



City Council Meeting

March 18, 2024

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



March 18, 2024 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We trust and assume goodness in intentions

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

- A. Minutes from the regular meeting held on February 20, 2024
Support Document III-A

IV. COMMUNICATIONS

- A. Easter Egg Hunt
Support Document IV-A

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B. Friends of the Library
Support Document IV-B

C. Cadillac Area Visitors Bureau
Support Document IV-C

V. CITY MANAGER’S REPORT

A. Short-term rental update.

B. Utilities Update - Local Development Finance Authority (LDFA).

C. Recommendation regarding approval of contract for Certified Grant Administrator.
Support Document V-C

D. Recommendation regarding 2024-2025 Road Salt.
Support Document V-D

E. Bids and recommendation regarding Bio-Solids Injection contract.
Support Document V-E

F. Recommendation regarding Agilent Technologies Crosslab Silver Service Plan.
Support Document V-F

VI. INTRODUCTION OF ORDINANCES

A. Adopt resolution to introduce Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs and set public hearing for April 1, 2024.
Support Document VI-A

VII. PUBLIC COMMENTS

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VIII. GOOD OF THE ORDER

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IX. CLOSED SESSION

Adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with pending litigation in *City of Cadillac v Neil & Jo Almond*, Case No. 23-0030948, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City.

X. ADJOURNMENT

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

Respect

Integrity

Trust

Excellence

Guiding Behaviors

We support each other in serving our community

We communicate openly, honestly, respectfully, and directly

We are fully present

We are all accountable

We trust and assume goodness in intentions

We are continuous learners

CITY COUNCIL MEETING MINUTES

February 20, 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

ROLL CALL

Council Present: Elenbaas, Schippers, King, Mayor Filkins

Council Absent: Engels

Staff Present: Roberts, Ottjepka, Homier, Wasson

APPROVAL OF AGENDA

2024-020 Approve agenda as amended.

Motion was made by Schippers and supported by Elenbaas to approve the agenda as amended to remove recommendation regarding Environmental Consultant – PGSI Grant (Item VI-C).

Motion unanimously approved.

PUBLIC COMMENTS

Randy Lindell discussed the importance of the City plowing sidewalks in residential areas.

Rick Torres stated not having the sidewalks plowed impacts the elderly members of the community.

CONSENT AGENDA

2024-021 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 HEARING

- A. Public hearing to consider adoption of Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities (Near 908 6th Avenue).

Owen Roberts, Director of Finance, noted an existing business acquired property across from the City Garage. He noted the business made a request to Consumers Energy for expanded electric service that will require the granting of an easement.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

2024-022 Adopt Ordinance 2024-01.

Motion was made by Elenbaas and supported by Schippers to approve the resolution to adopt Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities (Near 908 6th Avenue).

Motion unanimously approved.

COMMUNICATIONS

A. Wexford-Missaukee Child Protection Council

Karen Staub, Prevention Coordinator, stated they are looking to bring awareness to the community by hanging blue lights in the downtown area during the month of April in recognition of National Child Abuse Prevention Month.

2024-023 Approve request from the Wexford-Missaukee Child Protection Council.

Motion was made by Schippers and supported by Elenbaas to approve the request from the Wexford-Missaukee Child Protection Council to hang blue lights in the downtown area during the month of April in recognition of National Child Abuse Prevention Month.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Recommendation regarding Service Truck Purchase.

Robert stated the budget includes an appropriation for the replacement of a work truck for the Utilities Department. He noted one (1) bid was received in the amount of \$42,950. He added staff also checked MiDEAL for the State pricing on the truck and the unit available from Gorno Ford was about \$1,400 cheaper. He stated the recommendation is to purchase the work truck from Gorno Ford and to add a safety light package for the total purchase price of \$43,360.

2024-024 Award purchase of Service Truck.

Motion was made by Elenbaas and supported by Schippers to award the purchase of a work truck to Gorno Ford in the amount of \$43,360.

Motion unanimously approved.

B. Recommendation regarding Speaker Replacement – Rotary Performing Arts Pavilion.

Roberts noted the main speakers at the Rotary Performing Arts Pavilion have failed. He stated the failure is attributed to pigeons, weather exposure, and regular wear and tear on the equipment. He noted the City has resolved the pigeon issue and plans to seek a solution to cover the speakers during the winter months. He stated we requested bids for a simple replacement of the three (3) non-functional speakers and for an upgraded system.

Roberts noted the upgraded system bid from Electromedia was deemed to have the best value for the system. He stated the recommendation is to award the Pavilion Speaker Replacement project to Electromedia Inc. in the amount of \$23,495.

2024-025 Award Pavilion Speaker Replacement project.

Motion was made by Elenbaas and supported by Schippers to award the Pavilion Speaker Replacement project to Electromedia, Inc. in accordance with their bid.

Motion unanimously approved.

PUBLIC COMMENTS

Randy Lindell reemphasized the importance of City-wide sidewalk snow plowing.

GOOD OF THE ORDER

Schippers noted the Mayor's Youth Council meetings have moved to the fourth Tuesday of the month. She stated the next meeting is scheduled for Tuesday, February 27 at 3:00 pm. She encouraged high school age youth to join the Mayor's Youth Council.

Schippers noted Early Voting is occurring from 8:30 am to 4:30 pm at 401 N. Lake Street.

