



City Council Meeting

July 15, 2024

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



July 15, 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 regular meeting held on June 17, 2024
Support Document III-A

Cadillac City Council Agenda

July 15, 2024

Page 2

IV. COMMUNITY SPOTLIGHT

- A. Alliance for Economic Success

V. PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Amend the Code of Ordinances by Adding a New Section Designated as Section 10-4 of this Code.
Support Document V-A

VI. COMMUNICATIONS

- A. Wexford County Veterans Services
Support Document VI-A
- B. Call to All
Support Document VI-B

VII. APPOINTMENTS

- A. Recommendation regarding reappointment to the Cadillac Housing Commission.
Support Document VII-A
- B. Designate primary representative and alternate to attend the Michigan Municipal League Annual Convention.
Support Document VII-B

VIII. CITY MANAGER'S REPORT

- A. Community Recreation Plan 2024-2029
Support Document VIII-A
- B. Bids and recommendation regarding Concrete Repair & Patching.
Support Document VIII-B
- C. Bids and recommendation regarding Micro-Parks – Haynes Street Location.
Support Document VIII-C
- D. Bids and recommendation regarding Micro-Parks – White Pine Trail Location.
Support Document VIII-D
- E. Bids and recommendation regarding Sanitary Sewer Repair (707 N. Mitchell Street).
Support Document VIII-E

Cadillac City Council Agenda

July 15, 2024

Page 3

IX. INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance to Amend Section 20-38 of the Code of Ordinances and set a public hearing for August 19, 2024.

Support Document IX-A

X. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt Resolution regarding Local Government Approval for On-Premises Tasting Room Permit.

Support Document X-A

XI. 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.

XII. GOOD OF THE ORDER

XIII. 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 Matthew McCall-Stillman*, Case No. 24-31523-cz, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City.

XIV. ADJOURNMENT

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

Respect

Integrity

Trust

Excellence

Guiding Behaviors

We support each other in serving our community

We communicate openly, honestly, respectfully, and directly

We are fully present

We are all accountable

We trust and assume goodness in intentions

We are continuous learners

CITY COUNCIL MEETING MINUTES

June 17, 2024

Cadillac City Hall - 200 N. Lake St. - Cadillac, Michigan 49601

CALL TO ORDER

Mayor Filkins called the City Council meeting to order at approximately 6:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Schippers, Engels, King, Mayor Filkins

Council Absent: None

Staff Present: Peccia, Wallace, Payne, Homier, Wasson

APPROVAL OF AGENDA

2024-110 Approve agenda as amended.

Motion was made by Schippers and supported by Elenbaas to approve the agenda as amended to add a Resolution for Charitable Gaming License for Oasis as item VIII-B.

Motion unanimously approved.

PUBLIC COMMENTS

Kristi Nottingham, Wexford County Treasurer, introduced herself and noted she is running for reelection.

Andy VanAlst discussed installing a dock at a road end and receiving a certified letter from the City telling him that it had to be removed.

Randy Lindell discussed issues he had when he worked for the City.

Pat Ponczek discussed the house on Pine Street being utilized as a short-term rental.

CONSENT AGENDA

2024-111 Approve consent agenda as presented.

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

Motion unanimously approved.

PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities (Near Wilcox Street).

Peccia stated this would allow Consumers Energy to continue to provide power to our cemetery and our police/fire training area. He noted the current feed line is no longer feasible due to activities at the gravel pit, so Consumers Energy needs to reroute their facilities.

Mayor Filkins opened the public hearing.

There were no public comments.

Mayor Filkins closed the public hearing.

2024-112 Adopt Ordinance 2024-07.

Motion was made by Elenbaas and supported by Engels to approve the resolution to adopt Ordinance to Approve Granting of an Easement to Consumers Energy Company for Electric Facilities (Near Wilcox Street).

Motion unanimously approved.

COMMUNICATIONS

A. Bark for Life

2024-113 Approve street closure for Bark for Life.

Motion was made by Schippers and supported by Elenbaas to approve the closure of Lake St. between Harris St. and Cass St. from 10:00 am to 3:30 PM on July 27, 2024 for Bark for Life.

