



City Council Meeting

April 1, 2024

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



April 1, 2024 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We are continuous learners

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

A. Minutes from the work session held on March 18, 2024

Support Document III-A

B. Minutes from the regular meeting held on March 18, 2024

Support Document III-B

C. Minutes from the closed session held on March 18, 2024

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IV. PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs.
Support Document IV-A

V. COMMUNICATIONS

- A. Festival of the Arts
Support Document V-A
- B. Craft Beer Festival
Support Document V-B

VI. CITY MANAGER'S REPORT

- A. Bids and recommendation regarding purchase of Police In-Car and Body-Worn Cameras.
Support Document VI-A
- B. Bids and recommendation regarding Lakefront Bridge Decking Replacement Project.
Support Document VI-B
- C. Schedule a public hearing for April 15, 2024 to consider approval of the Fiscal Year 2025-2030 Capital Improvement Program.
- D. Schedule a public hearing for April 15, 2024 to discuss the 2024/2025 Annual Operating Budget.

VII. INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance Vacating Certain Streets and Alleys and Reserving a Public Utility Easement in Favor of the City of Cadillac and set public hearing for May 6, 2024.
Support Document VII-A

VIII. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt Resolution to Approve the Assessment of Costs Incurred to Abate Public Nuisance Against Real Property for the Purpose of Collection as a General Tax.
Support Document VIII-A

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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 Special Meeting
Work Session Minutes
March 18, 2024

CALL TO ORDER

Mayor Filkins called the meeting to order at 4:16 pm.

ROLL CALL

Council Present: Schippers, Engels, King, Mayor Filkins
Council Absent: Elenbaas
Staff Present: Peccia, Roberts, Dietlin, Wallace, Ottjepka, Wasson
Others Present: Connie Boice (Prein & Newhof), Chris Lamphere (Cadillac News)

PUBLIC COMMENTS

There were no public comments.

APPROVAL OF AGENDA

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

Motion unanimously approved.

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

The following documents were provided to City Council:

- FY2025 Mission, Vision, and Priority Programs
- Archive of Completed Council Priority Programs and Projects
- Proposed Capital Improvement Program – For the Six (6) Fiscal Years Ending June 30, 2025 – 2030

City Manager Peccia stated we were fortunate to receive over a million dollars of outside funds in the past six (6) months.

Peccia briefly discussed the Mission & Vision Statements. He noted when City Council established these it was done in a way to be all encompassing. He stated Council can change them at any time.

Peccia stated there are four (4) primary goals:

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

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

Peccia stated the Key Priority Programs and Projects have been updated. He noted City Council can recommend revisions or additions to the document, accordingly.

Schippers stated she likes how this shows there is no project that does not meet more than one criteria.

King noted he would like to somehow build into this a budget for our existing assets because one of our main goals is to maintain and improve public facilities and equipment. He stated he would like to plug in where the normal maintenance is and make sure that we are addressing that each year. He noted he would also like to plug in as another category under Capital Improvements the bigger projects that we haven't been able to do such as Diggins Hill tennis courts, cement on the pathway or the bridge.

Owen Roberts, Director of Finance, asked Council Member King if he is referring to asset management.

King stated that is correct.

Roberts noted we have sort of done asset planning through the CIP. He stated he believes what Council Member King is referring to is a very comprehensive asset management plan. He stated over the course of the summer he is going to try to build and then share for comments a comprehensive list of everything that we have. He noted we first have to know everything we have in a specific place. He hopes to take all of those and find a way to consolidate them and maybe even put them into GIS. He stated it starts with what do we have, what is it worth, what will it cost to replace, and when do we need to do that over the next 10, 15, or 20 years.

King stated he was thinking about something more basic than that from the questions we've received from the public over the past year. He asked what do we need to do to maintain things like the signs around the lake, the bike pathway that we just painted, and the cement on the walkway. He noted to also include some of the bigger assets such as Diggins Hill and the swing set by the bathrooms. He stated he would like to be able to tell people on a yearly basis this is what we are generally doing with maintenance to keep up on these things, but we also have the bigger picture for the bigger things.

Peccia stated we can develop a bullet item that characterizes what Council Member King requested.

Engels stated Council Member King pointed out that it is important to tell the difference between maintaining and improving our assets. He noted sometimes people can see the improvements but say we aren't maintaining our assets.

Mayor Filkins requested a discussion regarding \$7,500 as the amount for a capital project. She asked how long it has been at \$7,500 and are we still comfortable with that amount or should it be more or should it be less.

Peccia stated he believes it is correlated to the administrative spending limit which is \$7,500 and it has been that way for many years.

Schippers stated the question is if that is a reasonable amount given the economy today.

Peccia noted we identify items that are capitalized items that are \$7,500 or more. He stated one question is whether or not there has to be or should be a correlation of what we consider to be a capitalized item to what the administrative spending threshold is. He noted he is not prepared to advise Council if the administrative spending threshold was \$10,000 that it would somehow create a more streamlined operational process. He asked if changing the capitalized limit would help in terms of management of the budget.

Roberts stated there aren't many projects that fall below the \$10,000 amount. He noted it is quicker and cheaper to not have to do a formal competitive bid.

Roberts stated he can collect some data for a future discussion.

Peccia stated there is a conversation happening regarding the whole Diggins Hill revitalization. He noted the CIP has a placeholder for Diggins Hill but with Rotary wanting to fund the playground it puts Diggins Hill more firmly on our radar. He stated many of the elements being discussed were included in a recreation plan from 20-30 years ago. He noted we would like to find a private developer that might want to put some housing there. He stated there's the ability to collaborate with CAPS and there also is the ability to look at a DNR Trust Fund Grant to acquire the CAPS property. He stated all of these things are going to be covered by the Master Plan.

King asked if there is a map that shows what part of the land is CAPS, what part is private, and what part is City of Cadillac.

John Wallace, Community Development Director, stated the GIS map will show property owned by the school vs. property owned by the City.

Council reviewed and discussed maps provided by John Wallace.

Mayor Filkins noted on the northeast corner of the property it is marked as an access point for Cadillac Pathway which is on Seeley Road so there is another group we can engage with to bring them into the downtown area.

Peccia asked about the timing of the Master Planning process through the Parks and Recreation Plan.

Wallace stated we are intending to hold a public hearing at the Planning Commission either this month or next month. He noted it then goes to the School Board and then to City Council. He stated it must be signed off by the State of Michigan.

Peccia stated he also intends to accentuate the old wellfield site prior to the next work session. He noted we were successful in getting a grant from the State Land Bank Authority to take down the old Water Department headquarters facility. He stated now that it has been removed, we still have a pole barn which we need to operationally discuss relocating. He noted the balance of the land which is approximately 24-25 acres is going to be suitable for industrial redevelopment. He stated unless our legal interpretation has changed it is going to require a referendum of the people to agree to change the zoning which is currently parks and open space.

Roberts noted the Capital Improvement Program (CIP) covers 6-years (Fiscal Years Ending June 30, 2025 – 2030).

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

Roberts stated our loader lease that we put in place about 5 years ago is up. He noted we have 2 good size front end loaders. He stated we leased them because it was more advantageous than a purchase. He noted the lease buy-out is \$105,000 each. He stated we received an early estimate for new leases if we want to go with that option and the lease cost doubled. He noted the cost of the machines went from \$170,000 to \$270,000. He stated the lease buy-out may be our best option.

Roberts stated we are hoping to get Leeson Avenue completed. He noted we sent it out for bid in the fall but based on the bid prices we received and the estimates that we had made prior to that the decision was made to hold off and bid it again in the spring to hopefully get better prices. He stated it is included in Year 1 but we are hoping to get it completed prior to June.

Roberts stated the one street included is Burlingame Street. He noted we have received a number of comments on Aldrich Street and if the condition of the street made the decision we would do Aldrich Street first but in this case it is Utilities setting the priority. He stated there are frequent and ongoing utility problems on Burlingame Street.

Roberts noted over the last 10 years we have done \$8 million in street construction and it was funded through a 2016 debt issue and a 2020 debt issue. He stated we funded the rest through using some of our General Fund reserves. He noted we do not get adequate regular street money from the gas taxes and the things that are passed down through Act 51 to do major projects. He stated trying to come up with today's cost of street repairs is a growing challenge. He noted Burlingame Street is about ¼ mile and the cost will be over \$600,000 for a total reconstruction including utilities.

Roberts noted we were able to do several miles where we didn't have to do a full reconstruction. He stated his goal is to build in \$100,000-\$150,000 a year in both the Major and Local Street Fund. He noted we received many positive comments about what was done.

Roberts stated the street ratings were always done in a different system than GIS. He noted we are in the process of importing the street rating data into GIS which is enhanced now because we did the GIS upgrade.

Roberts noted under the Community Development section the Cass/Mitchell/Chapin Upgrades is money that we have on hand for when they do Phase 2 of the Lofts.

King asked if we have any timeline for them to start Phase 2 of the Lofts.

Peccia noted a special appropriation was made through Congressman Moolenaar and the federal government to help Cadillac Lofts close the enormous funding gap that they have for the second building. He stated they also need to get back in the State queue to get a MSHDA or MEDC grant or a combination of the two coupled with what we do at the local level. He noted they have contacted the City and advised that they have recommenced working on construction documents.

Roberts noted the Water and Wastewater total for Year 1 is about \$747,500. He stated we are trying to get our rate study updated and implemented. He noted that even to fund this level of capital projects is going to be an ongoing challenge. He stated he asked the consultant to help us know what a rate structure would need to look like and are there creative ways to do that so that we could invest \$400,000-\$600,000 both in our water system and in our sewer system each year.

Jeff Dietlin, Director of Utilities, noted some of the businesses are conserving water but it still costs us the same amount of money to run the system.

Roberts noted the only way we have to fund improvements is user charges.

Peccia noted he is part of the Cadillac Area Industrial Group as well as the Cadillac Area Industrial Fund and last summer one of our major industries announced that they were turning on a piece of green technology, a cooling system, that will dramatically reduce their reliance on City water. He stated he has been communicating with that group about how we are going to need to look at a refreshment of the rate structure for the heaviest users. He noted the response from industry has been very understanding.

Roberts mentioned the need for a ladder truck before too long. He noted our ladder truck is a 1995 model.

Roberts noted in Year 3 under Water and Wastewater there are several building projects that we put on hold because Jeff Dietlin is working on this complete Headworks Upgrade Project. He stated the Headworks are all of the things at the beginning of the Water Treatment Plant facility.

Engels asked if we are building the carport in the City parking lot.

Roberts noted that is supposed to be done in the current fiscal year.

Roberts stated we are working on some sidewalk plans at the Municipal Complex to bring to Council.

ADJOURNMENT

Mayor Filkins adjourned the meeting at 5:31 pm.

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

CITY COUNCIL MEETING MINUTES

March 18, 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: Engels, Schippers, King, Mayor Filkins

Council Absent: Elenbaas

Staff Present: Peccia, Roberts, Wallace, Dietlin, Ottjepka, Genovich (via Zoom), Wasson

APPROVAL OF AGENDA

2024-026 Approve agenda as amended.

Motion was made by Schippers and supported by Engels to approve the agenda as amended to add a recommendation regarding purchase of police vehicles under the City Manager's Report.

Motion unanimously approved.

PUBLIC COMMENTS

Bruce Loper commented on the housing shortage and short-term rentals.

Cindy Helms discussed issues with a neighbor regarding a short-term rental property.

CONSENT AGENDA

2024-027 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Easter Egg Hunt

2024-028 Approve street closure for Easter Egg Hunt.

Motion was made by Schippers and supported by King to approve the closure of Hemlock St. between E River St. and N Park St. from 2:00 pm to 6:00 pm on March 30, 2024 for an Easter Egg Hunt at Diggins Hill.

Motion unanimously approved.

B. Friends of the Library

2024-029 Approve display of banner for National Library Week.

Motion was made by Schippers and supported by Engels to approve the display of a banner from April 8-15, 2024 for National Library Week.

Motion unanimously approved.

C. Cadillac Area Visitors Bureau

2024-030 Approve display of banner for Earth Day.

Motion was made by Engels and supported by Schippers to approve the display of a banner from April 15-22, 2024 for Earth Day.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Short-term rental update.

City Attorney Genovich provided an update on the following properties:

- 116 E Bremer St. – a demand letter was sent by Foster Swift, the owner contacted City staff stating it was being used as a rental, but it is longer than 30 days. Renting in excess of 30 days is permissible.
- 128 E Pine St. – a demand letter was sent by Foster Swift, but there has been no response from the property owner. The property is no longer listed on Airbnb.
- 900 Chestnut St. - a demand letter was sent by Foster Swift, but there has been no response from the property owner. The property is not listed on Airbnb. There is link on Expedia, but the property is not available to book.
- 513 E Cass St. - a demand letter was sent by Foster Swift, but there has been no response from the property owner. A short-term rental link was not found.
- 1307 Sunnyside Dr. – is the subject of litigation and will be discussed in closed session.

Genovich noted residents can provide information to the City if they see activity indicating a property is being utilized as a short-term rental.

Peccia stated we reviewed the logs, both in the Police Department and Community Development, to see if there have been any complaints filed such as trespassing, noise, or other issues. He noted we do not have any of those types of complaints on file.