Elenbaas thanked Mr. Lindell and Mr. Torres for speaking at the meeting. He noted he wished more people would come to the meetings to speak because we are always open to input from the taxpayers.

King commented on an article about the early termination of the Co-Gen Plant and inquired as to the possible impact on our revenues.

Roberts noted this has been looked at and we will provide more information at the upcoming work session.

Roberts stated we have spent about 170 hours plowing 56 miles of sidewalks this year. He noted he will suggest a few areas that should receive additional attention.

Elenbaas noted the priorities are streets, alleys, and then sidewalks.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk



200 N. Lake Street
Cadillac MI 49601
Phone (231) 775-0181
www.cadillac-mi.net

Today's Date March 11 2024

City Received Date

MUST BE OBTAINED BY THE CITY CLERK

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request Easter egg hunt @ Higgins Hill

Contact Person Barri Dumas

Contact Phone [REDACTED] Contact Email [REDACTED]

Date: 3/30/2024

Street Closures

Street Name Hemlock Beginning Location Hemlock Ending Location N. Park

Beginning Time 2:00 AM/PM Ending Time 6:00 AM/PM

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

Date ____/____/____

Parking Lot Closures

Lot Location _____ Street _____ Nearest Cross Street _____

Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

Lot Location _____ Street _____ Nearest Cross Street _____

Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

Lot Location _____ Street _____ Nearest Cross Street _____

Beginning Time ____:____ AM/PM Ending Time ____:____ AM/PM

Form must be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net (No Faxes accepted)

I understand and agree to these requirements & understand if these are not met the request will be denied.

Print Name Barri Dumas Signature Barri Dumas Date 3/11/2024

Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.

Streets _____	Date Approved _____	Comments _____
Parks _____	Date Approved _____	Comments _____
Fire _____	Date Approved _____	Comments _____
Police _____	Date Approved _____	Comments _____
City Manager _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____

RECEIVED

MAR 11 2024



200 N. Lake Street
Cadillac MI 49601
Phone (231) 775-0181
www.cadillac-mi.net

Today's Date 01/02/2024

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Banner Request Form

Monday Banner Start Date 04 / 08 / 2024

Monday Banner End Date 04 / 15 / 2024

(Banners are installed and removed on Mondays unless it is a Holiday, then it will be the following day)
(Banners may only be requested for one week at a time per form)

Reason for Banner National Library Week

Organization Friends of the Cadillac Wexford Public Library

Contact Person Vicki Long

Contact Phone [REDACTED]

Contact Email [REDACTED]

City of Cadillac & State of Michigan Guidelines:

- ☒ Banner requested date is a minimum of 2 months prior to display date requested.
- ☒ Banner picture or a design proof is **attached with this request form** or it will not be approved.
- ☐ The City reserves the right to determine when the banner is hung during inclement weather.
- ☐ The City is not responsible for any damages to the banner.
- ☐ Banner requested is for a reasonable and public purpose.
- ☐ Banner does not display any legend or symbol which may be construed to advertise, promote the sale of, or publicize any merchandise or commodity, or be political in nature.
- ☐ The legend may contain the name of the sponsor paying for the banner if such is not an obvious advertising of and promotion of the sale of the sponsor's goods or services.
- ☐ The lettering of the sponsor's name or a logo does not exceed three inches if on a single line or two-inches if on more than one line.
- ☐ Banner does not contain an address or directions to location.
- ☐ Banner meets all the design specifications on the back of this form.
- ☐ The banner will be delivered to City Garage a minimum of **1 week before** banner is to be displayed.
City Garage is located at 1001 6th Street and hours. Call Street Supervisor at (231)920 -7800 to schedule time.
- ☐ Banner will be picked up within **1 week after** being displayed; if it is not picked up, the banner will be disposed of.

Form must be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net **(No Faxes accepted)**

I understand and agree to these requirements & understand if these are not met the request will be denied.

Print Name Vicki Long Signature Vicki Long Date 01 / 02 / 2024

Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.

For Office Use Only

Streets _____	Date Approved _____	Comments _____
City Manager _____	Date Approved _____	Comments _____
State of Michigan _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____

10

- Length 30'- 60'



Minimum of #4 Spur
Spaced maximum of 24" apart

****Drawing is not to scale****

12" diameter semi-circle openings
Spaced maximum of 24" apart

(Request will not be approved without a proof or picture)



PHOTO: FRIENDS OF THE CADILLAC LIBRARY BANNER





200 N. Lake Street
Cadillac MI 49601
Phone (231) 775-0181
www.cadillac-mi.net

Today's Date 1/11/24

City Received Date

Banner Request Form

Monday Banner Start Date 4 / 15 / 2024

Monday Banner End Date 4 / 22 / 2024

(Banners are installed and removed on Mondays unless it is a Holiday, then it will be the following day)
(Banners may only be requested for one week at a time per form)

Reason for Banner Earth Day Banner

Organization Cadillac Area Visitors Bureau

Contact Person Marci Hensley

Contact Phone [REDACTED] Contact Email [REDACTED]

City of Cadillac & State of Michigan Guidelines:

- ☒ Banner requested date is a minimum of 2 months prior to display date requested.
- ☒ Banner picture or a design proof is **attached with this request form** or it will not be approved.
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- ☒ The City is not responsible for any damages to the banner.
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- ☒ Banner does not display any legend or symbol which may be construed to advertise, promote the sale of, or publicize any merchandise or commodity, or be political in nature.
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I understand and agree to these requirements & understand if these are not met the request will be denied.