Motion unanimously approved.

B. Block Party – Diggins Hill

2024-114 Approve street closure for Block Party – Diggins Hill.

Motion was made by Elenbaas and supported by Schippers to approve the closure of Hemlock St. between River St. and Crippen St. from 12:00 pm to 4:00 pm on August 11, 2024 for the Block Party - Diggins Hill.

Motion unanimously approved.

C. Rotary Club Concert

2024-115 Approve street closure for Rotary Club Concert.

Motion was made by Schippers and supported by Elenbaas to approve the closure of Lake St. between Harris St. and Cass St. from 1:00 pm to 5:30 pm on July 21, 2024 for the Rotary Club Concert.

Motion unanimously approved.

D. Mitchell Street Market Block Party

2024-116 Approve banner and street closure for Mitchell Street Market Block Party.

Motion was made by Elenbaas and supported by Schippers to approve the display of a banner from August 5-12, 2024 and the closure of Mitchell St. between Cass St. and Nelson St. from 8:00 am to 5:00 pm on August 10, 2024 for the Mitchell Street Market Block Party.

Motion unanimously approved.

E. Northern District Fair

2024-117 Approve banner for Northern District Fair.

Motion was made by Elenbaas and supported by Engels to approve the display of a banner from August 12-19, 2024 for the Northern District Fair.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Discussion on Special Meeting Agenda Format.

Peccia noted traditionally the format for a special meeting agenda includes only one opportunity for Public Comments and there is no Good of the Order section.

Schippers noted many people were frustrated at the last special meeting because they did not have the opportunity to speak during a second Public Comments at the end of the meeting. She noted she is amenable to having a second Public Comments opportunity at every meeting.

Mayor Filkins stated she agrees with Council Member Schippers. She noted it would provide members of the public the opportunity to comment about what they heard during the meeting.

King recommended that there be a second Public Comments and Good of the Order on every City Council meeting agenda. He noted it provides the opportunity for members of the public to provide their feedback on what was discussed during the meeting.

Engels stated he supports that if a meeting is held in the Council Chambers we should include the Pledge of Allegiance, two Public Comments, and Good of the Order.

Mayor Filkins suggested that the format of the meeting agendas be the same.

2024-118 Approve meeting agenda format.

Motion was made by King and supported by Schippers that all City Council agendas for work sessions, special meetings, and regular meetings include two Public Comments and Good of the Order.

Motion unanimously approved.

B. Recommendation regarding Change Order Request for Police Mobile Radios.

Peccia noted there were safety concerns raised regarding the brand of radios that came with the Police Patrol Emergency Equipment package. He stated the difference to the overall project cost is \$4,553.19 to utilize Motorola versus the brand that came with the package.

2024-119 Approve change order request for Police Mobile Radios.

Motion was made by Schippers and supported by Elenbaas to approve the change order request to increase total cost of the project by \$4,553.19 and to authorize payment directly to Motorola for the radios in the amount of \$15,345.99.

Motion unanimously approved.

C. Bids and recommendation regarding Leaf Vacuum Trailer Purchase.

Peccia noted two (2) bids were received and the recommendation is to award the purchase of a leaf vacuum trailer to MacQueen Equipment in the amount of \$153,385.

2024-120 Award purchase of Leaf Vacuum Trailer.

Motion was made by Schippers and supported by Elenbaas to award the purchase of a Leaf Vacuum Trailer to MacQueen Equipment in accordance with their bid.

Motion unanimously approved.

D. Bids and recommendation regarding Leeson Avenue Improvements.

Peccia noted three (3) bids were received and the recommendation is to award the Leeson Avenue Improvements project to J&N Construction, LLC for the bid amount of \$388,457.76 and to add a 3.25% contingency bringing the total award amount to \$400,000.

2024-121 Award contract for Leeson Avenue Improvements.

Motion was made by Schippers and supported by Engels to award the contract for the Leeson Avenue Improvement Project to J&N Construction, LLC for the bid amount of \$388,457.76 and to approve a 3.25 % contingency for City engineer-approved field changes in unit quantity or scope due to unknowns in municipal construction, bringing the total award amount to \$400,000.