King stated he has received information regarding the Pine Street property that showed what appeared to be active weekend rental occurring at that residence. He noted our attorneys are sending a letter but when there are pictures of activity occurring, he believes we as a City have a duty to follow-up on that investigation. He stated we need that clear-cut plan that we can tell the people that are living around these sites that we are following up.

King stated he is very concerned about making them the police. He noted if they have told us the activity is going on, we have pictures of it, and we see the activity then he believes it is on us to enforce that ordinance.

King stated whether we need to develop a written policy through a work session or something, he believes we need to have an enforcement ladder. He noted legal can send a letter but if this activity is occurring someone (i.e. Police or Community Development) needs to follow up to have an investigation to confirm what is going on. He stated if something is going on then we can act as Council to bump up the enforcement. He noted his hope is that if it is confirmed then automatically the enforcement would be kicked up by our attorneys.

Schippers asked if there are weekend guests staying at a residence and they aren't causing problems but the neighbors call the police should the police go knock on the door and tell them they have to leave.

King stated they don't have to tell them they have to leave they just need to confirm they are there on a short-term rental basis. He noted he does not blame the renters. He stated it is the owners that have to follow the law. He stated once the investigation confirms that there are short-term renters on the property then we can tell our attorneys to push forward. He noted right now if the property owners don't answer the letter and just keep renting the property there is no real follow up. He stated the major sites aren't always the way these places get rented, a lot of times it is through word of mouth or their own network.

Schippers stated after the letters are sent and there is no response, isn't the process to move forward with litigation.

King stated the City Attorney said if more information is available then people can provide that information. He noted for example, on the Pine Street property, citizens have provided photographic evidence and the property owner has not responded to the letter. He stated it is our duty to have a plan of what part of staff is going to go out and confirm what is going on. He noted it then puts the City Attorneys in a position that they can push forward with the litigation.

Engels asked Council Member King if he is talking about a standard procedure that we would follow and hold ourselves accountable for or be able to correct. He noted in the case of 900 Chestnut St. where no one responded to us and the claim is unverified that would be a decision tree where you might want to flag it for additional investigation.

Peccia stated if we are talking about identifying time for staff to go out to do the investigation which is likely something that would be occurring either after hours, holidays, or weekends it might be something that has to fall to the police department. He noted the question becomes can we find some funds to bring on a part-time person maybe during the months of higher activity. He asked if a Council Member receives information about cars in driveway or people playing in a yard, do we then have a City official knock on the door and ask under what terms the people are there. He noted he is not aware of a lot of towns that do that.

King stated we have an ordinance for short-term rentals and we have a duty to enforce the ordinance. He noted when you have a duty to enforce an ordinance then you have to set up a

process and a budget to do it. He stated he believes we do need to consider in our budget setting aside some money whether it's for training or to have the person go out to investigate because that's the only way we have legitimacy in having the ordinance and saying this is what the process is.

Mayor Filkins noted last spring/early summer we did have some discussion about if our expectation is that this is going to happen then we as a Council need to also be willing to approve the resources for that person to be put in place in that role. She stated we have to support that role with resources from our budget to follow through with what that process is defined to look like.

King agreed with the comments made by Mayor Filkins.

Peccia stated he doesn't believe it would be too difficult for us to come up with a number that can be part of the budget discussion.

Mayor Filkins stated when we have talked about enforcement, we have talked about other things such as blight. She noted she would ask that all of that be taken into consideration when you think about this person and that extra resource to help out where we need help.

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

Peccia stated the Local Development Finance Authority (LDFA) was established to provide the structure necessary to do groundwater cleanup in the area surrounding the old wellfield.

Jeff Dietlin, Director of Utilities, provided a Local Development Finance Authority (LDFA) Update (see attachment).

Peccia noted the LDFA will be meeting in a few weeks to review the latest data as well as hosting what is legally required which is a public information meeting that will include an overview similar to what was presented tonight.

King stated his understanding is the requirements that we have with the LDFA are established because basically a settlement agreement between the Feds, the State, and industry developed this Authority.

Dietlin stated that is correct and added it would have been a superfund site if not. He noted we were one of the first where the community decided to take care of it rather than let it go through the legal system and take several years to decide who is going to pay for it.

King stated industry is paying it through the special assessment and different federal funds. He noted we are mandated on how much we can spend on operations and we are also mandated on how much we have to reserve to close everything out.

Peccia noted the operational cost for this program for cleanup of this entire area does not receive funding from what residents pay for water and sewer services.

King asked that we grind down on the numbers if there has to be an initiated special assessment so they are not getting an out of the blue hit.

Dietlin noted the biggest savings will be when the shallow wells are closed down and then we will be able go down to one tower.

Engels asked about the timeline for the special assessment.

Dietlin stated within the next two (2) years.

C. Recommendation regarding approval of contract for Certified Grant Administrator.

Peccia stated this is a required position to administer the Community Development Block Grant that the City was successful in obtaining for Phase 2 of the Market at Cadillac Commons. He noted some of the items included in Phase 2 are permanent bathroom facilities, an overhead mechanical door system, a new sound system, and the ability to plug in electric cars.

Peccia noted three (3) bids were received and the recommendation is to award the contract to Hager Consulting, LLC in Fremont, MI in the amount of \$24,150. He stated the costs of the Certified Grant Administrator contract are reimbursed to the City over and above the grant.

2024-031 Award contract for Certified Grant Administrator.

Motion was made by Schippers and supported by Engels to award the contract for a Certified Grant Administrator to Hager Consulting, LLC in accordance with their bid.

Motion unanimously approved.

D. Recommendation regarding 2024-2025 Road Salt.

Peccia stated for many years the City has participated in the MiDEAL program to acquire road salt. He noted we are estimating that we are going to purchase 800 tons which will cost approximately \$60,000.

2024-032 Approve recommendation regarding 2024-2025 Road Salt.

Motion was made by Engels and supported by Schippers to 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.

Motion unanimously approved.

E. Bids and recommendation regarding Bio-Solids Injection contract.

Peccia stated the City applies between 1.5 and 2.0 million gallons of biosolids each year. He noted one (1) bid was received and the recommendation is to award the contract from the date of the award through December 31, 2026 to BioTech Agronomics, Inc. in accordance with their bid.

2024-033 Award contract for Bio-Solids Injection.

Motion was made by Schippers and supported by King to award the contract for Bio-Solids Injection from the date of the award through December 31, 2026 to BioTech Agronomics, Inc. in accordance with their bid.

Motion unanimously approved.

F. Recommendation regarding Agilent Technologies Crosslab Silver Service Plan.

Peccia noted it is being recommended that Council approve a waiver of competitive bidding for the service plan for the inductively coupled plasma mass spectrometer (ICP-MS) that was purchased from Agilent Technologies and to approve the service agreement in accordance with their proposal.

2024-034 Waive competitive bidding regarding service agreement.

Motion was made by Schippers and supported by Engels to waive competitive bidding for the service agreement.

Motion unanimously approved.

2024-035 Approve service agreement.

Motion was made by Schippers and supported by Engels to approve the service agreement with Agilent Technologies in accordance with their proposal.

Motion unanimously approved.

G. Recommendation regarding purchase of Police Vehicles.

Peccia stated the recommendation is to waive competitive bidding and award the purchase of three (3) Dodge Durango police patrol vehicles to Greve Chrysler Jeep Dodge Ram in Van Wert, Ohio for the total amount of \$140,241.

2024-036 Waive competitive bidding regarding purchase of police vehicles.

Motion was made by Schippers and supported by Engels to waive competitive bidding regarding purchase of police vehicles.

Motion unanimously approved.

2024-037 Award purchase of police patrol vehicles.

Motion was made by Schippers and supported by Engels to award the purchase of three (3) Dodge Durango police patrol vehicles to Greve Chrysler Jeep Dodge Ram in Van Wert, Ohio for the total amount of \$140,241.

Motion unanimously approved.

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.

Peccia stated this amendment to the zoning ordinance would allow flexibility to the Planning Commission in approving Residential Planned Unit Developments (R-PUD). He stated staff is recommending that it move forward without the time limitation and the Planning Commission recommended a date of November 1, 2024.

John Wallace, Community Development Director, noted we received a concept drawing for a downtown housing development which warranted strong consideration as to how we could get more housing into the downtown area. He stated our current Residential Planned Unit Development (R-PUD) ordinance was written to be used throughout the City and not necessarily just in the downtown area. He noted the ordinance already does provide for the Planning Commission to vary any of the design provisions in our R-PUD which includes lot area, lot frontage, lot width, screening, open space, and signs. He noted it doesn't address the requirement for a minimum lot size of 5 acres for a development. He stated the site of the proposed housing development is 1.27 acres.

Wallace noted realizing that we didn't want to cause unnecessary delays in this housing project it was determined to see how simply we could expand the wording to give the Planning Commission the ability to make adjustments because the current ordinance already allows a great deal of flexibility in authorizing variations to the ordinance. He stated the proposed amendment would authorize the Planning Commission to allow variations in site size and housing density.

Wallace noted the reason there are two (2) different proposed amendments is because there was one (1) member of the Planning Commission that expressed concern whether it was giving too much authority to the Planning Commission, and it was mentioned that perhaps we would have the new zoning ordinance in place by the date that was recommended. He stated his recommendation is to move forward with the proposed amendment without the time limitation but is open to the adoption of either of the two amendments so we would have the ability to move forward with this development project.

Wallace explained the proposed project appears consistent with what would be expected the density to be in a downtown environment. He stated they are proposing a three-story project similar to the condominiums that are across the street from the proposed site so it would not be out of character with the area. He noted the special land use does require that it meet the design provisions in Section 9 that requires that the project be consistent and not contribute to lowering values of the surrounding area. He stated the special use permit process also has a number of general standards which addresses items such as being consistent with development in the area, being able to be properly serviced with City utilities, and not being in conflict with adjacent development.

Wallace stated the Planning Commission will still retain the right to say no in the event that any of those standards are violated in what is proposed and could reject the project if they so desire.

Peccia noted aside from this one particular project that we are aware of today there could be additional projects in the downtown area.

Wallace stated that is correct and noted we are aware of some other people actively working on some housing projects. He noted because we don't have a lot of large sites left in the

downtown area the proposals on these housing projects are going to be somewhat tight on space but they would reflect typical downtown densities.

King stated he made some calls and looked into the concerns of the Planning Commission. He noted we have zoning for a reason which is to give people and developers upfront what the requirements are and what is allowed and what is not allowed. He stated we run a slippery slope once we start letting them be loosely changed. He noted housing is an absolutely critical concern that we have. He noted after doing his research he would only support the amendment with the date included because of what we are changing. He stated the R-PUDs for downtown are very different than the whole area. He noted if we change the whole thing then we affect the whole thing. He stated he would like to see a downtown R-PUD ordinance because then we can address these unique lots and we are not affecting everything else around.

King asked if we can take the ordinance that has the November 1, 2024 deadline (the amendment would allow the Planning Commission to approve a change in size and density pursuant to the requirements) and sunset that ordinance on December 31, 2024. He suggested Council make a request to staff that by December 31, 2024 there is a downtown R-PUD ordinance for the Planning Commission to be able to approve downtown developments. He noted that way we don't mess with the outlying area and we are addressing what we need to do right now.

Schippers asked if we couldn't just approve this without the December 31, 2024 date and just direct the City to bring to Council an ordinance for downtown before that date.

King stated this amendment with a date of December 31, 2024 would include the whole area and we can't avoid that right now. He noted after December 31, 2024 we recognize that outside downtown is much different and it's going to revert back to a normal R-PUD ordinance but then we are going to have a specific downtown R-PUD ordinance with these unique lots.

Mayor Filkins asked Peccia and Wallace if this is doable. She noted at the Planning Commission it sounded like it was.

Peccia asked the City Attorney Genovich if she sees any conflict if we put in place a zoning amendment that sunsets while at the same time developing a definition for two (2) R-PUD categories.

Genovich stated recognizing we are just introducing the ordinance tonight, Council could approve this and then separately pass a motion requesting that the Planning Commission consider another ordinance that is going to proceed on its own path. She noted as long as they can both be carried out simultaneously there is no legal issue.

Peccia asked the City Attorney if there is any concern about the setting of a public hearing that would include the sunset based on conversation would be the end of the calendar year while at the same time we would be working a parallel track to reimagine this part of the Code that would include classifications for both the downtown core as well as areas outside of it.

Genovich stated she doesn't believe that is problematic. She noted if the question is if adding that sunset provision to this at this stage is a problem, she does not think we are substantially changing the ordinance in a way that is a completely different ordinance. She stated she would be comfortable with a sunset clause being added if that is what Council wants to do.

Schippers asked what is the benefit of the sunset clause.

King stated because the R-PUD is such a big area and we have to make the amendment to give the Planning Commission the ability to also consider size and density and we know that long term we don't want that for the whole area. He noted we want a separate downtown R-PUD ordinance and the people who have developed outside the area still have the certainty they had before.

Peccia noted his understanding is that this move forward with the date change and then create two (2) classifications. He stated we will have future requests for downtown development projects.

King stated in the downtown area it would be appropriate to be able increase the density and consider different sized lots. He noted in other areas that have more residential areas around them we are not allowing developers to increase the density in areas that it doesn't need to be increased.

Schippers asked Wallace why staff recommended to move forward with the amendment without the sunset date.