Print Name Marci Hensley Signature Marci Hensley Date 1 / 11 / 2024

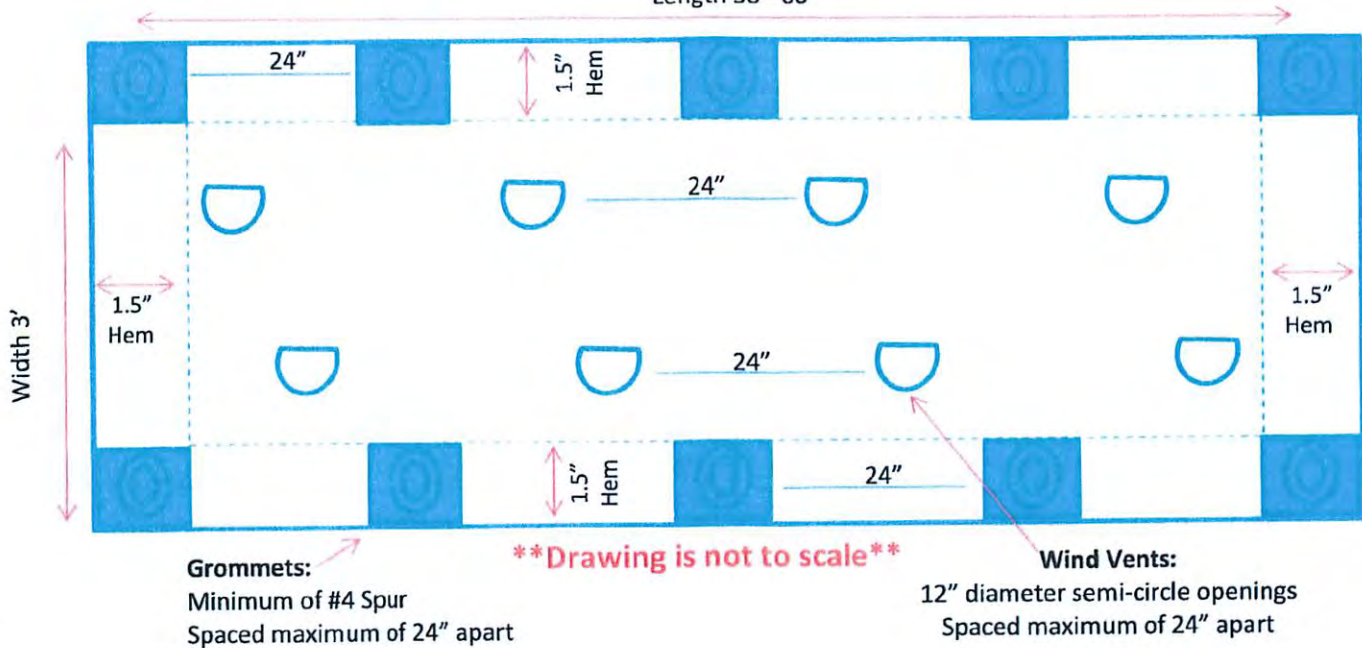
Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.

For Office Use Only

Streets _____	Date Approved _____	Comments _____
City Manager _____	Date Approved _____	Comments _____
State of Michigan _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____

Banner Specifications

- Banner must be made of a minimum of 18 oz. vinyl or of comparable material
 - Hem must be 1.5" double folded and stitched on inside & outside
 - Grommets must be a minimum of # 4 Spur and not more than 24" apart along top & bottom
 - Wind Vents must 12-18" semi-circle openings and not be more than 24" apart
- Length 30' - 60'



Attach a photo of the banner or provide a detailed design proof
(Request will not be approved without a proof or picture)





Cadillac Earth Day Celebration

THIS SUNDAY IN THE CADILLAC COMMONS



March 18, 2024

Council Communication

Re: Recommendation regarding Certified Grant Administrator

As part of the requirements for the \$750,000 Public Gathering Spaces Initiative grant that the City received, a certified grant administrator (CGA) must be contracted to assist the City in the management of the grant. The costs of the CGA contract are reimbursed to the City **over and above** the grant, meaning that the costs of the contract do not reduce the amount of funds available for the actual project costs. The City recently solicited proposals for a contract with a CGA and the following proposals were received:

Contractor	Bid Price
Hager Consulting, LLC Fremont, MI	\$24,150
Northern Consultants, Inc. Hancock, MI	\$28,350
Northern Environmental Consultants, LLC Copper City, MI	\$29,040

The proposed contract with Hager Consulting has been approved by the Michigan Economic Development Corporation.

Recommended Action

It is recommended that the contract for a Certified Grant Administrator be awarded to Hager Consulting, LLC in accordance with their bid. Funds are available in The Market at Cadillac Commons Capital Project Fund.



Contract for Services

This agreement between **City of Cadillac**, 200 North Lake Street, Cadillac, MI 49408 and **Hager Consulting, LLC**, 10110 S River Run, Fremont, MI 49412 is effective March 19, 2024 through December 31, 2026 unless terminated or extended by either party with a thirty (30) day written notice.

I. Purpose

The purpose of this agreement is to specify terms, conditions, compensation, and essential duties performed by Hager Consulting, LLC to assist the City of Cadillac, MI ("City of Cadillac" or "Unit of General Local Government (UGLG)") with the grant administration responsibilities including supporting documentation required by the Michigan Economic Development Corporation (MEDC) for the Market at Cadillac Commons PGS Grant project.