Motion unanimously approved.

E. Bids and recommendation regarding Burlingame Street Improvements.

Peccia noted after the City Council packet was distributed, staff reviewed the local preference purchasing ordinance that gives preference to those responsible bidders that are located in the City, within the four (4) surrounding townships, within a tri county area, or within the State of Michigan. He stated the ordinance is designed to provide the ability for someone that is geographically closer to be able to match, without changing the scope of the project, a bid made by someone that is located further out.

Peccia noted one of the two (2) lowest bids came from a company located in a surrounding township and the other bid came from a company located in the tri county area. He stated the recommendation is to award the Burlingame Street Improvements Project to CJ's

Excavating, Inc. in the amount of \$640,005.99 and to add a 10% contingency bringing the total award amount to \$704,006.59.

2024-122 Award contract for Burlingame Street Improvements.

Motion was made by Schippers and supported by King to award the contract for the Burlingame Street Improvements Project to CJ's Excavating, Inc. for the bid amount of \$640,005.99 and to approve a 10% contingency for City engineer-approved field changes in unit quantity or scope due to unknowns in municipal construction, bringing the total award amount to \$704,006.59.

Motion unanimously approved.

INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance to Amend the Code of Ordinances by Adding a New Section Designated as Section 10-4 of this Code and set a public hearing for July 15, 2024.

Peccia stated this ordinance would make it a civil municipal infraction if a property in a prohibited short-term rental zone is advertised as a short-term rental. He noted the request is to set a public hearing for July 15, 2024.

2024-123 Set public hearing for Ordinance 2024-09.

Motion was made by King and supported by Elenbaas to adopt the resolution to introduce Ordinance to Amend the Code of Ordinances, City of Cadillac, Michigan, by Adding a New Section Which New Section Shall be Designated as Section 10-4 of this Code and set a public hearing for July 15, 2024.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt Local Governing Body Resolution for Charitable Gaming Licenses – Cadillac Freedom Festival.

2024-124 Adopt Local Governing Body Resolution for Charitable Gaming Licenses – Cadillac Freedom Festival.

Motion was made by Schippers and supported by King to adopt the Local Governing Body Resolution for Charitable Gaming Licenses for the Cadillac Freedom Festival.

Motion unanimously approved.

- B. Adopt Local Governing Body Resolution for Charitable Gaming Licenses – Oasis Family Resource Center.

2024-125 Adopt Local Governing Body Resolution for Charitable Gaming Licenses – Oasis Family Resource Center.

Motion was made by Schippers and supported by Elenbaas to adopt the Local Governing Body Resolution for Charitable Gaming Licenses for Oasis Family Resource Center.

Motion unanimously approved.

PUBLIC COMMENTS

Ginette Haines stated she appreciates the work that public officials do for the community. She expressed support for the reelection of Wexford County Treasurer Kristi Nottingham.

Steve Piwowarski asked about road end dock rules, requirements for a commercial marina, and enforcement for violations. He commented on vehicle speed and vehicle noise in his neighborhood.

Andy VanAlst discussed the importance of everyone being treated fairly.

Randy Lindell discussed issues he had when he worked for the City.

GOOD OF THE ORDER

Schippers mentioned the Mayor's Youth Council hosted a movie in the park on June 14th and at 11:00 pm the sprinklers turned on. She noted instead of people being upset they just moved to a different location to finish watching the movie. She stated on June 20th Oasis Family Resource Center will be holding their annual Celebrate Women Luncheon. She noted Deb Rensberry will receive the Sue Westhauser "Excellence in Education" award. She stated two other women will be honored for their contribution to the community: Beth Miller, Chamber of Commerce, and Mayor Filkins.

Schippers noted there is a great need in this community to serve victims of domestic violence and that is the mission of Oasis Family Resource Center. She stated the organization is funded through grants, but the grants are very specific on what they can be used for so community donations have historically assisted with funding. She noted the luncheon will be held at Fox Hill Event Center and she encouraged people to attend.