Wallace stated there is always some uncertainty of when these new ordinances will be put in place. He added a number of people are looking at land deals and purchases right now and whenever a developer looks at a piece of property and there is any kind of uncertainty they are not going to move forward with that project and that purchase until they know exactly what they are going to be up against in terms of the approval process. He noted he believes the time restriction could potentially block another one or two projects from happening.

Mayor Filkins asked why it would block a developer.

Wallace stated it would be the uncertainty of where we are going.

King asked isn't there more certainty because we are moving the date from November 1, 2024 to December 31, 2024. He noted we are actually making it more developer friendly and we don't change the outlying areas that have been following the rules of zoning where that density variation is not necessary.

Peccia stated if Council decides to establish the public hearing with a time frame included they can still change that time frame. He noted Council can be on the record tonight telling staff to move forward in creating a secondary R-PUD program specifically for our downtown area.

Mayor Filkins stated she was a little concerned about the date but she believes that we as a City have to be committed with our whole heart to addressing the housing situation that we

have. She noted Cadillac is very fortunate because we have developers that are looking here. She noted some communities don't have any developers looking at them. She stated if we include this date it is a date that can be moved but there is also a date there for the new zoning to be put in place and she believes the new zoning needs to be a priority and not wait until December 31, 2024. She noted we need to be committed to working on that new zoning so that December 31, 2024 date never becomes an issue.

Schippers asked if it would be reasonable to give it a 12-month sunset because taking it from November 1, 2024 to December 31, 2024 is only 2 more months and we are already in March. She noted if we took it to next April it would give it a full 12 months to get the new ordinance in place and to keep other developers from holding off. She stated they don't hold off they go somewhere else. She noted someone interested in developing housing is coming here because we are making it amenable for them to build here. She stated we have a housing crisis in our community and in nearby communities. She noted she trusts that our staff would work on developing the ordinance to have a uniform identified area for changing density for the downtown area and she doesn't believe we need to put something in the wording that could dissuade people from building housing here.

King noted he chose December 31, 2024 only because it gave more time. He stated we do know that to do the downtown area it is just tweaking so that it is specific to downtown and how we look at size and density if the Planning Commission is going to adjust it. He noted it doesn't bother him if we said April 1, 2025 as a sunset but he wants this to be a priority. He stated when people come here if there is a unique lot in downtown Cadillac we have the tool to help them do this.

Mayor Filkins noted she is hearing that we are all in agreement that the date can stay and it can be 12-months out. She added we are focused on housing and we are focused on getting that new zoning in place.

Engels stated there was some discussion in the Planning Commission that provided a lot of clarification. He noted we trust this Council, this staff, and this Planning Commission but we are not going to be around here forever, so he believes that was part of including the sunset date. He stated the Planning Commission asked good questions like if you weren't going to do this temporary fix where you let them use their discretion how would you go about fixing the whole thing. He noted he thinks the reason we aren't doing that is because we are in the middle of a zoning update that is being checked by legal and that we are going to spend the summer reviewing. He stated they even made the point on the Planning Commission that this ordinance would sunset with the new zoning taking effect. He asked if the zoning for the R-PUD in the downtown area that we are asking for by December 31, 2024 is already part of the plan that is up for review by the Planning Commission.

Wallace stated it is possible the future solutions would happen either through an amended R-PUD or potentially a more flexible standard district language for the downtown district. He noted the State likes to see us doing as many things by right as we possibly can which is part of the RRC Program so they want to have us reduce the amount of things that are going through special use permit.

King stated this could be adopted as a new ordinance if it works well. He noted he respects that the State gives us guidance but in our zoning ordinance one of the biggest things we are

going to be looking at is what is the character of our community. He stated we will do what the State requires but we may not be the same picture of what the State wants because of the character of our community.

2024-038 Set public hearing for Ordinance 2024-02.

Motion was made by King and supported by Engels to adopt the resolution to introduce Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs with a sunset date of April 1, 2025 and set a public hearing for April 1, 2024 with the understanding that the City and the staff are going to be working on an ordinance for downtown R-PUD.

Motion unanimously approved.

PUBLIC COMMENTS

Andy VanAlst noted a couple of the addresses that were mentioned in the short-term rental update are available online. He also mentioned some other properties and expressed concern about enforcement.

Rick Torres commented about someone other than a member of law enforcement going out to check on a rental property. He also discussed the importance of enforcement.

Cindy Helms asked if she heard correctly that there was no police report about 1307 Sunnyside Drive.

GOOD OF THE ORDER

King thanked the members of the public in attendance. He stated he has received numerous calls and has been sent information regarding continuing violations. He noted he has provided that information to the City Manager. He stated he doesn't want to pit neighbor against neighbor, and he doesn't think we should. He noted Council is ready to designate some resources in budgeting in order to have enforcement. He stated he agrees with the comments made that it doesn't mean anything if we don't enforce it. He noted we need to structure some rules so that everyone knows how it's going to be investigated. He encouraged people to contact him if there are problems and he is sure the rest of the Council is open to that also. He also asked for input on what the procedure should look like and he agrees that sometimes it may have to be the police department that goes out to investigate.

King stated the other calls he has received in the last 3 weeks were regarding a news article that was published. He noted people are worried that we are going to throw out the R-1 and R-2 designations. He stated people are starting to read the new ordinance and some believe the current ordinance is much easier to read which is a concern. He noted we had said that one of goals is to make sure this is a document that people can read easily, digest, and know what the designations are. He stated as he said to Mr. Wallace, Community Development Director, that while there may be some requirements that the State requires us to have with the new ordinance, others like the character of R-1 he doesn't want to change. He noted people know what R-1 and R-2 represent and we don't need 7 or 8 designations under that. He stated he needs public input and public feedback so that we as a Council are helping Mr. Wallace by giving him direction so we don't waste resources going in a direction we don't want to go.

Schippers stated she was looking at the Core Values and Guiding Behaviors at the end of the agenda and noted how much she appreciates how well this board works. She noted there is mindful and intelligent input that comes into decisions that we all need to make. She stated she appreciates the amazing work that staff does to help get us to this place.

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.

2024-039 Adjourn to closed session.

Motion was made by Schippers and supported by King to 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; invite Adam Ottjepka, Director of Public Safety.

Motion unanimously approved.

2024-040 Return to open session.

Motion was made by Schippers and supported by King to return to open session.

Motion unanimously approved.

2024-041 Approve Consent Judgement.

Motion was made by Engels and supported by Schippers to approve the Consent Judgement regarding *City of Cadillac v Neil & Jo Almond*, Case No. 23-0030948.

Motion unanimously approved.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk

City Council LDFA Update

March 18, 2024



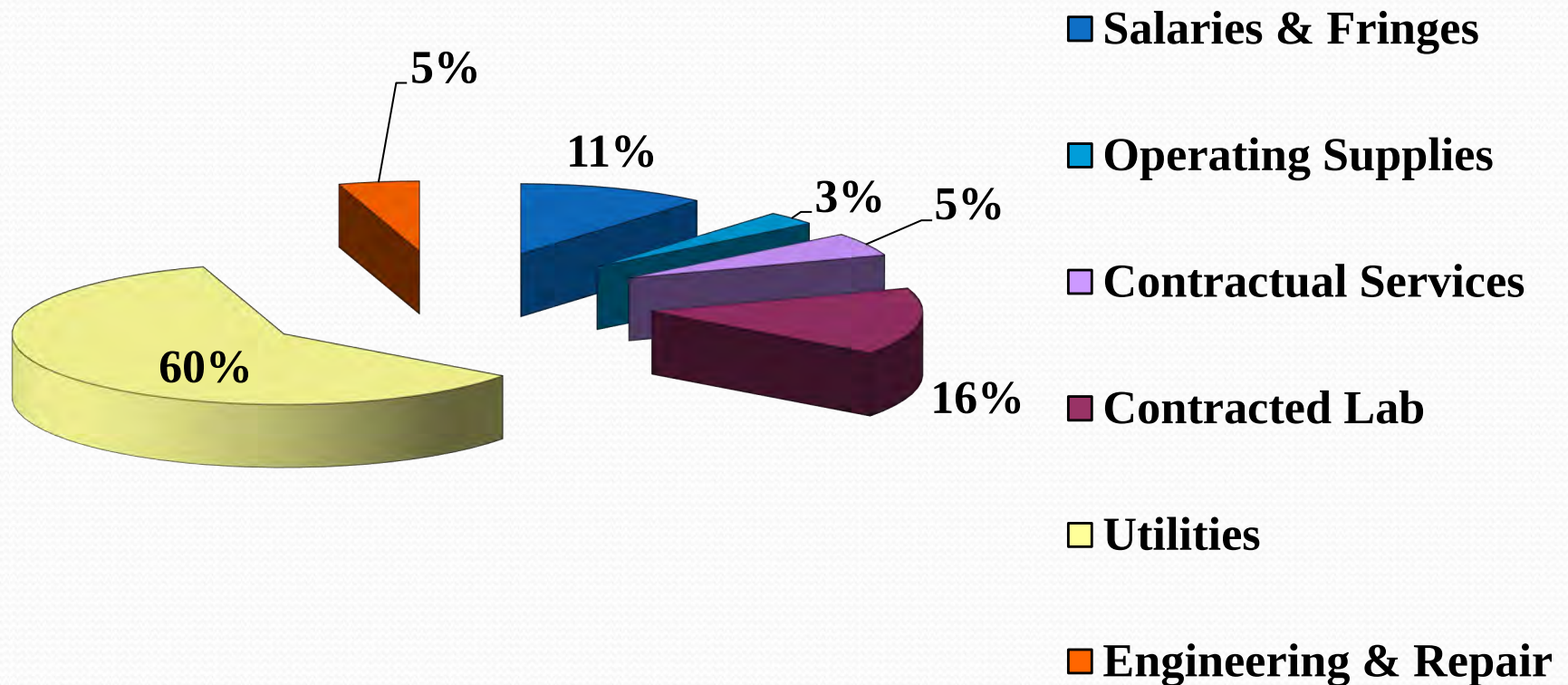
LDFA Agenda Items

- LDFA Budget
- Operations Update
- Purge Well Operation
- Performance Monitoring Report