II. Scope of Services

Hager Consulting, LLC will provide the following specific tasks:

1. General Tasks

- a. Establish project files in the UGLG's office and digitally so that file sharing can easily occur between UGLG and MEDC. These files must demonstrate compliance with all applicable state, local, and federal regulations. The project files must be monitored throughout the program to ensure they are complete, and all necessary documentation is being retained in the UGLG's files.
- b. Assist UGLG in meeting Citizen Participation requirements noted in its Citizen Participation Plan. This can include reviewing public hearing notices to ensure compliance.
- c. Assist in collecting and maintaining applicable Section 3 documentation to meet compliance standards
- d. Prepare, receive, and submit signed grant metric reports from the UGLG. These reports include, but are not limited to: Progress Reports, Audit Reports, Job Creation Reports and Milestones.
- e. Prepare and submit the semi-annual HUD 2516 and HUD 4710 reports.
- f. Assist in preparing Grant Amendment documents if necessary. Also, assist the UGLG with developing a public hearing notice, if required. If the project scope changes and the Environmental Review level is affected, review and assist in the preparation of Environmental Review amendment documents or administrative paperwork to SHPO.
- g. Other general tasks as related to program compliance.

Total estimated hours for General Tasks: **55 Hours**

2. Financial Management

- a. Prepare Payment Requests at least quarterly in accordance with CDBG's financial management procedures.

- b. Review the UGLG's financial management processes which includes, but is not limited to, cash receipts and disbursements journal and accompanying ledgers, and conforms to generally accepted principles of municipal accounting. Make progress inspections and certify private and other match investment each time a payment request is issued.
- c. Make progress inspections and certify private and other match investment each time a payment request is issued.
- d. Review Change Orders submitted by the UGLG.
- e. Assist UGLG with annual Single Audit Certification completion and submission to MEDC.

Total estimated hours for Financial Management: **65 Hours**

3. Environmental Review

- a. If the Determination Level for Environmental Review is Exempt or Categorically Excluded Not Subject To 58.5, the Certified Grant Administrator can assist the UGLG in the preparation of necessary Environmental Review documentation. If the Environmental Review level is determined to be Categorical Excluded Subject to 58.5, consultation with the CDBG Project Specialist is required.
- b. If the Environmental Review level is determined to be an Environmental Assessment or an Environmental Impact Statement, all Environmental Review documentation will be created by qualified Consulting Agency(ies) and SHPO and collected by the UGLG and Certified Grant Administrator.
- c. Assist UGLG in providing documentation to CDBG Program Specialist for environmental release of funds for the awarded project.
- d. If the Scope changes for a project, assist the UGLG in creating Environmental Review Amendment materials for review by the CDBG Specialist.

Total estimated hours for Environment Review: **5 Hours**

4. Procurement

- a. Provide required procurement reports and assist the UGLG in obtaining approvals from MEDC as appropriate.
- b. Collect and File procurement records including selection process, advertisements, reasons for selections, minutes of bid openings, etc.
- c. Collect file contract agreements between UGLG and the Selected Contractor. Collect and file insurance documentation related to the selected contractor.
- d. Provide SAM and HUD Limited Deniability Checks related to selected contractor.
- e. Collect and File Section 3 documentation.

Total estimated hours for Procurement: **10 Hours**

5. Construction and Labor Compliance

Davis-Bacon Compliance:

- a. Assist project architect or engineer in bid document preparation consistent with state and federal regulations.
- b. Secure the Department of Labor's federal wage decision and include it in the bid documents.
- c. Review construction contracts to ensure they comply with state and federal regulations. Examples of regulations include the following: Conflict of Interest, Access to Records, Copeland Anti-Kickback Act, Safety Standards, Architectural Barriers, Flood Insurance, Clean Air and Water Act (for contracts over \$100,000), HUD Handbook (6500.3), 24 CFR 85.36, Section 3, Section 109, Title VI, Civil Rights Act, EO 11246 (for contracts over \$10,000), Section 504, etc.
- d. File contractor clearance(s), specific to applicable Lead and Asbestos Abatement.
- e. Check weekly payrolls and complete Payroll Review Worksheet to ensure compliance with federal wage decision(s) with wage and fringe benefit information. Review documents to ensure the following documents are provided, if applicable: Apprentice Compliance, Independent Contractors, Payroll Restitution.
- f. Conduct on-site interviews and compare the results with the appropriate payrolls.
- g. Monitor administrative paperwork to ensure compliance with equal opportunity, labor standards provisions, and Section 3 requirements.

Total estimated hours for Construction and Labor Compliance: **60 Hours**

6. Monitoring and Close Out

- a. Attend and assist the City of Cadillac during the MEDC's monitoring visit(s).
- b. Assist with close-out documents.

Total estimated hours for Monitoring and Close Out: **10 Hours**

7. National Objective Compliance, Surveys, and Income Verification

- a. For job creation: File semi-annual employment data and associated income certification forms.
- b. For blight elimination: File local building inspector letter certifying the project eliminated specific conditions of blight.
- c. For housing projects: File the Certificate of Occupancy. Collect and file lease information showing that at least 51% of the rental units are leased to low-income households.
- d. Compliance, Surveys, and Income Verification Reports are not required for area benefit projects based on population.

