioning since 10-1-2023 which now has new seats, stage surface, and many other exciting updates.

Gopherwood

Paul Brown was present and shared the most recent Gopherwood Concerts mailing.

- 40 for 40 Challenge. As Gopherwood Concert will be starting its' 40th year of bringing world-class music to Cadillac, the will be embarking on a "40 fo 40 Challenge" to help continue the mission for the next 40 years. Gopherwood will be seeking 40, or more, donation s of \$100.
- The upcoming series is as follows for the Fall/Winter 2023.
- 9-30-2023 House concert featuring Rollie Tussing at 7:00pm.
- 10-21-2023 Concert at theElks Lodge at 7:00 pm featuring Laith Al-Saadi.
- 11-11-2023 Concert at the Elks Lodge at 7:00 pm featuring Schrock Bros Band.
- 1-13-2023 Concert at the Elks Lodge at 7:00 pm featuring Steppin' In It.

Cadillac String Association – No one in attendance, no report.

Jam and Bread

Marla Courney in attendance. Verbal report given.

- Jam and Bread is now 243 days old.
- Growing a concert series over the summer that involved the kids providing set up and drinks.
- Eulalie, piano and string, guitar and bass are some future programs as part of the "Jam".
- Baking and Cooking classes being offered in conjunction with Wexford 4H. Baked items offered after Sunday Services at the Methodist Church that houses the offices and class space for J & B fulfilling the "Bread" part.
- Harmonica WorkShop with Cross Cut Kings at Chunky Bear.
- Support Halloween House with their upcoming food drive and trunk or treat at Diggins Hill.
- Slaughter Hawk Offering photo classes.
- Working with facebook group Volunteer Cadillac.

Committee Reports

Education / Scholarship

Heath Urbaniak is assisting UNC in writing grant proposals.

Grants

REMINDER As Always - Grant applications will be Due November 30 Applications can be Emailed to cadillacartscouncil@gmail.com or Mailed to the PO Box - Grant application will be made available soon!

Publicity

Festival

Chris Fisher shared that there were 62 vendors in attendance for this year's event, which is down from previous years. Working on getting the quality of the work/items back up. There is room for 97 vendors. Applications will open up on 11-1-2023 and will be accepted until 3-1-2024. This year's event will take place on June 19th(Friday) from 11 am to 7pm, and June 20th (Saturday) from 9am to 5pm. There will be another artist reception.

Nominations

Kurt Baney nominated Tracy Logan as a Member At Large. She was unable to attend tonight's meeting, as she was feeling ill. Joe Bauer made a motion to approve her. Linda Anderson seconded. All voted and the motion was approved.

CADILLAC ARTS COUNCIL

2024 BUDGET

Arts Festival	\$5628.00
Postage	\$ 550.00
Education	\$1500.00
Distribution to Member Groups	\$9072.00
TOTAL	\$16,750.00
City Funds	\$10,500.00
Funds from Checking	\$6250.00
Total	\$16,750.00



Planning Commission Special Meeting
November 27, 2023, Meeting Minutes

Call to Order

Meeting was called to order at 6:00PM

Roll Call

Planning Commission members present: Filkins, Host, Rice, Bunce, Bosscher, Baumann, and Putvin

Staff: Wallace, Pluger, Peccia, & Laura Genovich with Foster Swift

Approval of Agenda for November 27, 2023

- A. Motion to approve the agenda by Baumann, supported by Bunce.
 - a. Motion approved unanimously.

Approval of October 23, 2023, Meeting Minutes

- A. Motion to approve the minutes with a minor change by Chairman Putvin by Filkins, supported by Rice.
 - a. Motion approved unanimously.