Elenbaas noted there will be a concert in the park on June 20th. He thanked everyone who attended and spoke at the meeting.

King asked Pat Ponczek to send him the pictures she took of the house on Pine Street. He noted it is his understanding an officer went to the house last Friday to observe the situation. He stated court action has been started against that house so they can't ignore us any longer. He thanked Andy VanAlst for attending the meeting and noted every citizen needs to know what the rule is and everyone needs to be treated the same.

City Attorney Homier noted a suit was filed against the owner of the house on Pine Street. He stated docks at road ends are prohibited. He noted the City may authorize road end docks but those have to be permitted by EGLE as well. He stated to his knowledge the City has not authorized any road end docks. He noted using a private dock for storage of commercial boats used in a rental business is not permissible in a residential zone. He stated a letter was sent advising the owner of the property and the owner of the boats that they have ten (10) days to cease and desist otherwise legal action will be commenced.

Mayor Filkins stated tomorrow at 11:00 am there are going to be 100 women pilots coming into the Cadillac Airport.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk

DRAFT

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2024-_____

**A RESOLUTION TO ADOPT AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES, CITY OF CADILLAC, MICHIGAN, BY ADDING A NEW SECTION
WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 10-4 OF THIS CODE**

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

PRESENT: _____

ABSENT: _____

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

WHEREAS, the City recently amended the City Zoning Ordinance to codify where in the
City short-term rentals are permitted; and

WHEREAS, pursuant to Article VII, § 22 of the Michigan Constitution, the City is
authorized to adopt resolutions relating to its municipal concerns; and

WHEREAS, the City Council introduced a proposed ordinance adding a new section to
the City Code prohibiting the advertising of short-term rentals where such rentals are not
permitted at a meeting on _____, 2024; and

WHEREAS, the City held a duly noticed public hearing on the proposed ordinance on
_____, 2024; and

WHEREAS, the best interests of the City will be served by prohibiting such advertisements; and

WHEREAS, the City desires to adopt the proposed ordinance.

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 to Amend the Code of Ordinances, City of Cadillac, Michigan, By Adding a New Section Which New Section Shall Be Designated as Section 10-4 of this Code (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 the Ordinance is adopted. The Notice shall be substantially in the form of Exhibit B.

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

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

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

Sandra Wasson, City Clerk

Exhibit A

CITY OF CADILLAC

ORDINANCE NO. 2024-____

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF CADILLAC,
MICHIGAN, BY ADDING A NEW SECTION WHICH NEW SECTION SHALL BE
DESIGNATED AS SECTION 10-4 OF THIS CODE**

The City of Cadillac ordains:

Section 1. Purpose.

The purpose of this Ordinance is to regulate advertising short-term rentals.

Section 2. Addition of New Section 10-4 to the Code of Ordinances.

New Section 10-4 is added to the Code of Ordinances, and reads as follows in its entirety:

Sec. 10-4. – Advertising short-term rentals.

- (a) *Prohibition.* It is unlawful to advertise, market, publish, or post the availability of a Short-Term Rental, as that term is defined in Section 46-4, including but not limited to listing the Short-Term Rental on any electronic platform, such as AirBnB, VRBO, HomeAway, or Marketplace, when the Short-Term Rental is located in any zoning district where Short-Term Rentals are not a permitted use pursuant to the provisions of the city zoning ordinance.
- (b) *Violations.* A violation of this Section is punishable as a municipal civil infraction. Each day this Section is violated is considered a separate violation.

Section 3. 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 4. Repealer.

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

Section 5. Effective Date.

This Ordinance takes effect 20 days after its adoption.

Exhibit B

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the City of Cadillac, Wexford County, Michigan, at a meeting on _____, 2024, adopted Ordinance No. 2024-____, An Ordinance to Amend the Code of Ordinances, City of Cadillac, Michigan, By Adding a New Section Which New Section Shall Be Designated as Section 10-4 of this Code.