Total estimated hours for National Objective Compliance: **5 Hours**

TOTAL HOURS FOR ALL TASKS: 210 Hours

Hager Consulting, LLC will be available to MEDC, City of Cadillac representatives, engineer, contractors, and other project team members in person, by telephone, or email throughout the preparation and process to carry out the work described. Hager Consulting, LLC will work with City of Cadillac to determine final scope of work and delineation of tasks between Hager Consulting, LLC and City of Cadillac.

III. Compensation

For services rendered under this Contract for Services, City of Cadillac will pay Hager Consulting, LLC **\$115.00** per hour not to exceed **\$24,150.00**.

City of Cadillac will pay Hager Consulting, LLC within 30 days from the receipt of an invoice.

IV. Contractor as Independent Contractor

It is mutually agreed that the relationship of Hager Consulting, LLC to City of Cadillac is that of an Independent Contractor. Hager Consulting, LLC covenants and agrees that it will conduct itself consistent with such status. Hager Consulting, LLC will neither hold itself out nor claim to be an officer, employee or agent of City of Cadillac by reason hereof and that it will not make any claim, demand or application to or for any right or privilege applicable to any officer or employee of City of Cadillac, including but not limited to, workers compensation coverage, unemployment insurance benefits or social security coverage.

V. Contractor's Warranties

Professional services will be performed and all findings obtained in accordance with generally and currently accepted management consulting principles and practices. This warranty is in lieu of all warranties either expressed or implied.

Hager Consulting, LLC warrants that it has full right, power and authority to enter into and perform pursuant to this agreement and to grant to City of Cadillac all rights granted hereby free and clear of any and all claims, rights and obligations whatsoever.

Hager Consulting, LLC grants City of Cadillac all rights in the work products created under this agreement, including any and all intellectual property rights and excluding information that is public domain.

VI. Insurance

Hager Consulting, LLC carries Commercial General Liability Insurance coverage. A copy of insurance coverage is available upon request.

VII. Indemnification

Hager Consulting, LLC agrees, to the fullest extent permitted by law, to indemnify and hold harmless City of Cadillac, its officers, directors and employees (collectively, City of Cadillac) against all damages,

liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by Hager Consulting, LLC negligent performance of professional services under this Agreement and that of its sub-consultants or anyone for whom Hager Consulting, LLC is legally liable.

City of Cadillac agrees, to the fullest extent permitted by law, to indemnify and hold harmless Hager Consulting, LLC, its officers, directors and employees and sub-consultants against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by City of Cadillac's grossly negligent acts in connection with the Project and the acts of its consultants, sub-consultants or anyone for whom City of Cadillac is legally liable.

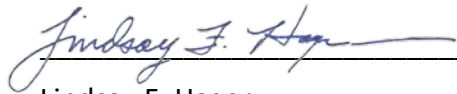
Neither City of Cadillac nor Hager Consulting, LLC shall be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence.

VIII. Amendments

This agreement may be amended only by mutual consent in writing signed by both parties.

Agreed and accepted this 19th day of March, 2024 by

City of Cadillac



Lindsay F. Hager
Hager Consulting, LLC

March 18, 2024

Council Communication

Re: 2024/2025 Road Salt

For many years, the City of Cadillac has participated with the State of Michigan's Delivering Extended Agreements Locally (MiDEAL) program to competitively bid road salt. Cadillac joins the State and many other road agencies in utilizing this bidding process to achieve cost savings through the economies of scale inherent in the process.

Orders for road salt are placed in the spring of each year. The State's contract is finalized by late summer, and early shipments typically arrive in late fall. Based on seasonal requirements, the City expects to need up to 800 tons of road salt to cover the entire winter. Depending on the final bid award, annual costs are expected to total about \$60,000 (~\$75/ton).

Recommended Action

Because of the economies of scale achieved through the process, it is recommended that Council, pursuant to Section 2-299 and 2-312 of the City Code, authorize the City to participate in the MiDEAL competitive bidding process and approve the commitment to purchase up to 800 tons of seasonal road salt through the resulting State of Michigan contract at the unit cost bid approved by the State of Michigan. Funds are available in the Stores and Garage Fund for this purchase. Actual costs of usage are charged to appropriate activities within the Major and Local Street Funds and several other City activities based upon actual usage throughout the winter.

March 18, 2024

Council Communication

Re: Bio-Solids Injection Bids

The City recently solicited bids for a contract for biosolids injection of EQ Class “A” biosolids. One bid was submitted:

Contractor	Bid Price
Michigan AgriBusiness Solutions Saginaw, MI	\$0.0621/gallon

The City applies between 1.5 and 2.0 million gallons of biosolids each year. At 1.5 million gallons of biosolids applied per year the cost would be \$93,000.

Recommended Action

It is recommended that the contract for Bio-Solids Injection from the date of the award through December 31, 2026 be awarded to Michigan AgriBusiness Solutions in accordance with their bid. Funds are available in the Sludge Treatment department within the Water and Sewer Fund.

March 18, 2024

Council Communication

Re : Agilent Technologies Crosslab Silver Service Plan

In November 2020, the City Council approved the purchase of a new inductively coupled plasma mass spectrometer (ICP-MS) from Agilent Technologies, the company that submitted the lowest bid. As part of the purchase, an extended warranty was purchased, covering the machine for the original 1-year warranty plus two additional years. This warranty has now expired, and the company has offered an annual service plan for the unit. Attached, please find a proposal from Agilent Technologies for \$10,017 to purchase their Crosslab Silver Service plan.