LDFA Budget

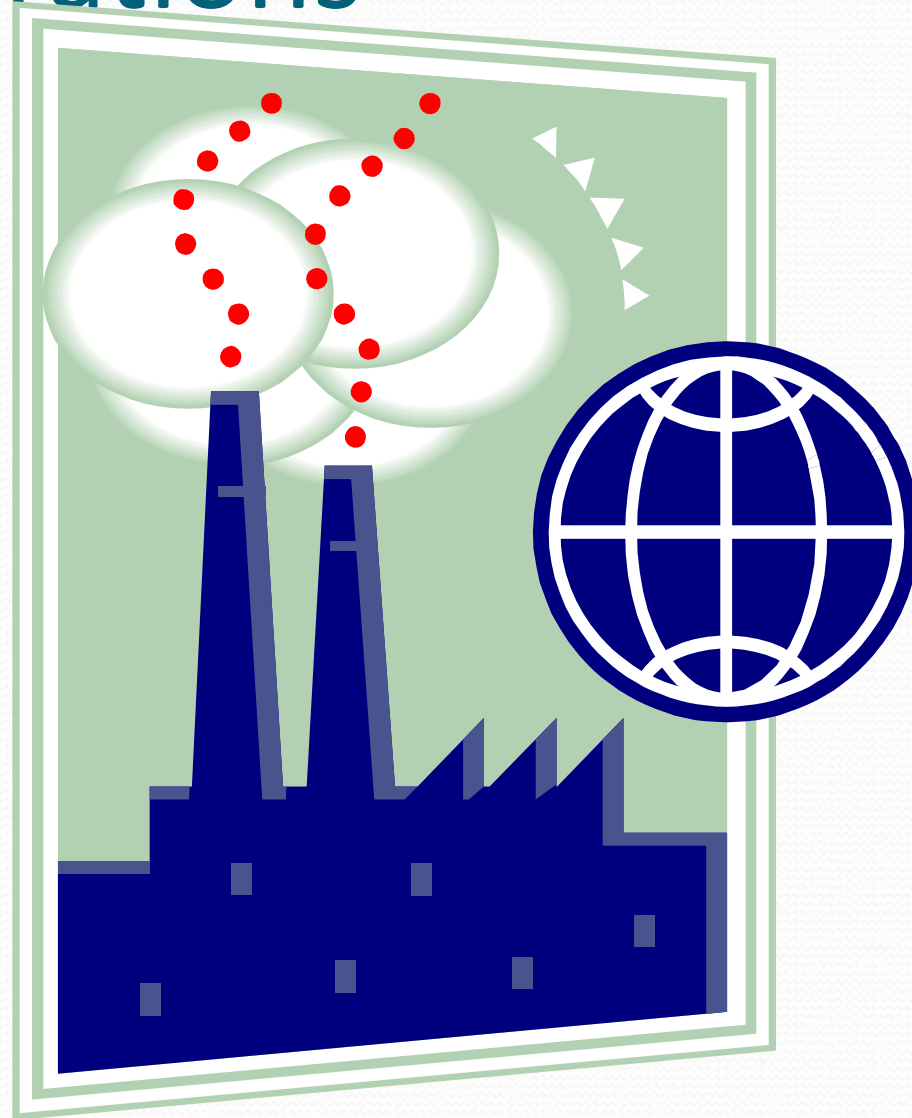
**2023-2024
Budget**



LDFA Budget

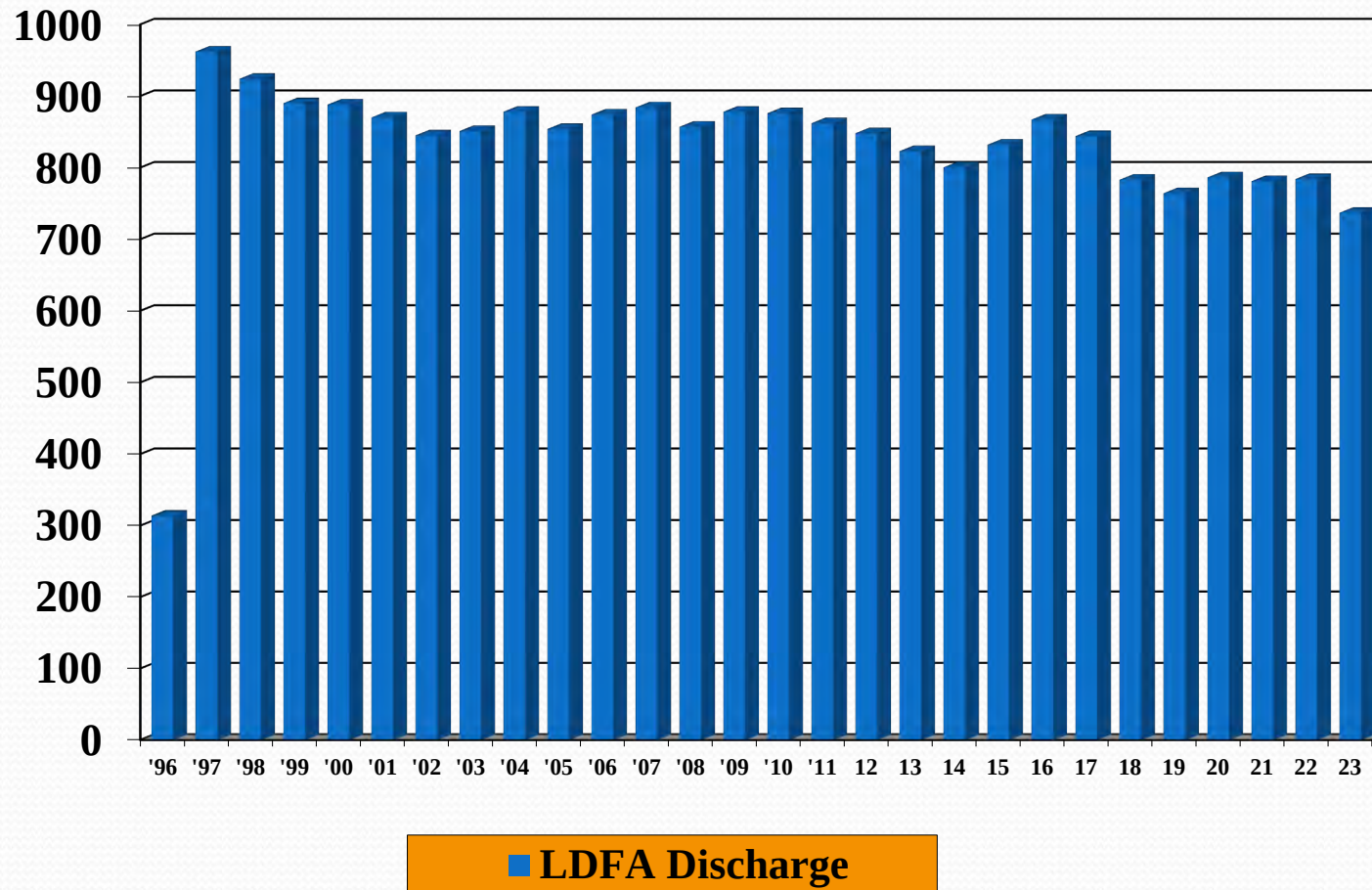
Expenditure	Current 2023
Salaries and Wages	\$20,400
Fringes	\$12,400
Operating Supplies	\$9,000
Chemicals	\$200
Audit	\$600
Legal & Contractual Services	\$15,500
Contracted Lab Cost	\$45,000
Utilities	\$175,000
Carbon	\$0
Repair & Maintenance	\$14,000
Engineering	\$0
Construction	\$0
Totals	\$292,100

LDFA Operations



LDFA Annual Treatment Volumes

Million Gallons / Year





■ VOC Removal

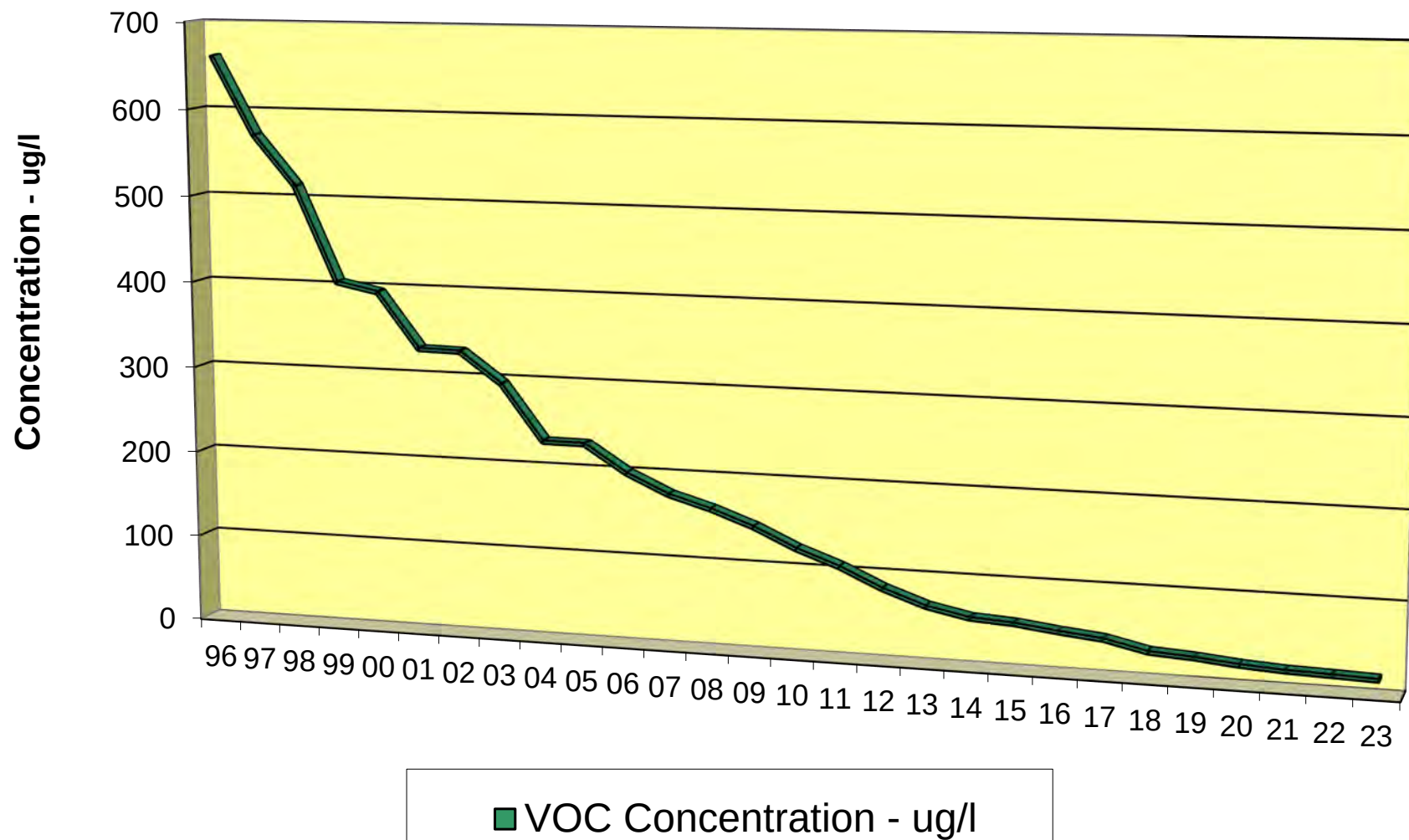
Approximately 4581 lbs. of VOC's removed in 1997.

Approximately 111 lbs. of VOC's removed in 2023.

Influent groundwater VOC concentration from 19.8 ug/l to 18.1 ug/l.

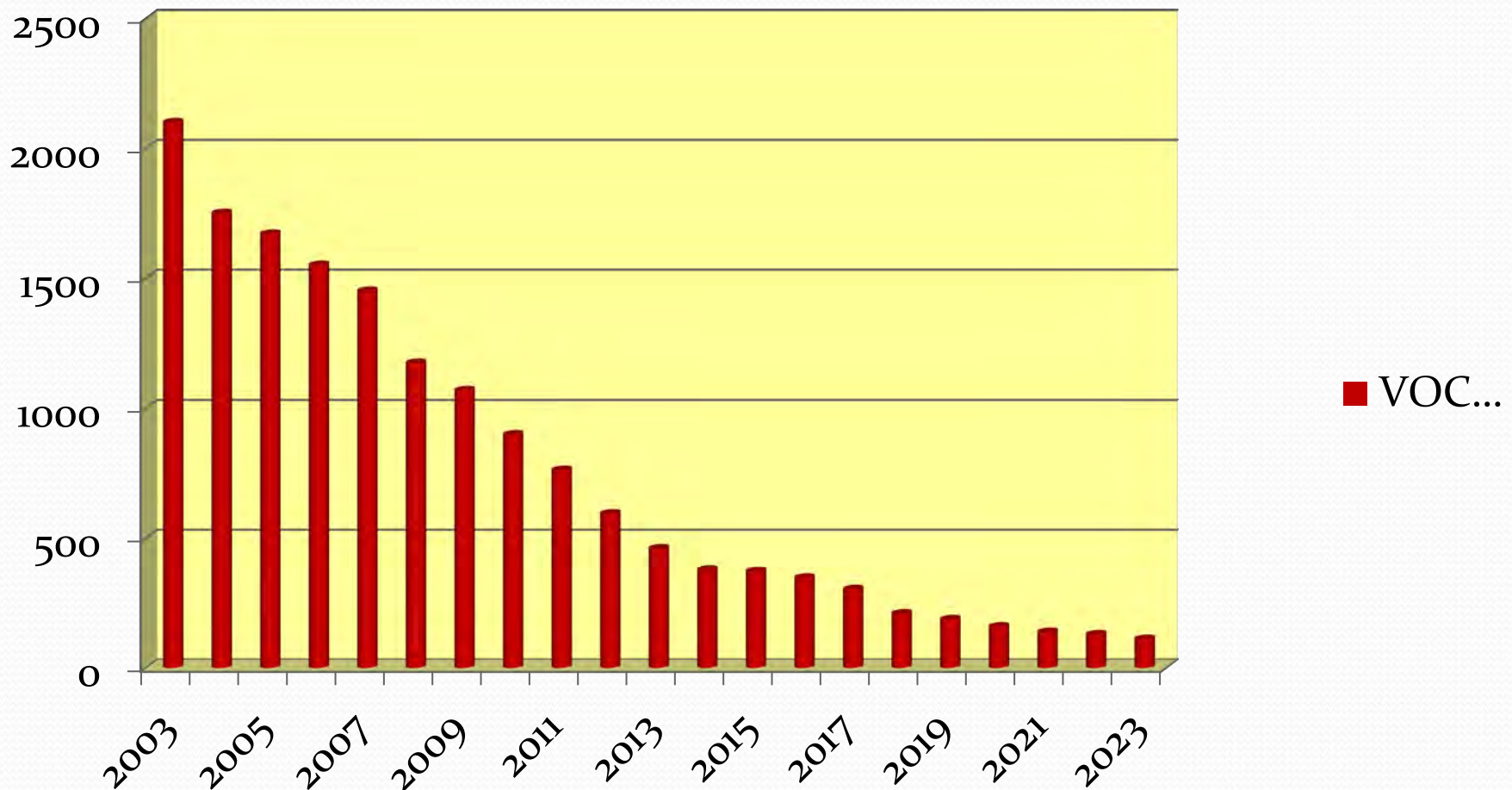
VOC concentration in discharge below detection limit since startup in 1996 with one exception.

LDFA GWTP - Influent VOC Concentration



Total Yearly Removal of VOC's

VOC lbs/year



SVE Site

(Soil Vapor Extraction)



SVE Operation

- System was “moth balled” in 2010.
- Final Closure to was in fall 2016.

Monitoring Well Sampling

- Quarterly - Chromium and Fringe VOC
 - 10 Chromium MWs
 - 3 VOC MWs
- Annual - Chromium and VOC
 - 10 Chromium MWs
 - 17 Shallow VOC MWs
 - 11 Intermediate VOC MWs
 - Purge Wells





LDFA Activities in Progress

- Special Assessment Renewal??
- Final Close Out Northern Plating Inc.