A copy of the Ordinance is available for inspection at 200 N. Lake Street, Cadillac, Michigan, and copies may be obtained for a reasonable charge. The following is summary of the Ordinance:

The Ordinance prohibits advertising the availability of short-term rentals where such rentals are not permitted under the city zoning ordinance. Violations of the Ordinance are punishable as civil municipal infractions.

The Ordinance takes effect 20 days after its adoption.

CITY OF CADILLAC, MICHIGAN

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



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

Today's Date 2.22.2024

City Received Date

Banner Request Form

Monday Banner Start Date 2/27/2024

Monday Banner End Date 3/5/2024

(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 NORTHWEST MICHIGAN MILITARY/VETERANS EXPO

Organization Weyford County Veterans Services Contact Person Kathy Cline

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 Kathy Cline Signature Kathy Cline Date 2/22/2024

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

For Office Use Only

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

 **WEST MICHIGAN**
Aug. 5th, 2000



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 Call to All
Contact Person Judy Coffey / Will Markham
Contact Phone [REDACTED] Contact Email [REDACTED]

Date: 8 / 9 / 24 through 8/11/24 **Street Closures**

Street Name Lake St Beginning Location Cass St Ending Location Harris St
8/9/24 & 8/10/24 Beginning Time 5:00 AM/PM Ending Time 10:00 AM/PM

Street Name Lake St Beginning Location Cass St Ending Location Harris St
8/11/24 Beginning Time 8:00 AM/PM Ending Time 9:00 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

Date ____ / ____ / ____

Parking Lot Closures

Lot Location _____ Street _____ Nearest Cross Street _____
Beginning Time _____ AM/PM Ending Time _____ AM/PM

Lot Location _____ Street _____ Nearest Cross Street _____
Beginning Time _____ AM/PM Ending Time _____ AM/PM

Lot Location _____ Street _____ Nearest Cross Street _____
Beginning Time _____ AM/PM Ending Time _____ AM/PM

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

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

Print Name Judy Coffey Signature [Signature] Date 5/28/24

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

For Office Use Only

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

July 15, 2024

COUNCIL COMMUNICATION

Re: Reappointment to Cadillac Housing Commission – Gloria Frost

Gloria Frost has expressed her interest in continuing her service as a member of the Cadillac Housing Commission for a 5-year term, which will expire on 7/19/29.

Gloria Frost has been serving on the Cadillac Housing Commission since August 2018.

Recommended Action

Motion to reappoint Gloria Frost to the Cadillac Housing Commission for a 5-year term to expire on 7/19/29.

July 5, 2024

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held on Mackinac Island, September 11-13, 2024. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, September 11 in the Terrace at the Grand Hotel. The meeting will be held for the following purposes:

1. **Election of Trustees.** To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. **Policy.** A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **August 11, 2024.**

3. **Other Business.** To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than August 11, 2024.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **August 11, 2024**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, “Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.

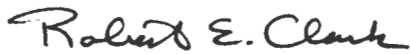


3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, September 10, 2024, at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



Robert E. Clark
President
Mayor, City of Monroe



Daniel P. Gilmartin
Executive Director & CEO



July 15, 2024

Council Communication

Re: Community Recreation Plan 2024-2029

The final draft of the Cadillac/Cadillac Area Public Schools Community Recreation Plan has been reviewed and approved by the CAPS Board of Education and the Cadillac Planning Commission. Commission approval followed an advertised public hearing held April 22, 2024. Prior to the hearing, the Plan was made available to the public on the city website and hard copies available at the city offices. CAPS Board of Education approval took place at their meeting held on June 24, 2024. Public comment was received and requested changes were made. The final draft is available on the city website; <https://cadillac-mi.net/CivicAlerts.aspx?AID=831> and hard copies are available at city offices.

A locally adopted, current, Recreation Plan is a prerequisite for recreation grant funding through the Michigan Department of Natural Resources. Highlights of the proposed Recreation Plan will be provided at the public hearing on August 19, 2024.

Recommended Action

Council is asked to set a public hearing for August 19, 2024, for the receipt of comment on the plan, followed by consideration of adoption of the 2024-2029 City/CAPS Community Recreation Plan. A copy of the public hearing notice is attached.