All parts and technical support are covered under this service plan. This includes both ongoing maintenance, expected to be nearly \$4,000 **plus labor** in the next year, and also fully covers the equipment for any unexpected failures in the machine, including the electronics.

Recommended Action

Because the ICP-MS is an Agilent Technologies product, it is recommended that City Council waive competitive bidding and approve the service agreement with Agilent Technologies in accordance with their proposal. Funds are available in the Water and Sewer Fund.



Agilent Technologies

Agilent Technologies Inc.
2850 Centerville Road
Wilmington DE 19808-1610
United States

Tel: 1-800-227-9770 opt 1, then 5
Fax: 1-302-633-8954
Email: agreements_lfssupport@agilent.com
Website: www.agilent.com/chem

Delivery Site:
City of Cadillac

200 N Lake St
CADILLAC MI 49601
USA
Tax ID:

Cindy Tomaszewski
lab@cadillac-mi.net
+12317752368

Invoice To:
City of Cadillac

200 N Lake St
CADILLAC MI 49601
USA
Tax ID:

QUOTATION	
Quotation Number: 5001267151	Quotation Date: January 19, 2024
Coverage Period: 01/19/2024 - 01/18/2025	Payment Terms: Net 30 Days
Quotation Expiration Date: All quoted prices are valid for 90 days from quotation date.	

Direct Inquiries to:

Contact Name: Jason Garcia
Contact E-mail: JASON.GARCIA@NON.AGILENT.COM
Contact Telephone:
Contact Fax:

Service Contract Quotation:

Ship To:	City of Cadillac
	200 N Lake St CADILLAC MI 49601 USA



Learn more about Agilent's Special Offers, Products, Services and our full range of laboratory productivity solutions optimized for your applications and workflows. Visit us at www.agilent.com/chem

Agilent Technologies Inc
5301 Stevens Creek Blvd
Santa Clara CA 95051
United States

Federal Tax ID: 77-0518772

Beneficiary Bank: Bank of America
SWIFT: BOFAUS3N
Beneficiary Account: 12331-31561
Beneficiary Name: Agilent Technologies Inc

ORIGINAL

Quotation Number: 5001267151

Quotation Date: January 19, 2024

Item #	System Handle	Serial Number	Model Description	Service Description	EGS	Qty	Start date / End date if different from SC Period	Total Price (USD)
1	AGILENT 7800		ICPMS 7800/7850 System	CROSSLAB SILVER	10/31/2028	1		22,260.00
		MXL04231BV	CPU Kit - PC with ICP-MS MH ENG					
		IT20415085	RVP MS40-S TAD					
		SG20435451	Agilent 7800 ICP-MS		10/31/2028			
		AU20238804	SPS 4 Autosampler					
		2011-00345	Heat Exchanger					

Total Amount before Discount	22,260.00
Discount - Region/Country	-4,452.00
Discount - Promotional	-7,791.00
Total before Tax	10,017.00
Sales Tax 0.000%	0.00
Total (USD)	10,017.00

EGS = End of Guaranteed Support for earliest module

Summary of Charges:

Note: These prices reflect additions, deletions and warranties.

Year:	Invoice Period:	Prices by Invoice Period:
YEAR 1	01/19/2024 - 01/18/2025	10,017.00

Notes:

Amount excludes any applicable taxes. Applicable taxes will be separately stated on the invoice at time of billing.

Quotation Number: 5001267151

Quotation Date: January 19, 2024

Exhibit URL

Exhibit22X.as <http://www.agilent.com/en-us/services/analytical-instrument-services/exhibit22x>
px Password: br8zUWuC

This Quotation is valid only for the period indicated. All Services quoted are subject to the Agilent Service Terms (<http://www.agilent.com/en-us/services/e16s-us-canada-mexico>) and the Agilent Service Exhibits referenced above. Products, parts and software are subject to the Agilent Terms of Sale (<http://www.agilent.com/en-us/services/e16s-us-canada-mexico>). Products or Services that are manufactured, configured or adapted to meet Customer's requirements are subject to the Agilent Terms of Sales - Custom products (<http://www.agilent.com/en-us/services/e16s-us-canada-mexico>). If you have a previously signed agreement with Agilent covering such Products, Services or spare parts, the terms of that agreement will take precedence for those Products, Services or spare parts. Agilent expressly objects to any different or additional terms in your purchase/sales order documentation, unless agreed to in writing by Agilent. Spare parts and Service availability dates are estimated at the time of the quotation. Actual delivery dates or delivery windows will be specified at the time Agilent acknowledges and accepts your purchase order. The above conditions shall apply to the fullest extent permitted by the law governing this transaction and shall not derogate from any statutory or legal rights you may have thereunder. Commodities, technology or software exported from the United States of America ("U.S.") or from other exporting countries will be subject to the U.S. Export Administration Regulations and all exporting countries' export laws and regulations. Diversion contrary to U.S. law and the applicable export laws and regulations is prohibited. Warranty: Unless otherwise indicated herein, spare parts referenced in this document will receive a 90 day replacement warranty.

Agilent Payment Method: ACH.

Credit card accepted only at the time of order placement.

Agilent will charge 3% of the invoiced amount, when term invoices are paid with a credit card.

Date: March 18, 2024

Council Communication

Re: Approval of a zoning ordinance text amendment to Section 46-315 (9) of the Cadillac zoning ordinance to allow flexibility by the Planning Commission in approving Residential Planned Unit Developments.