Public Hearings

- A. Special Land Use application filed by Mike Dershem owner of the building located at 707 N Mitchell St (former Mancino's site) to allow for the outdoor storage and sales of sheds.
 - a. Wallace gave a presentation explaining the site and the request by the applicant to sell sheds on the site. Wallace explained that the property has three access driveways, two of which are shared with Jave. He also explained the proposed site plan and that there was no landscaping plan submitted. He also explained that any decision of approval of the placement of sheds should be subject to any future court decision regarding easements.
 - b. The applicant was given the opportunity to present any extra information and answer questions from the Planning Commission. Mike Dershem spoke about the clearing of the site, explaining that the landscaping was an issue with the cement under the landscaping. He explained that they are trying to clean up the property and did not know all the requirements for the commercial property. He also explained that he brought in the sheds and moved the stones on the property because of the safety issues with the traffic. Dershem stated that vehicles cut through the property at high rates of speed, and he has almost gotten hit. The placement of sheds and rocks is an attempt to slow traffic down. He stated that there has been vandalism to the property.
 - c. Putvin requested an update on the court situation. Dershem explained that he received a letter from Java's attorney and has hired an attorney. His attorney has

attempted to contact Java's attorney, but they have not responded. Dershem was contacted by a member of the community that stated they were purchasing the property and closing this week. Discussion continued about the lawsuit.

- d. Dershem explained the property is contaminated due to the railroad and an old gas station. EGLE stated they had to put new soil and grass seed and prevent the ground from being disturbed in the future; that is why the stones and items were moved to the back of the property.
- e. Putvin questioned the applicant about the letter proposed, as it stated Granite and not River Street. Dershem explained it was a typo.
- f. Putvin asked where on the site he was standing when he was nearly hit. Dershem explained he was standing by the building working on the gutters closest to the southern entrance.
- g. Bosscher asked who owns the property that would be granting the easement. Dershem stated that the previous owners who built Mancinos purchased Java and the railroad grade. They then ended up selling Java. Dershem stated that Java has had a surveyor out at the property but has not come up with a decision yet.
- h. Putvin asked about the alley behind the building. Wallace explained it is not a formal alley.
- i. Bosscher asked staff if the property owner has the right to block the informal alley way. Wallace stated that property owners would have the right to place items in the informal alleyway meeting set back requirements.
- j. Putvin opened the hearing for Public Comments
 - i. Doreen Lanc spoke in support of her daughter and son in-law applicants. She stated that they have great visions for the property and did not understand what was needed.
 - ii. Putvin Closed the public hearing.
- k. The Planning Commission discussion began.
 - i. Filkins expressed that she is glad they are diving into the commercial world in Cadillac.
 - ii. Rice stated that he feels the sheds look out of character and are out of place in that neighborhood. He is supportive of development in general but has concerns about the sheds creeping closer to the road.
 1. Dershem explained he does not want the sheds closer to the road. Where the sheds are located gives a clear vision from the businesses, and they do not want the sheds to deter customers from entering in general.
 - iii. Discussion took place about the location and number of sheds on the site.
 - iv. Baumann suggested moving the sheds to the west of the property and putting in another option to slow down traffic on the north side of the property. Discussion took place about options for slowing down traffic and potential future development that Dershem plans for the site.
 - v. Bosscher asked about the consignment of sheds and the time frame in which they will be on site. Dershem explained that there is no contract with the shed company. Bosscher asked Wallace if this special land use is approved does the special land use remain with this section of property

going forward. Wallace explained that yes, the special land use does stay with the property in the designated area.