Performance Monitoring Report

- Shallow Wells-
 - Originally Estimated cleanup date 2025
 - Reports Estimated cleanup date is January 2026
- Intermediate Wells
 - Originally Estimated cleanup date 2060
 - Reports Estimated cleanup date is January 2044

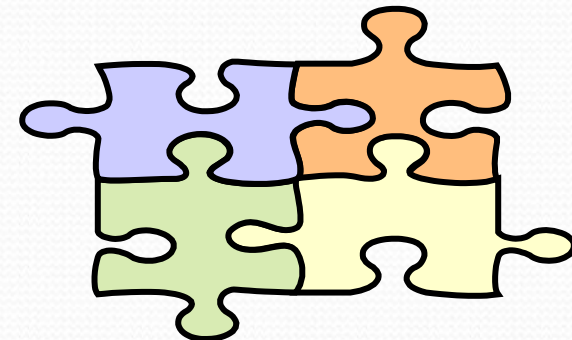
Performance Monitoring Report

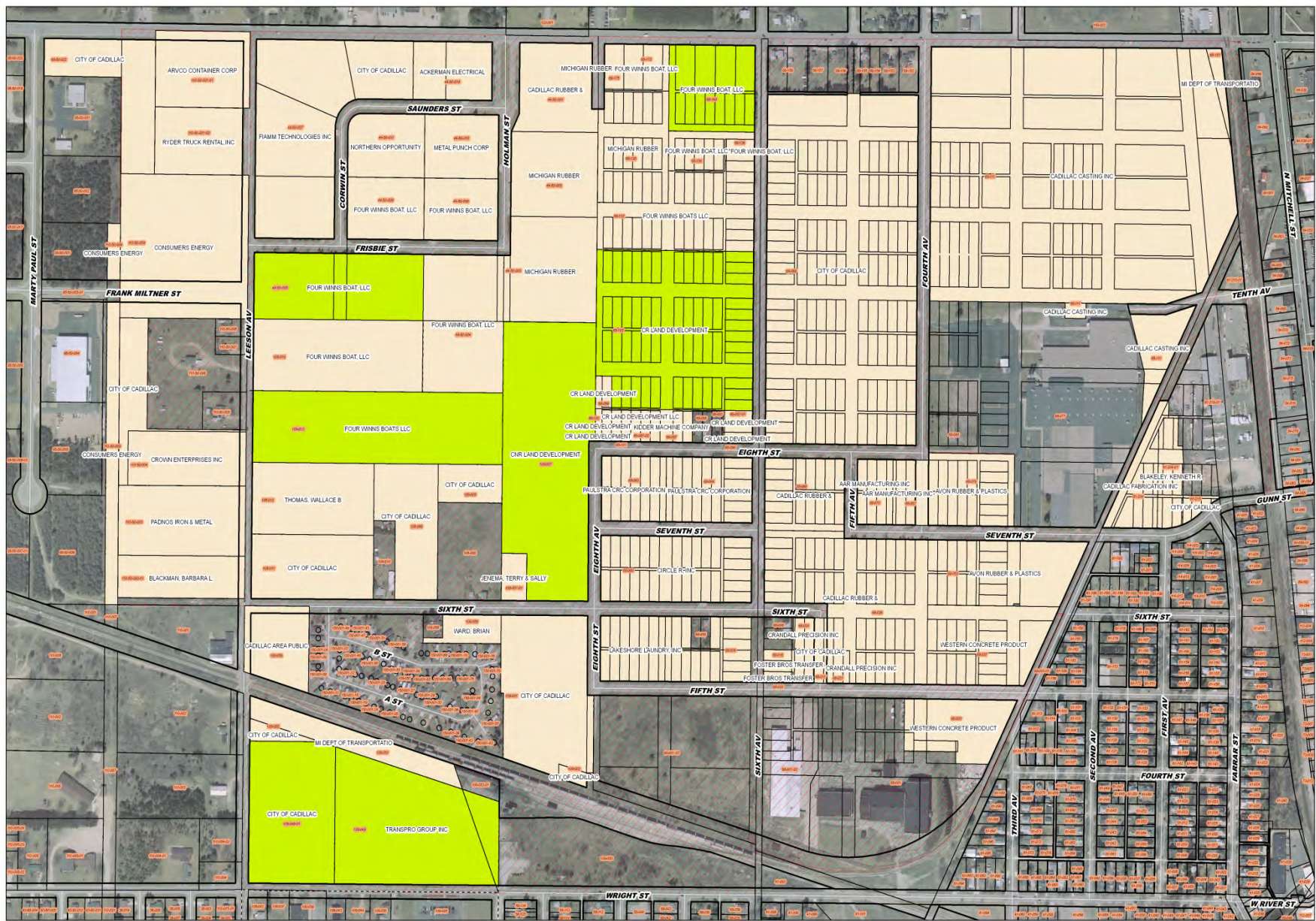
- Optimization
- Shut Wells off?
- Switch Air Stripping towers ?
- All need Approval by EPA and MDEQ.

LDFA

Special Assessment Renewal

- Environmental Study
- Request for Proposal – Tertra Tech, FTC&H
- Prior Assessments in 1996, 1997, 2002 and 2007.
- Proposed Assessment for 5 year period.
- Based on budget amount minus interest income:
 $\$245,000 - \$25,000 = \$220,000$
- Two Tiers for Assessment:
 - Tier 1: Property was owned at one time by a potentially responsible party = \$ 2,408.67 per acre
 - Tier 2: A non-Tier 1 Parcel = \$ 261.19 per acre





LDFA 2007 SA MAP

LDFA 2007 SA Map.MXD April 9, 2006



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 ADOPT 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 April 1, 2024, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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 introduced the proposed amendments at a meeting on March 18, 2024; and

WHEREAS, the City Council held a duly noticed public hearing on the proposed amendments on April 1, 2024; and

WHEREAS, the City Council desires to adopt the proposed amendments with a sunset provision of April 1, 2025, as reflected in Exhibit A.

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

1. The City adopts Ordinance No. 2024-____, An Ordinance Amending the City Zoning Ordinance Regarding Variations in R-PUD Designs (the “Ordinance,” attached as Exhibit A).
2. The Ordinance shall be filed with the City Clerk.
3. The City Clerk is directed to publish a Notice of Adoption within 7 days after its adoption.
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 1st day of April, 2024.

Sandra Wasson
Cadillac City Clerk

Exhibit A

**CITY OF CADILLAC
WEXFORD COUNTY**

Ordinance No. 2024-____

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

The City of Cadillac ordains:

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 April 1, 2025, 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 April 1, 2025, 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.

Section 4. Publication; Effective Date.

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



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

Today's Date _____

City Received Date

Request Planning Guide

This form must be completed and return to the City at least 60 days before a HIGH IMPACT event. Additionally a representative for the event must meet with City Event Team to verify all details for the event before going to City Council for approval. Failure to comply will result in a denial of your event. Please call (231) 775-0181 x 7342 if you have questions.

Applicant Name (Print) Mike Filkins Contact Address
Contact Phone(s) Contact Email
Sponsoring Organization Cadillac Arts Council ☐ Private ☒ Non-Profit
Purpose of Event Cadillac Festival of the Arts Approx # of Attendees 3000

Beginning Date: 07/18/2024 Ending Date: 07/20/2024 Reoccurring: YES ☒ NO ☐
1st Day 18 Set-up 4:00 AM/PM ☒ Start : AM/PM End 7:00 AM/PM ☒ Clean-up : AM/PM
2nd Day 19 Set-up 8:00 AM/PM ☒ Start 10:00 AM/PM ☒ End 9:00 AM/PM ☒ Clean-up : AM/PM
3rd Day 20 Set-up 8:00 AM/PM ☒ Start 10:00 AM/PM ☒ End 4:00 AM/PM ☒ Clean-up : AM/PM
4th Day Set-up : AM/PM Start : AM/PM End : AM/PM Clean-up : AM/PM

Please answer the following questions:

YES ☒ NO ☐ Will you be requesting permission to close any streets or parking lots?
YES ☐ NO ☒ Will you be requesting permission to display any off site signage?
YES ☒ NO ☐ Will you be requesting permission to display a banner over Mitchell Street?
YES ☒ NO ☐ Will you be requesting permission to reserve any of the City of Cadillac facilities

Please Circle

Market at Cadillac Commons Rotary Pavilion City Park Cadillac Commons Plaza

YES ☐ NO ☒ Will you be requesting permission to have a parade?
YES ☒ NO ☐ Will you be requesting permission to hold any races?
YES ☒ NO ☐ Will you be requesting permission to serve alcoholic beverages?
YES ☒ NO ☐ Will your event include use of generators, food trucks, grills, fireworks display, or a tent/membrane structure?

If you answered YES to any of the above questions, additional form(s) must be completed for each one. All forms must be completely filled out and all information provided before requests will be brought to City Council for approval.

Forms can be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

All events require liability insurance: Required Min. general aggregate amount of \$1,000,000, naming the City of Cadillac as Certificate Holder and as additionally insured



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

Today's Date _____

City Received Date

Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Please Submit 60-days Prior to Event Date
for **HIGH IMPACT EVENTS**

Event Cadillac Festival of the Arts

Special Requests: Please Circle

Electricity

Water

Wind Screens

Sound System

Movie Screen/Projector System**

Weather Dependentafter dark only**

Usage Rules

1. Profanity and offensive language are strictly prohibited.
2. Noise must be limited to levels that do not disturb the peace and must be lowered at the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Pavilion, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Movies/programs shown at the Pavilion are at the discretion of the City, and proper licensing to show copyrighted material is required. One potential resource is www.swank.com. MPAA ratings of G and PG are appropriate.
5. Any signage or decorations must be removed immediately following any event.
6. **No vehicles are permitted on sidewalks or grass. However, the sidewalk immediately south of the pavilion can be utilized for temporary unloading/loading of equipment only. Parking is prohibited on Lake Street, even if it has been closed for the event.**
7. The sale of food and non-alcoholic beverages may require an additional license. (Code of Ordinances-Chapter 28)
8. The consumption or sale of alcoholic beverages requires approval of City Council. (Code of Ordinances-Chapter 26)
9. **Sound System Fees** - \$20 per hour for use of our sound board and sound technician. (MUSICAL PERFORMANCES)

Reservation Fees:

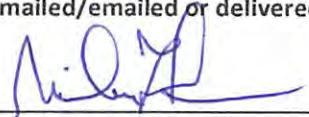
- Daily Rate (4 hours or more) \$100
- Hourly Rate (less than 4 hours) \$55 per hour
- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

Reoccurring Events: Events that are a minimum of once a week, for four consecutive weeks or more

- Daily Rate of \$25:
- Non-Profit Daily Rate of \$15

I understand and agree to comply with these rules and acknowledge that the City reserves the right to change or cancel any event or program that is not in compliance with them.

Form must be mailed/emailed or delivered to Cadillac City Hall 200 N. Lake Street in Cadillac, MI 49601 or javila@cadillac-mi.net

Signature  Total Fees Required: _____ Total Fees Paid: _____ Date 01/24/2024



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

Today's Date _____

City Received Date

Request Planning Guide

This form must be completed and return to the City at least 60 days before a HIGH IMPACT event. Additionally a representative for the event must meet with City Event Team to verify all details for the event before going to City Council for approval. Failure to comply will result in a denial of your event. Please call (231) 775-0181 x 7342 if you have questions.

Applicant Name (Print) Mike Filkins Contact Address
Contact Phone(s) Contact Email
Sponsoring Organization Cadillac Arts Council ☐ Private ☒ Non-Profit
Purpose of Event Cadillac Festival of the Arts Approx # of Attendees 3000

Beginning Date: 07/19/2024 Ending Date: 07/20/2024 Reoccurring: YES ☒ NO ☐
1st Day _____ Set-up 9:00AM/PM Start 6:00AM/PM End 9:00AM/PM Clean-up _____AM/PM
2nd Day _____ Set-up 9:00AM/PM Start 10:00AM/PM End 3:00AM/PM Clean-up _____AM/PM
3rd Day _____ Set-up _____AM/PM Start _____AM/PM End _____AM/PM Clean-up _____AM/PM
4th Day _____ Set-up _____AM/PM Start _____AM/PM End _____AM/PM Clean-up _____AM/PM

Please answer the following questions:

YES ___ NO ☒ Will you be requesting permission to close any streets or parking lots?
YES ___ NO ☒ Will you be requesting permission to display any off site signage?
YES ☒ NO ___ Will you be requesting permission to display a banner over Mitchell Street?
YES ☒ NO ___ Will you be requesting permission to reserve any of the City of Cadillac facilities

Please Circle

Market at Cadillac Commons Rotary Pavilion City Park Cadillac Commons Plaza

YES ___ NO ☒ Will you be requesting permission to have a parade?
YES ___ NO ☒ Will you be requesting permission to hold any races?
YES ☒ NO ___ Will you be requesting permission to serve alcoholic beverages?
YES ___ NO ☒ Will your event include use of generators, food trucks, grills, fireworks display, or a tent/membrane structure?

If you answered YES to any of the above questions, additional form(s) must be completed for each one. All forms must be completely filled out and all information provided before requests will be brought to City Council for approval.

Forms can be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

All events require liability insurance: Required Min. general aggregate amount of \$1,000,000, naming the City of Cadillac as Certificate Holder and as additionally insured



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

Today's Date _____

City Received Date

The Market at the Cadillac Commons Reservation Form

Please Submit 60-days Prior to Event Date
for **HIGH IMPACT EVENTS**

Event Cadillac Festival of the Arts

Please Circle:

Electricity/Lights Heat

Usage Rules:

1. Profanity and offensive language is strictly prohibited.
2. Noise must be limited to levels that do not disturb the peace, and must be lowered at the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Market, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Any signage or decorations must be removed immediately following any event.
5. The sale of food and non-alcoholic beverages may require an additional license. (Code of Ordinances-Chapter 28)
6. The consumption or sale of alcoholic beverages requires approval of City Council. (Code of Ordinances-Chapter 26)
7. Damage to public properties or the City's cost incurred in cleanup and repair shall be the responsibility of the Applicant and the Permit Holder. Payment of any such assessment shall be due within thirty (30) days of notice of such cost or assessment.