Two resolutions are before the City Council to adopt a text amendment to Section 46-315 (9) of the zoning ordinance. The proposed text amendments are identical with the exception that one does not contain a time limitation and one does. The original text amendment prepared by community development staff and legal counsel does not have a time limit. The Planning Commission, when acting on the proposed amendment added a time limit with the thought that the new ordinance may be adopted by November 1, 2024 date. Apart from the time limit issue, the amendment is designed to provide more flexibility for the Planning Commission to consider variations to the requirements of Division 7 – Residential Planned Unit Development (R-PUD). Residential Planned Unit Developments are allowed in any zoning district by special use permit. The two versions of the proposed amendment are included in your council packet.

The need for the ordinance amendment was prompted by the Community Development Department receiving a concept drawing for a R-PUD at 318 N. Lake Street (behind the G&D Pizza business) which included a plan for 48 new apartment units on 1.27 acres of land. This Developer on this project is Gary Pitsch (the developer who did the condominiums across the street) and the Veneklasen Company (from Grand Rapids). In reviewing the plan which seemed reasonable for a downtown site against the R-PUD zoning regulations, realized that the plan could not be approved as proposed. There were conflicts with site size and density.

The current R-PUD Division of the ordinance does allow the Planning Commission to authorize variations from the design provision section which addresses the subjects of lot area, lot frontage and width, screening, open space, and signs. But the current ordinance does not allow for variation to the minimum site size and housing density. The R-PUD ordinance was written with the consideration that it may be used across the city. As such it was not written with downtown development specifically in mind. Because the current ordinance already allows a great deal of flexibility to the planning commission in authorizing variations to the ordinance the most practical solution to allow a desperately needed housing project in the downtown seemed to be to also authorize them to allow variations in site size and housing density. There continue to be protections in place by all proposed uses having to meet the standards in 46-315 (9) and general standards contained in Section 46-747 (1) of the ordinance.

The Veneklasen Company was introduced to Cadillac by Daniel Leonard one of our MEDC representatives. City staff has worked with the Veneklasen company for several months connecting them with many downtown property owners trying to get either a housing or mixed-use project off the ground. They finally found a willing partner in Gary Pitsch. City staff has also been attending housing committee meetings headed up by the Alliance for Economic Success (AES). These committed meetings often attended by 20 to 30 community leaders have been working diligently on ways to increase housing stock in the Cadillac area. Market studies

by the regional planning commission and AES have shown that there is a severe housing shortage in Cadillac in every income group. This proposed amendment that enable expansion of the overall supply of units, by reducing per-unit land costs, upzoning may also increase potential for the development of apartments and homes that are more affordable to rent or purchase. Zoning requirements such as parking minimums and lot coverage maximums can add significantly to the cost of development.

It is quite likely that this amendment may also be needed in considering other housing projects in the city.

Recommended Action

City staff's recommendation would be for the City Council to approve the amendment without the time limitation but is open to the adoption of either of the two amendments.

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert J. Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2024-_____

**RESOLUTION TO INTRODUCE AND SET PUBLIC HEARING FOR
AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE REGARDING
VARIATIONS IN R-PUD DESIGNS**

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 18th day of March 2024, 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 Council has authority to adopt and amend zoning ordinances regulating land use in the City; and

WHEREAS, the City desires to amend the City's Zoning Ordinance to permit the City's Planning Commission ("Planning Commission") to authorize variations from the design provisions of Division 7 of the Zoning Ordinance for residential planned unit developments ("R-PUDs"); and

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

WHEREAS, the Planning Commission voted to recommend the adoption of the proposed amendments; and

WHEREAS, the City Council desires to adopt the proposed amendments, but with the removal of the November 1, 2024 time limitation.

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces Ordinance No. 2024-____, An Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs (the “Ordinance,” attached as Exhibit A).

2. A public hearing regarding the Ordinance shall be held on the ____ day of _____ 2024, at _____ p.m.

3. The City Clerk is directed to publish a summary of the Ordinance in a newspaper of general circulation in the City of Cadillac, together with a notice setting the time and place for a public hearing on the Ordinance, within seven (7) days. The summary and notice of the hearing shall be substantially in the form of Exhibit B.

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

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2024-____, duly adopted at a meeting of the City Council held on the 18th day of March 2024.

Sandra Wasson, Cadillac City Clerk

Exhibit A:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE REGARDING
VARIATIONS IN R-PUD DESIGNS**

Section 1. Amendment of Subsection 46-315(9).

Subsection 46-315(9) of the City of Cadillac Zoning Ordinance is amended in its entirety to read as follows:

(9) Variations. The planning commission may authorize any variations from the design provisions of this Division, which will not be incompatible with the purposes of the R-PUD or the criteria required in this section, and will not be obstructive of view, light or air, or hazardous or otherwise a nuisance or annoyance to adjacent developments, highway motorists or the general public.

a. The purpose of these variations is to provide for reasonable flexibility in the regulations as a means of:

1. Permitting the development of a site upon which buildable areas exist, but upon which the majority of the site area is encompassed by regulated wetlands, regulated water bodies, other unique natural features, or combinations of each; or
2. Providing opportunity for the development of innovative design concepts which will be of public benefit.

b. In consideration of a variation, the applicant shall demonstrate:

1. The property values of parcels contiguous to the R-PUD will not depreciate as a result of the variation;
2. The existing public infrastructure, or infrastructure proposed for construction as a component of the R-PUD, is capable of supporting the variation; and
3. The R-PUD could not reasonably be developed without a variation due to practicable difficulties associated with the physical characteristics of the site; or a variation offers an appropriate alternative to compliance with the design requirements of this section.