- vi. Putvin asked Dershem if the sheds have been vandalized since being there. Dershem stated that there has not been any vandalism to the sheds. He explained that the HVAC units on the property have been vandalized heavily. He explained that there are a lot of people passing through the property and leaving trash behind.
 - vii. Baumann stated that he would like to see the further development of downtown. He stated that the property owner is trying to fix a traffic problem with something that has a different look. Baumann stated that he would like to see the traffic problem solved and allow the use of sheds to be on the site. He is just unsure of the sheds being in that specific spot.
 - viii. Bosscher stated that he would agree with Baumann and wondered about moving the sheds to the backside of property and look at different ways to slow traffic down through the property.
 - ix. Filkins stated that she agrees with both Baumann & Bosscher and her only concern with putting the sheds at the back of the property takes away from what Dershem is trying to do with slowing down of traffic.
 - x. Bunce asked Wallace about other options of slowing down traffic. Wallace stated that curbing, fencing, bollards and/or landscaping would be options for slowing down traffic.
 - 1. Motion by Baumann to approve the special land use subject to any future court order that might change the opportunity or ability to use that space for movement of traffic due to having met the required standards. Supported by Filkins. Motion passed with a vote of 6 to 1 with Bosscher opposing.
- B. Amendments to Sections 46-372, 46-397, 46-456, and 46-458 of the City Zoning Ordinance regarding short term rentals.
- a. Wallace explained that this memo and amendment were driven by the City Council to codify a memo that was written by staff 2-3 years ago. Wallace briefly explained this simply codifies what is already being enforced. Peccia explained this was spurred about a month ago at City Council. He also explained that the city is working on a full rewrite of the Zoning Code, and short-term rentals are a small piece of the Zoning Code. The discussion of short-term rentals is slowing down the progress of the zoning code, and not allowing staff to move forward with the Master Plan. The plan is to codify this to allow staff to move forward with the other business and then return to short-term rentals in the future.
 - b. Genovich explained that the memo is what is being practiced right now. The codification is putting the existing practice into the zoning ordinance. This codification is not stating where short-term rentals should or shouldn't be.
 - c. Chairman Putvin opened the public hearing.
 - i. Bev Peters: spoke that she has researched that there are over 600 long term rentals and only 14 identifiable short-term rentals in the City of Cadillac. 6 of the 14 do not live in the City of Cadillac. There does not appear to be very many short-term rentals given all of the complaints. Airbnb pays over 16 million a year in taxes to the state, and some of that should come back

- to the community. Short-term rentals can bring families together in ways a hotel cannot.
- ii. John Saari: explained he was a city planner for several years. He explained the process of a special land use. He also stated that if nuisance complaints arise that they should be addressed by the police department. The city is lacking housing, and we should allow mother-in-law apartments. There is a need for various housing we should address that and not say no to it.
 - iii. Dr. Martin Dubravec: requested that enforcement be included in this codification, not sure why this is not included as it is a major concern. Staff explained that there are enforcement measures in place, but further enforcement will be added in the future.
 - iv. Mark Kornacki: lives on Winona Street. Stated that it is necessary to make a distinction between residential short-term rentals and nonresidential. He explained the issues that they have with them in his neighborhood.
 - v. Bryan Elenbaas: directed questions about the zoning ordinance and changes to staff which were not about this topic and was not discussed.
 - vi. Andy VanAlst: Stated that this is what they wanted is a codification of the memo that is at least two years old. The number one complaint is enforcement and that should be a part of it.
- d. Chairman Putvin closed the public hearing.
 - e. Chairman Putvin inquired with staff about long term housing taking place at the Sun and Snow Motel. Staff shared that the motel has shared they do not rent out long term. Peccia stated staff can pursue further if reports are filed.
 - f. Peccia stated that the only districts that are apart of that are those that were listed in the memo and other activity of this use in other zones would not be considered until the city was through the zoning updates. It would first come to the planning commission then to the council with public hearings happening at both levels.
 - g. Bosscher asked the Council to clarify that this changes nothing in the residential districts, and it was confirmed. Bosscher asked Wallace if there are any known owners in the effected districts that are opposed to having this added to the zoning. Wallace stated that no one had approached him directly stating that they are in that district and oppose.
 - h. Motion by Baumann that the proposed changes to sections 46-4, 46-456, 46-458, 46-372 46-397, be approved by the planning commission and be recommended for approval to the City Council. supported by Host.
 - i. Motion unanimously approved.

New Business

A. Lot Split 429 Cobb St

- a. Pluger explained that Wexford County had requested a lot split of the property at 429 Cobb Street. The parcels both conform with the appropriate zoning of OS-1. The southern parcel will continue to be used by emergency services and the county has the northern parcel for sale.
- b. Motion was made to approve the application by Baumann and supported Bunce.
 - i. Motion passed unanimously.

Old Business

Board Member Comments:

Communications-

Public Comments -

Other Business

Adjourn at 7:50 PM