Reservation Fees:

- Daily Rate (4 hours or more) \$100
- Hourly Rate (less than 4 hours) \$55 per hour
- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

Reoccurring Events: Events that are a minimum of once a week, for four consecutive weeks or more

- Daily Rate of \$25:
- Non-Profit Daily Rate of \$15

Market Hours 7:00 AM through 11:00 PM

I understand and agree to comply with these rules and acknowledge that the City reserves the right to change or cancel any event or program that is not in compliance with them.

Form must be mailed/emailed or delivered to Cadillac City Hall, Attention Events Coordinator at
200 N. Lake Street in Cadillac, MI 49601
javila@cadillac-mi.net

Signature [Signature] Total Fees Required: _____ Total Fees Paid: _____ Date 07/24/2024



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

Today's Date _____

City Received Date

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request Cadillac Festival of the Arts
Contact Person Mike Filkins
Contact Phone [REDACTED] Contact Email [REDACTED]

Date: 07/18/2024 - 07-20-2024 **Street Closures**

Street Name <u>Lake St</u>	Beginning Location <u>Cass</u>	Ending Location <u>Harris</u>
<u>7/18</u>	Beginning Time <u>4:00</u> AM/PM	Ending Time <u>6:00</u> AM/PM <u>7/20</u>
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 07/19-20/2024

Parking Lot Closures

Lot Location <u>Harris St</u>	Street <u>Harris</u>	Nearest Cross Street <u>Lake</u>
	Beginning Time <u>8:00</u> AM/PM	Ending Time <u>6:00</u> 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 Michael Filkins Signature [Signature] Date 01/24/2024

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 _____



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

Today's Date _____

City Received Date

Banner Request Form

Monday Banner Start Date 07 / 15 / 2024

Monday Banner End Date 07 / 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 Cadillac Festival of the Arts

Organization Cadillac Arts Council Contact Person Mike Filkins

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 Michael Filkins Signature [Signature] Date 11 / 24 / 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 _____
City Manager _____	Date Approved _____	Comments _____
State of Michigan _____	Date Approved _____	Comments _____
City Council _____	Date Approved _____	Comments _____



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

Today's Date _____

City Received Date

All City Parks Request Form

Reason for Request Cadillac Festival of the Arts
Organization Cadillac Arts Council Contact Person Mike Filkins
Contact Phone [REDACTED] Contact Email [REDACTED]
Date July 19 - 20, 2024 Times 8am - 9pm / 8am - 5pm

City Parks

Please Check One

- ☒ Downtown "Fountain" City Park
- ☐ Cadillac Commons Plaza
- ☐ Sound Garden
- ☐ The Bridge
- ☐ Naval Reserve Flower Open Space
- ☐ Tree Zoo Gazebo

City of Cadillac Guidelines:

Please read the following and initial to acknowledge your understanding

- ☒ All Parks are for public use.
- ☒ The Plaza nor the City Park in Cadillac Commons will have its general use, as an open space or park without organized activity, restricted to no more than two consecutive weekends.
- ☒ The City does not provide any porta potty's, tents, tables, chairs, rugs, extension cords etc
- ☒ The fountain may not be operating due to equipment breakdowns or weather conditions such as wind.
- ☒ I understand and agree to these requirements and understand if these are not met the request will be denied.
- ☒ Not all parks have space for tents, chairs etc.
- ☒ No digging, staking, or any other ground disturbing activity shall be performed except as authorized in the Permit and upon prior notification from the Operations Manager for DPW.
- ☒ No trucks or other motor vehicles are allowed in City parks except in designated parking lots or except those conveying specialized equipment for the Event, or otherwise allowed as stated in the Permit.
- ☒ Applicants shall provide a detailed site plan depicting facility location, if any, to be used or installed during the Event.

Permit Fee Schedule

Permits are required for reservations at the following facilities:

- The Market at Cadillac Commons
- The Rotary Performing Arts Pavilion at Cadillac Commons
- City Park at Cadillac Commons
- The Plaza at Cadillac Commons

Permit Fees:

- Daily Rate (4 hours or more) \$100
- Hourly Rate (less than 4 hours) \$55 per hour
- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

Reoccurring Events: Events that occur a minimum of once a week, for four consecutive weeks. Two examples include a summer concert series and farmers' market. **Reoccurring events are not permissible in The Plaza or City Park at Cadillac Commons.**

- Daily Rate of \$25:
- Non-Profit Daily Rate of \$15

Permit fees may be adjusted annually by 5% or the Michigan Consumer Price Index, whichever the greater.

All events require liability insurance.

Form can be emailed to javila@cadillac-mi.net or mailed to 200 N. Lake St. Cadillac, MI 49601

Signature



Date 01/24/2024



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

Today's Date _____

City Received Date

Alcoholic Beverage Request Form

Event Name Cadillac Festival of the Arts

Requesting Organization Cadillac Arts Council

Contact Person(s) Mike Fillkins

Contact Phone [REDACTED] Contact Email [REDACTED]

Date of Event July 19, 2024 Approx. number of participating groups 1 (150)

Starting Time 6:00 pm Ending Time 9:00 pm

City of Cadillac & State of Michigan Guidelines:

- Double fence for Public Events
- Inspection of site
- Market at the Cadillac Commons requires either all sides down or 3 sides down with one side of fencing that the city has available for rent (\$100)
- Cash Bar requires State of Michigan Liquor License
- Open Bar requires the Event to be a private event not open to the public i.e. Weddings, reunions Etc.
- City Council Approval (Article 1 Sec. 26-8)
- Liability Insurance naming City of Cadillac

Form must be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

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

Print Name Michael Fillkins Signature [Signature] Date 01/29/2024

Request will be reviewed & you will be notified if additional information is needed.



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

Today's Date _____

City Received Date

Request Planning Guide

This form must be completed and return to the City at least 60 days before a HIGH IMPACT event. Additionally a representative for the event must meet with City Event Team to verify all details for the event before going to City Council for approval. Failure to comply will result in a denial of your event. Please call (231) 775-0181 x 7342 if you have questions.

Applicant Name (Print) Mike Filkins Contact Address [REDACTED]
Contact Phone(s) [REDACTED] Contact Email [REDACTED]
Sponsoring Organization Cadillac's Craft Beer Festival ☐ Private ☒ Non-Profit CAFE
Purpose of Event Beer Festival Approx # of Attendees 2000

Beginning Date: 09/27/2024 Ending Date: 09/29/2024 Reoccurring: YES NO
1st Day 9/27 Set-up 1:00 AM/PM Start : AM/PM End 8:00 AM/PM Clean-up : AM/PM
2nd Day 9/28 Set-up 8:00 AM/PM Start 2:00 AM/PM End 10:00 AM/PM Clean-up 11:30 AM/PM
3rd Day 9/29 Set-up : AM/PM Start 10:00 AM/PM End 12:00 AM/PM Clean-up : AM/PM
4th Day Set-up : AM/PM Start : AM/PM End : AM/PM Clean-up : AM/PM

Please answer the following questions:

YES ☒ NO ☐ Will you be requesting permission to close any streets or parking lots?
YES ☒ NO ☐ Will you be requesting permission to display any off site signage?
YES ☒ NO ☐ Will you be requesting permission to display a banner over Mitchell Street?
YES ☒ NO ☐ Will you be requesting permission to reserve any of the City of Cadillac facilities

Please Circle

Market at Cadillac Commons

Rotary Pavilion

City Park

Cadillac Commons Plaza

YES ☐ NO ☒ Will you be requesting permission to have a parade?
YES ☐ NO ☒ Will you be requesting permission to hold any races?
YES ☒ NO ☐ Will you be requesting permission to serve alcoholic beverages?
YES ☒ NO ☐ Will your event include use of generators, food trucks, grills, fireworks display, or a tent/membrane structure?

If you answered YES to any of the above questions, additional form(s) must be completed for each one. All forms must be completely filled out and all information provided before requests will be brought to City Council for approval.

Forms can be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

All events require liability insurance: Required Min. general aggregate amount of \$1,000,000, naming the City of Cadillac as Certificate Holder and as additionally insured



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

Today's Date _____

City Received Date

The Market at the Cadillac Commons Reservation Form

Please Submit 60-days Prior to Event Date
for **HIGH IMPACT EVENTS**

Event Cadillac's Craft Beer Festival

Please Circle:

Electricity/Lights Heat

Usage Rules:

1. Profanity and offensive language is strictly prohibited.
2. Noise must be limited to levels that do not disturb the peace, and must be lowered at the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Market, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Any signage or decorations must be removed immediately following any event.
5. The sale of food and non-alcoholic beverages may require an additional license. (Code of Ordinances-Chapter 28)
6. The consumption or sale of alcoholic beverages requires approval of City Council. (Code of Ordinances-Chapter 26)
7. Damage to public properties or the City's cost incurred in cleanup and repair shall be the responsibility of the Applicant and the Permit Holder. Payment of any such assessment shall be due within thirty (30) days of notice of such cost or assessment.

Reservation Fees:

- Daily Rate (4 hours or more) \$100
- Hourly Rate (less than 4 hours) \$55 per hour
- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

Reoccurring Events: Events that are a minimum of once a week, for four consecutive weeks or more

- Daily Rate of \$25:
- Non-Profit Daily Rate of \$15

Market Hours 7:00 AM through 11:00 PM

I understand and agree to comply with these rules and acknowledge that the City reserves the right to change or cancel any event or program that is not in compliance with them.

Form must be mailed/emailed or delivered to Cadillac City Hall, Attention Events Coordinator at
200 N. Lake Street in Cadillac, MI 49601
javila@cadillac-mi.net

Signature  Total Fees Required: \$50 Total Fees Paid: _____ Date 02/01/2024



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

Today's Date _____

City Received Date

Alcoholic Beverage Request Form

Event Name Cadillac's Craft Beer Festival

Requesting Organization CAFE - Cadillac's Craft Beer Festival

Contact Person(s) Mike Filkins

Contact Phone [REDACTED] Contact Email [REDACTED]

Date of Event September 28, 2024 Approx. number of participating groups 2000

Starting Time 2 pm Ending Time 10 pm

City of Cadillac & State of Michigan Guidelines:

- Double fence for Public Events
- Inspection of site
- Market at the Cadillac Commons requires either all sides down or 3 sides down with one side of fencing that the city has available for rent (\$100)
- Cash Bar requires State of Michigan Liquor License
- Open Bar requires the Event to be a private event not open to the public i.e. Weddings, reunions Etc.
- City Council Approval (Article 1 Sec. 26-8)
- Liability Insurance naming City of Cadillac

Form must be mailed or delivered to the above address or emailed to: javila@cadillac-mi.net

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

Print Name Mike Filkins Signature [Signature] Date 02/01/24

Request will be reviewed & you will be notified if additional information is needed.



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

Today's Date _____

City Received Date

All City Parks Request Form

Reason for Request Cadillac's Craft Beer Festival
Organization Cadillac's Craft Beer Festival Contact Person Mike Filkins
Contact Phone [REDACTED] Contact Email [REDACTED]
Date September 28, 2024 Times 2pm - 10pm

City Parks

Please Check One

- ☒ Downtown "Fountain" City Park
- ☒ Cadillac Commons Plaza
- ☐ Sound Garden
- ☐ The Bridge
- ☐ Naval Reserve Flower Open Space
- ☐ Tree Zoo Gazebo

City of Cadillac Guidelines:

Please read the following and initial to acknowledge your understanding

- mf All Parks are for public use.
- mf The Plaza nor the City Park in Cadillac Commons will have its general use, as an open space or park without organized activity, restricted to no more than two consecutive weekends.
- mf The City does not provide any porta potty's, tents, tables, chairs, rugs, extension cords etc
- mf The fountain may not be operating due to equipment breakdowns or weather conditions such as wind.
- mf I understand and agree to these requirements and understand if these are not met the request will be denied.
- mf Not all parks have space for tents, chairs etc.
- mf No digging, staking, or any other ground disturbing activity shall be performed except as authorized in the Permit and upon prior notification from the Operations Manager for DPW.
- mf No trucks or other motor vehicles are allowed in City parks except in designated parking lots or except those conveying specialized equipment for the Event, or otherwise allowed as stated in the Permit.
- mf Applicants shall provide a detailed site plan depicting facility location, if any, to be used or installed during the Event.

Permit Fee Schedule

Permits are required for reservations at the following facilities:

- The Market at Cadillac Commons
- The Rotary Performing Arts Pavilion at Cadillac Commons
- City Park at Cadillac Commons
- The Plaza at Cadillac Commons

Permit Fees:

- Daily Rate (4 hours or more) \$100
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- Non-Profit Daily Rate (4 hours or more) \$50
- Non-Profit Hourly Rate (less than 4 hours) \$25 per hour

Reoccurring Events: Events that occur a minimum of once a week, for four consecutive weeks. Two examples include a summer concert series and farmers' market. **Reoccurring events are not permissible in The Plaza or City Park at Cadillac Commons.**

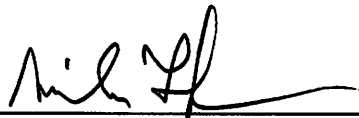
- Daily Rate of \$25:
- Non-Profit Daily Rate of \$15

Permit fees may be adjusted annually by 5% or the Michigan Consumer Price Index, whichever the greater.