Section 2. Severability.

If any provision of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining provision of this Ordinance.

Section 3. Repealer.

Any ordinances that conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

Section 4. Publication; Effective Date.

This Ordinance will be published within 7 days of its adoption and take effect 20 days after its adoption.

Exhibit B:

NOTICE OF PUBLIC HEARING AND SUMMARY OF PROPOSED ORDINANCE

On March 18, 2024, the City Council of the City of Cadillac introduced Ordinance No. 2024-____, An Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs. Pursuant to Section 5.2 of the City Charter, the City Council shall hold a public hearing on the Ordinance.

NOTICE IS HEREBY GIVEN that a Public Hearing on the proposed ordinance will be held in the Council Chambers, Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan, on _____, 2024, at ____ p.m..

The City of Cadillac complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact Sandra Wasson, City Clerk, at least three (3) business days prior to any such meeting. Copies of the proposed ordinance are available for examination at the office of the City Clerk and copies may be provided at a reasonable charge.

The City Clerk will receive written comments on the proposed ordinance during regular business hours at the Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan, up until the time of the Public Hearing.

The following is a summary of the proposed ordinance.

Section 1 of the proposed ordinance amends the City Zoning Ordinance to permit the Planning Commission to grant variations from the design provisions for residential planned unit developments.

Section 2 of the proposed ordinance states that the proposed ordinance is severable.

Section 3 of the proposed ordinance repeals ordinances that conflict with the proposed ordinance to the extent necessary to give the proposed ordinance full force and effect.

Section 4 of the proposed ordinance states that the proposed ordinance shall take effect twenty (20) days after its adoption.

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

City Council

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



Mayor
Carla J. Filkins

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RESOLUTION NO. 2024-_____

**RESOLUTION TO INTRODUCE AND SET PUBLIC HEARING FOR
AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE REGARDING
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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 18th day of March 2024, 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 Council has authority to adopt and amend zoning ordinances regulating land use in the City; and

WHEREAS, the City desires to amend the City's Zoning Ordinance to permit the City's Planning Commission ("Planning Commission") to authorize variations from the design provisions of Division 7 of the Zoning Ordinance for residential planned unit developments ("R-PUDs"); and

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

WHEREAS, the Planning Commission voted to recommend the adoption of the proposed amendments; and

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

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces Ordinance No. 2024-____, An Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs (the “Ordinance,” attached as Exhibit A).

2. A public hearing regarding the Ordinance shall be held on the ____ day of _____ 2024, at _____ p.m.

3. The City Clerk is directed to publish a summary of the Ordinance in a newspaper of general circulation in the City of Cadillac, together with a notice setting the time and place for a public hearing on the Ordinance, within seven (7) days. The summary and notice of the hearing shall be substantially in the form of Exhibit B.

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

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2024-____, duly adopted at a meeting of the City Council held on the 18th day of March 2024.

Sandra Wasson, Cadillac City Clerk

Exhibit A:

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE REGARDING
VARIATIONS IN R-PUD DESIGNS**

Section 1. Amendment of Subsection 46-315(9).

Subsection 46-315(9) of the City of Cadillac Zoning Ordinance is amended in its entirety to read as follows:

(9) Variations. Before November 1, 2024, the planning commission may authorize any variations from the design provisions of this Division, which will not be incompatible with the purposes of the R-PUD or the criteria required in this section, and will not be obstructive of view, light or air, or hazardous or otherwise a nuisance or annoyance to adjacent developments, highway motorists or the general public.

After November 1, 2024, with the exception of increases in permitted housing density, the planning commission may authorize variations from the design provisions of this section, which will not be incompatible with the purposes of the R-PUD or the criteria required in this section, and will not be obstructive of view, light or air, or hazardous or otherwise a nuisance or annoyance to adjacent developments, highway motorists or the general public

a. The purpose of these variations is to provide for reasonable flexibility in the regulations as a means of:

1. Permitting the development of a site upon which buildable areas exist, but upon which the majority of the site area is encompassed by regulated wetlands, regulated water bodies, other unique natural features, or combinations of each; or
2. Providing opportunity for the development of innovative design concepts which will be of public benefit.

b. In consideration of a variation, the applicant shall demonstrate:

1. The property values of parcels contiguous to the R-PUD will not depreciate as a result of the variation;
2. The existing public infrastructure, or infrastructure proposed for construction as a component of the R-PUD, is capable of supporting the variation; and
3. The R-PUD could not reasonably be developed without a variation due to practicable difficulties associated with the physical characteristics of the site; or a variation offers an

appropriate alternative to compliance with the design requirements of this section.

Section 2. Severability.

If any provision of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining provision of this Ordinance.

Section 3. Repealer.

Any ordinances that conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

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Section 3 of the proposed ordinance repeals ordinances that conflict with the proposed ordinance to the extent necessary to give the proposed ordinance full force and effect.

Section 4 of the proposed ordinance states that the proposed ordinance shall take effect twenty (20) days after its adoption.

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200 Lake Street
Cadillac, Michigan 49601
Telephone No: (231) 775-0181