All events require liability insurance.

Form can be emailed to javila@cadillac-mi.net or mailed to 200 N. Lake St. Cadillac, MI 49601

Signature



Date 02/01/2024



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

Today's Date _____

City Received Date

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request Cadillac's Craft Beer Festival
Contact Person Mike Filkins
Contact Phone [REDACTED] Contact Email [REDACTED]

Date: 09/28/2024

Street Closures

Street Name Lake St Beginning Location Cass St Ending Location Harris
Beginning Time 8:00 AM/PM Ending Time 11:00 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 09/28/2024

Parking Lot Closures

Lot Location City Park North Street Harris Nearest Cross Street Lake
Beginning Time 8:00 AM/PM Ending Time 11:00 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 Mike Filkins Signature [Signature] Date 02/01/2024

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 _____



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

Today's Date _____

City Received Date

Banner Request Form

Monday Banner Start Date 09/23/2024

Monday Banner End Date 09/30/2024

**(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 Cadillac's Craft Beer Festival

Organization Same Contact Person Mike Filkins

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 Mike Filkins Signature [Signature] Date 02/01/2024

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



Craft Beer, Meade, Cider, Wine • Classic Car Show • Live Music • Local Food & Fun

Cadillac's Craft Beer Festival

www.ccbeerfest.com • facebook.com/ccbeerfest



April 1, 2024

Council Communication

RE: Police In-Car and Body-Worn Camera Purchase

The Cadillac Police Department's in-car and body-worn camera systems are at the end of the 5-year contract that the City had with the current vendor. The department requested bids for replacement of the equipment as well as on-line hosting of the significant amount of video storage required for departmental operations. The following bids were received:

Vendor	Total 5-Year Cost
LensLock, Inc. Tampa, FL	\$98,410
Motorola Solutions, Inc. Chicago, IL	\$131,290
Pro-Vision Solutions, LLC Byron Center, MI	\$80,943
Digital Ally, Inc. Lenexa, KS	\$95,345
Utility, Inc. Decatur, GA	\$76,889
Axon Enterprises, Inc. Scottsdale, AZ	\$71,892

Attached is a detailed memo from Interim Deputy Police Chief Jeffery Izzard detailing the process that the department followed to arrive at the recommendation to move forward with LensLock, Inc.

Recommended Action

It is recommended that the purchase of in-car and body-worn cameras be awarded to LensLock, Inc. in accordance with their proposal. Funds are available in the General Fund.



Police Department

200 North Lake Street
Cadillac, Michigan, 49601
Phone 231-775-3491 or
Fax 231-775-1408

TO: Director Adam Ottjepka

FROM: Interim Deputy Chief Jeffery Izzard

DATE: 03/11/24

REF: LensLock Body Camera System

Director Ottjepka,

Per your request, this memo is being written with explanations as to why it is believed that the Cadillac Police Department should agree to sign with LensLock for body cameras as well as in-car video systems.

This past year, I was tasked with researching other body camera companies as our contract with Provision was coming to an end. One of these companies happened to be LensLock. In researching them, I learned that Osceola County Sheriff Department has been using LensLock. I spoke with Undersheriff Jed Avery and he spoke very highly of LensLock. He explained that he has fielded very few complaints from his employees in reference to using the body cameras from LensLock. Undersheriff Avery added that LensLock's tech support is "second to none". He described their customer service as being top notch. Since this has been a constant struggle with Provision, LensLock piqued my interest.

As you are aware, the Cadillac Police Department has been able to take part in a pilot program with LensLock. Since this past fall, we have had six (6) officers take part in testing LensLock's products. Except for some minor "user" issues at the very start, all of the officers who took part in the pilot program have nothing but good things to say about the equipment as well as the company's tech support. We have had officers who have reached out in the middle of the night with questions that were taken care of immediately.

The following are some bullet points that I believe are important for the Cadillac Police Department to go ahead with signing on with Lenslock.

- 24/7 tech support accessible to every user where tech staff will remote into our system to take care of the issue being reported.
- Unlimited cloud storage included.
- Spare camera on site provided at no extra cost.

- Multiple types of mounts for the body camera.
- Free video redaction by CJIS compliant staff
- Free upgrades at 30 months where all body cameras are replaced no matter what the status is of the body camera.
- Replacement of damaged body cameras at no extra charge.
- To this date, body camera battery life appears to be much better than Provision.
- The docking station requires only one (1) internet connection where as Provision requires multiple docking stations with multiple internet connections.
- Upload speed is faster.
- The LensLock system has the ability to merge exterior source evidence video/photo via email link. With this ability, officers provide the victim with the link that they can send surveillance video or other photographs directly into the system where everything can be put together in a case file in one location.
- The process to send case files to the Prosecutor's Office is much more simplified.
- The vehicle in-car system will link with the officer's body camera upon activation at no additional charge.
- No separate mic pack for the in-car system.
- In-car vehicle system has the ability to activate other vehicles systems within close proximity. So, for example, an officer responds to a low priority call that escalates and back up is requested. When additional officers arrive on scene emergent, their in-car systems can activate any other systems that may not be activated at the time of their arrival.

In closing, I believe the benefits provided show why LensLock should be the system the Cadillac Police Department utilizes as its in-car video and body camera systems.

Respectfully,

Interim Deputy Chief Jeffery Izzard

April 1, 2024

Council Communication

RE: Lakefront Bridge Decking Replacement Project

The decking on the bridge that is part of the Keith McKellop Walkway on Lake Cadillac is worn and needs to be replaced. The City released an invitation for bids for this project and the following bids were received:

Contractor	Bid – Treated Lumber	Bid – Synthetic Non-Slip Decking
Greater North Services Cadillac, MI	\$13,481	\$27,398
TJM Services, LLC Allegan, MI	\$29,500	\$38,300
Mallory Bridge Construction LLC Caledonia, MI	\$25,000	\$35,000
Better2 Enterprises Montrose, MI	\$12,000	\$32,000

Recommended Action

It is recommended that the Lakefront Bridge Decking Replacement Project be awarded to Greater North Services for the bid amount of \$27,398. Funds are available in the General Fund.

Planning Commission

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. 2024-01

**RESOLUTION TO RECOMMEND ADOPTION OF AN
ORDINANCE VACATING CERTAIN STREETS AND ALLEYS AND
RESERVING A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF CADILLAC**

At a meeting of the Planning Commission of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 25th day of March, 2024, at 6:00 p.m.

PRESENT: _____ Filkins, Fent, Rice, Putvin, Host_____

ABSENT: _____ Bosscher, Bunce, Baumann_____

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

WHEREAS, the City of Cadillac ("City") is authorized by statute to control its streets, alleys and public ways, and has the authority to vacate such streets, alleys, and public ways (MCL 117.4h; *Detroit Edison Co v City of Detroit*, 208 Mich App 26, 33; 527 NW2d 9 (1994));
and

WHEREAS, the Charter of the City of Cadillac provides that the City may, by ordinance and upon the affirmative vote of four or more members of the Council, "vacate, discontinue or abolish any highway, street, lane, alley or other public place, or part thereof" (Charter, Sec. 5.6); and

WHEREAS, Section 20-4 of the Cadillac City Code requires that, before the City Council may vacate any street or alley, the Planning Commission must make a recommendation to the City Council regarding a street/alley vacation; and

WHEREAS, the City of Cadillac owns an interest in certain streets and alleys (the "Streets and Alleys") described on Exhibit A; and

WHEREAS, the Planning Commission has determined that adopting an ordinance vacating the Streets and Alleys and reserving to the City a public utility easement is in the best interest of the public health, safety, and welfare.

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

1. The Planning Commission recommends that the City vacate the Streets and Alleys described on Exhibit A.
2. Any and all resolutions that are in conflict with this Resolution are hereby repealed, but only to the extent necessary to give this Resolution full force and effect.

YEAS: _____5_____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, John Putvin, the _____Chair_____ of the Planning Commission of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2024-01, duly adopted at a meeting of the Planning Commission held on the 25th day of March, 2024.

By: 
Print Name: John Putvin
Its: Chair

EXHIBIT A
(Streets and Alleys to be vacated)

Real property in the City of Cadillac, County of Wexford and State of Michigan, and legally described as:

A portion of Garfield Street running East and West of Diggins Street, an alley South of Garfield Street running East to Diggins Street, then Diggins Street running North from that alley to Lincoln Street, and an alley North of Garfield running West from Diggins Street.

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 ORDINANCE VACATING CERTAIN STREETS AND ALLEYS
AND RESERVING A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF CADILLAC**

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 1st day of April, 2024, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City of Cadillac ("City") is authorized by statute to control its streets, alleys, and public ways, and has the authority to vacate such streets, alleys, and public ways (MCL 117.4h; *Detroit Edison Co v City of Detroit*, 208 Mich App 26, 33; 527 NW2d 9 (1994));
and

WHEREAS, the Charter of the City provides that the City may, by ordinance and upon the affirmative vote of four or more members of the Council, "vacate, discontinue or abolish any highway, street, lane, alley or other public place, or part" (Charter Sec. 5.6);

WHEREAS, the Code of Ordinances of the City provides that the City Council may, by resolution or ordinance, vacate a street or alley or any portion of a street or alley located in

a platted subdivision and may reserve an easement for public utility purposes or any other public purpose (Code of Ordinances, Section 20.4(a); and

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

WHEREAS, the City may own an interest in a public street commonly known as 10th Street as depicted on Exhibit A to the proposed ordinance, which street is located within the City; and

WHEREAS, the City wishes to consider adopting an ordinance vacating a portion of certain Streets and Alleys ("Streets and Alleys") described on Exhibit A, but reserving to the City a public utility easement under, over and through the Streets and Alleys for the purpose of constructing, installing, operating, maintaining or repairing any and all public utilities, including water, sewer, gas, electric, cable, fiber optic, telecommunications and any similar public utilities, and authorizing the Mayor and/or the City Clerk to execute any and all documents necessary to vacate a portion of 10th Street, to release any unneeded utility easements in or near the vacated portion of 10th Street, to reserve a public utility easement and to execute an easement agreement; and

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

1. Pursuant to Section 5.2 and 5.6 of the City Charter, the City introduces Ordinance No. 2024-____, Ordinance Vacating Certain Streets and Alleys and Reserving a Public Utility Easement in Favor of the City of Cadillac (the "Ordinance," attached as Exhibit 1).

2. A public hearing regarding the Ordinance shall be held on the 6th day of May, 2024, at 6:00 p.m. in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan.

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, in accordance with the Charter. The summary and notice of the hearing shall be substantially in the form of Exhibit 2.

4. A copy of the 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 1st day of April, 2024.

Sandra Wasson
City Clerk

ORDINANCE NO. 2024-____

**ORDINANCE VACATING CERTAIN STREETS AND ALLEYS AND
RESERVING A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF CADILLAC**

THE CITY OF CADILLAC ORDAINS:

Section 1.

Pursuant to MCL 117.4h and the Charter of the City of Cadillac and other applicable authority, the City hereby vacates and abandons certain public streets and alleys ("Streets and Alleys") located in the City and legally described on Exhibit A attached hereto, pursuant to MCL 560.257 and any other applicable authority. The City reserves to itself a public utility easement under, over and through the vacated Streets and Alleys for the purpose of constructing, installing, operating, maintaining, replacing and repairing any and all public utilities, including water, sewer, gas, electric, cable, fiber optic, telecommunications and any similar public utilities.

Section 2.

The Mayor and/or the City Clerk are authorized to execute any and all documents necessary to vacate Streets and Alleys and to reserve a public utility easement in the vacated Streets and Alleys and subject to the direction of the City Attorney, and as may be necessary, to make minor corrections to the legal description of the vacated Streets and Alleys.

Section 3.

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

Section 4.

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

Section 5.

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

Approved this 6th day of May, 2024.

Sandra Wasson, Clerk

Carla J. Filkins, Mayor

I, Sandra Wasson, City Clerk of the City of Cadillac, Michigan, do hereby certify that a summary of Ordinance No. 2024-____ was published in the Cadillac News on the ____ day of _____, 2024.

Sandra Wasson, City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

On this ____ day of _____, 2024, before me, a Notary Public, in and for said County, personally appeared Carla J. Filkins, Mayor, and Sandra Wasson, City Clerk, on behalf of the City of Cadillac, who executed the foregoing Ordinance and acknowledged that they have executed it on behalf of the City of Cadillac in their capacity as its Mayor and City Clerk, respectively.

_____, Notary Public

County of _____, State of Michigan

My commission expires: _____

Prepared By and Return To:

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

EXHIBIT A
(Streets and Alleys to be vacated)

Real property in the City of Cadillac, County of Wexford and State of Michigan, and legally described as:

A portion of Garfield Street running East and West of Diggins Street, an alley South of Garfield Street running East to Diggins Street, then Diggins Street running North from that alley to Lincoln Street, and an alley North of Garfield running West from Diggins Street.

RESOLUTION NO. 2024-_____

**RESOLUTION TO APPROVE THE ASSESSMENT OF COSTS INCURRED TO ABATE
PUBLIC NUISANCE AGAINST REAL PROPERTY FOR THE PURPOSE OF
COLLECTION AS A GENERAL TAX**

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 ____ day of _____ 2024, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, pursuant to the City’s Code of Ordinances (“Code”), Chapter 16 (*Environment*), Article II (*Trees*), Section 16-27 (*Public Nuisance*) and Section 16-28 9 (*Notice to Remove*), the City notified the owner of Parcel IDs 10-094-00-065-10 and 10-094-00-065-11 (the “Parcels”) by certified mail on September 27, 2023 (the “Notice”, attached as Exhibit A) that two trees on the southwest corner of the Parcels had been declared a public nuisance; and

WHEREAS, the owner, who accepted receipt of the Notice from the City (the “Return Receipt,” attached as Exhibit B) was given 15 days to remedy the public nuisance in compliance with Section 16-29 (*Failure to Comply with Notice*) of the Code; and

WHEREAS, in accordance with Section 16-30 (*Removal; Cost Incurred; Duty to Pay; Collection*), when the owner failed to remedy the public nuisance, the City sought out bids for the removal of the trees, awarding the same to the lowest bidder in the amount of \$2,300.00 (“Invoice”, attached as Exhibit C); and

WHEREAS, upon the removal of the trees located on the Parcels, the City notified the

owner by certified mail on December 1, 2023 (“Second Notice” attached as Exhibit D) of the costs incurred for such work and that the owner would have 30 days to either reimburse the City or have the cost incurred assessed against the Parcels (See Section 16-30 of the Code); and

WHEREAS, as the owner has failed to comply with the Second Notice and Section 16-30 of the Code, the City may assess the costs incurred by resolution against the Parcels for the purpose of collection in the same manner as general taxes are collected.

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

1. In accordance with Chapter 16, Article II, the City authorized the expenditure of funds in the amount of \$2,300.00 to remove two trees deemed a public nuisance on the Parcels.

2. As a result of the owner’s failure to reimburse the City for this expenditure, the City shall equally assess against the owner’s Parcels the cost incurred for the purpose of collection in the same manner as general taxes are collected.

3. The City orders that the cost of the tree removal be assessed against the Parcels.

4. The City Clerk is directed to provide a copy of this Resolution to the owner of the Parcels.

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 ____ day of _____ 2024.

Sandra Wasson, Cadillac City Clerk



200 North Lake Street • Cadillac, Michigan 49601
231.775.0181 • fax 231.775.8755
www.cadillac-mi.net

EXHIBIT A

September 27, 2023

LaSalle Street Services
940 N. Industrial Drive
Elmhurst, IL 60126

Re: City of Cadillac Parcels
Parcel IDs: 10-094-00-065-10 and 10-094-00-065-11

Dear Property Owner:

This letter is in reference to the property you own in Cadillac, with the above-referenced parcel identification numbers. There are two trees in the southwest corner of this group of parcels that have been declared a public nuisance. According to Section 16-27 of the Cadillac City Code, a copy of which is included with this letter, these trees are overhanging the roadway and bike lane, have been dropping limbs, and are in danger of falling due to the advanced state of rotting in the trunks, further endangering the public.

Because these trees have been deemed to be a public nuisance, in accordance with Section 16-29 of the Cadillac City Code you now have 15 days to remedy the public nuisance. The only remedy to this nuisance is complete removal of the trees. If this is not done within 15 days, the City will remove the trees and the charges for this service will be assessed against this parcel and collected in the same manner as general property taxes, as enabled in code Section 16-30.

If you have any questions regarding this situation or the process, please contact me prior to October 15, 2023, at 231.779.7333. Thank you very much.

Sincerely,

A handwritten signature in blue ink, appearing to read "Owen Roberts", is written over a horizontal line.

Owen Roberts
Director of Public Works

Enclosure: City Code references

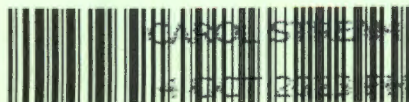
Cadillac City Code References: Chapter 16 – Environment

- **Sec. 16-27. - Public nuisance.** Any tree or shrub, or parts thereof, growing upon private property but overhanging, or interfering with the use of any street, park, public improvement, street lighting, or public place of the city, that in the opinion of the director endangers the life, health, safety, or property of the public, shall be declared a public nuisance. Any tree growing on private property within the city, afflicted with any dangerous and infectious insect infestation or tree disease shall be declared a public nuisance.
(Prior Code, § 4.101; Ord. No. 81-01, 2-16-1981)
State Law reference— Insect pests and plant diseases, MCL 286.251 et seq.
- **Sec. 16-28. - Notice to remove.** Whenever any public nuisance exists, contrary to the provisions of the sections in this article, the director shall give notice to the owner, or his agent, or the occupant of the property, describing the tree, its location and the nature of the nuisance and ordering the owner, agent, or occupant to take such measure as may be reasonable necessary to correct or cease such nuisance specifying the measures required to be taken.
(Prior Code, § 4.102; Ord. No. 81-01, 2-16-1981)
- **Sec. 16-29. - Failure to comply with notice.** It shall be unlawful for any person to permit, cause or suffer the existence of a public nuisance from and after 15 days following the date of the notice provided for.
(Prior Code, § 4.103; Ord. No. 81-01, 2-16-1981)
- **Sec. 16-30. - Removal; cost incurred; duty to pay; collection.** (a) In case any notice given shall not be complied with, the director is hereby authorized and empowered to order the removal or abatement of said public nuisance, and shall have authority to call the necessary assistance therefor. Contracted work shall be submitted for bids and approved by the director.

(b) Upon completion of the abatement or removal of said public nuisance, the director shall certify to the cost of said removal of the public nuisance. The owner, or other person to whom the notice was directed shall be notified by mail of the removal or abatement, and the cost incurred for such work, together with a statement that the cost of the work must be paid within 30 days or cost incurred will be assessed against the owner's property at a regular meeting of the council to be held not sooner than 30 days after the date of the notice.

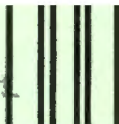
(c) It shall be the duty of the owner of the property, or other person to whom notice was directed, to pay the cost of such removal within 30 days after the date of mailing of the notice of completion, and in case of failure to do so, the city shall have the right to assess the cost by resolution against any property for the purpose of collection in the same manner as general taxes are collected.
(Prior Code, § 4.104; Ord. No. 81-01, 2-16-1981)

USPS TRACKING#



CASOL STREET MI 49601

4 OCT 2003 5:44 L



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 7425 2055 3589 30

EXHIBIT B

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

City of Cadillac
Attn: Owen Roberts
200 W. Lake St
Cadillac, MI 49601



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LaSalle Street Services
940 N. Industrial Dr
Elmhurst, IL 60126



9590 9402 7425 2055 3589 30

2. Article Number (Transfer from service label)

9589 0710 5270 0304 1758 38

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

R SINGER

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Restricted Delivery



BB's Tree Service, LLC
1200 S MITCHELL ST
CADILLAC, MI 49601

Invoice

Date	Invoice #
11/20/2023	123

Bill To
City of Cadillac Ken Payne Sunnyside Drive & Petrie Rd. Cadillac, MI 49601



Phone #	Web Site	P O No	Terms	Project
231-743-9749	www.bbtreesevice.com		Due on receipt	

Description	Quantity	Rate	Amount
w/ Brandon, Digory, Mike 11/18/23-11/20/23 2 Dead Cottonwood Trees, Corner of Sunnyside Drive & Petrie Rd., Cadillac, MI Fell Trees Trim, Chip, Remove Branches & Brush Cut & Remove Logs Leave Stumps as close as possible to the ground. Will need: Lift, Dump Trailer, Bobcat w/ Bucket, Chipper, Stump Grinder, Multiple Trucks/Trailers, Multiple Trips, 2 or 3 Crew Members <i>101-000-045.290</i> <i>012</i> All payments are due immediately upon job completion and or as services are rendered and are not expected to be invoiced for future payment A service charge of 2% (minimum \$2.00) will be added to all unpaid balances after 7 days and the end of each month	1	2,300.00	2,300.00

	Total	\$2,300.00
	Payments/Credits	\$0.00
	Balance Due	\$2,300.00



MP



200 North Lake Street • Cadillac, Michigan 49601
231.775.0181 • fax 231.775.8755
www.cadillac-mi.net

EXHIBIT D

December 1, 2023

LaSalle Street Services
940 N. Industrial Drive
Elmhurst, IL 60126

Re: Notice of Completion and Certification of Cost – Public Nuisance
City of Cadillac Parcels
Parcel IDs: 10-094-00-065-10 and 10-094-00-065-11

Dear Property Owner:

The City sent you a letter on September 27, 2023, indicating that two trees on your property had been declared a public nuisance. This certified letter, which you signed for, gave you 15 days to remedy the situation. We received no further communication from you, so in accordance with Section 16-30 of the Cadillac City Code the City removed the trees to remedy the nuisance.

The City received three bids for the service, and the low bidder recently completed the work of removing the trees at a cost of \$2,300. A copy of the invoice is enclosed with this letter. As of this current notice, you now have 30 days to reimburse the City for this bill. A check can be sent to: City of Cadillac, Attn: Owen Roberts, 200 N. Lake Street, Cadillac, MI 49601. If this is not paid by January 5, 2024, the City will assess these costs against the property to collect in the same manner that property taxes are collected, in accordance with City Code.

If you have any questions regarding this situation or the process, please contact me prior to January 5, 2024, at 231.779.7333. Thank you very much.

Sincerely,

A handwritten signature in blue ink, appearing to read "Owen Roberts", is written over a light blue circular stamp.

Owen Roberts
Director of Public Works

Enclosure: Invoice from BB's Tree Service, LLC
City Code references



BB's Tree Service, LLC

1200 S MITCHELL ST
CADILLAC, MI 49601

Invoice

Date	Invoice #
11/20/2023	123

Bill To
City of Cadillac Ken Payne Sunnyside Drive & Petrie Rd. Cadillac, MI 49601



Phone #	Web Site	P.O. No	Terms	Project
231-743-9749	www.bbtreesevice.com		Due on receipt	

Description	Quantity	Rate	Amount
w/ Brandon, Digory, Mike 11/18/23-11/20/23 2 Dead Cottonwood Trees, Corner of Sunnyside Drive & Petrie Rd., Cadillac, MI Fell Trees Trim, Chip, Remove Branches & Brush Cut & Remove Logs Leave Stumps as close as possible to the ground. Will need: Lift, Dump Trailer, Bobcat w/ Bucket, Chipper, Stump Grinder, Multiple Trucks/Trailers, Multiple Trips, 2 or 3 Crew Members <i>101-000-045.290</i> <i>012</i>	1	2,300.00	2,300.00
All payments are due immediately upon job completion and or as services are rendered and are not expected to be invoiced for future payment A service charge of 2% (minimum \$2.00) will be added to all unpaid balances after 7 days and the end of each month			

Total	\$2,300.00
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Payments/Credits	\$0.00
-------------------------	---------------

Balance Due	\$2,300.00
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Cadillac City Code References: Chapter 16 – Environment

- **Sec. 16-27. - Public nuisance.** Any tree or shrub, or parts thereof, growing upon private property but overhanging, or interfering with the use of any street, park, public improvement, street lighting, or public place of the city, that in the opinion of the director endangers the life, health, safety, or property of the public, shall be declared a public nuisance. Any tree growing on private property within the city, afflicted with any dangerous and infectious insect infestation or tree disease shall be declared a public nuisance.
(Prior Code, § 4.101; Ord. No. 81-01, 2-16-1981)
State Law reference— Insect pests and plant diseases, MCL 286.251 et seq.
- **Sec. 16-28. - Notice to remove.** Whenever any public nuisance exists, contrary to the provisions of the sections in this article, the director shall give notice to the owner, or his agent, or the occupant of the property, describing the tree, its location and the nature of the nuisance and ordering the owner, agent, or occupant to take such measure as may be reasonable necessary to correct or cease such nuisance specifying the measures required to be taken.
(Prior Code, § 4.102; Ord. No. 81-01, 2-16-1981)
- **Sec. 16-29. - Failure to comply with notice.** It shall be unlawful for any person to permit, cause or suffer the existence of a public nuisance from and after 15 days following the date of the notice provided for.
(Prior Code, § 4.103; Ord. No. 81-01, 2-16-1981)
- **Sec. 16-30. - Removal; cost incurred; duty to pay; collection.** (a) In case any notice given shall not be complied with, the director is hereby authorized and empowered to order the removal or abatement of said public nuisance, and shall have authority to call the necessary assistance therefor. Contracted work shall be submitted for bids and approved by the director.

(b) Upon completion of the abatement or removal of said public nuisance, the director shall certify to the cost of said removal of the public nuisance. The owner, or other person to whom the notice was directed shall be notified by mail of the removal or abatement, and the cost incurred for such work, together with a statement that the cost of the work must be paid within 30 days or cost incurred will be assessed against the owner's property at a regular meeting of the council to be held not sooner than 30 days after the date of the notice.

(c) It shall be the duty of the owner of the property, or other person to whom notice was directed, to pay the cost of such removal within 30 days after the date of mailing of the notice of completion, and in case of failure to do so, the city shall have the right to assess the cost by resolution against any property for the purpose of collection in the same manner as general taxes are collected.
(Prior Code, § 4.104; Ord. No. 81-01, 2-16-1981)