**NOTICE OF PUBLIC HEARING
2024-2029 COMMUNITY RECREATION PLAN
CADILLAC CITY COUNCIL**

The Cadillac City Council will conduct a public hearing at its regularly scheduled meeting on August 19, 2024, at 6:00p.m. for the receipt of comment on the 2024-2029 Community Recreation Plan. The purpose of the hearing is to receive public comment on the plan. The proposed Recreation Plan is a document that outlines local recreation and re-source conservation goals, details existing recreational facilities of the city and Cadillac Area Public Schools, outlines the process for administering local recreational programs and services, identifies needed improvements to existing recreational facilities, and identifies future recreational programs and facilities based on community needs and desires. The plan is required by the state to assure local eligibility for a range of state recreation grants.

The meeting at which the hearing will be conducted begins at 6:00 p.m. in the Council Chambers of the Cadillac Administrative Offices, 200 N. Lake Street, Cadillac, MI 49601. Questions or written comments regarding the above should be directed to the Community Development Department, 200 North Lake Street, Cadillac, MI 49601. Telephone: 231-775-0181, Ext. 7325. Copies of the draft plan may be viewed during regular business hours at the Cadillac Administrative Offices, 200 North Lake Street, Cadillac, Michigan. The plan may also be viewed online on the city website: www.cadillac-mi.net. Written comments must be received at the Cadillac Administrative Offices no later than 5:00 P.M. of the public hearing date to be included in the public hearing record. The City of Cadillac complies with the Americans with Disabilities Act. If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact Sandra Wasson, City Clerk, (231) 775-0181, Ext. 7334, at least three (3) business days prior to any such meeting.

July 15, 2024

Council Communication

Re: Concrete Repair & Patching

The City was awarded the Drinking Water Asset Management grant to reimburse costs incurred to determine the types of pipes in the drinking water system. Some of the locations that need to be analyzed are under sidewalks, driveways or the road. As such, a concrete contractor is needed to come cut out the sections to prepare for City crews to expose and analyze the pipes, then come back and restore the sections of concrete or roadway that were removed to expose the pipes. This work will be fully reimbursed by the grant. The City recently sought bids for these services and one bid was received:

Dealer	Bid
Yager Concrete Services, LLC Cadillac, Michigan	\$29,000

Recommended Action

It is recommended that the concrete repair and patching project be awarded to Yager Concrete Services, LLC in the amount of \$29,000. In addition, it is recommended to add a \$3,000 contingency for City-approved changes in the scope of work, for a total award of \$32,000. Funds are available in the Water and Sewer Fund and will be fully reimbursable with grant funding.

July 15, 2024

Council Communication

RE: Micro-Parks – Haynes Street Location

On July 9, 2024 the City of Cadillac held a bid opening on the above referenced project. This project was included in the budget for the Consumers Energy Prosperity Grant. The work includes the following approximate quantities of major items:

2,400 Sft	Concrete Sidewalk
80 Tons	HMA, 4EL
120 Lft	Curb and Gutter

The following bids were received:

Contractor	Bid
CJ's Excavating, Inc. Cadillac, MI	\$111,470.76
Apex Excavating & Underground, LLC Marion, MI	\$121,660.00
Salisbury Excavating, Inc. Tustin, MI	\$122,497.90
Molon Excavating, Inc. Traverse City, MI	\$129,641.84
Eastern Michigan Contracting, LLC Ubly, MI	\$138,104.00

Recommended Action

It is recommended that the contract for the Micro-Parks – Haynes Street Location Project be awarded to CJ's Excavating, Inc. for the bid amount of \$111,470.76. In addition, a contingency is requested for City engineer-approved field changes in unit quantity or scope due to unknowns in construction, bringing the total recommended award to a total of \$115,000.00.

July 15, 2024

Council Communication

RE: Micro-Parks – White Pine Trail Location

On July 9, 2024 the City of Cadillac held a bid opening on the above referenced project. This project was included in the budget for the Consumers Energy Prosperity Grant. The work includes the following approximate quantities of major items:

100 Syd	Concrete Area
70 Ft	12” Culvert
3	Exercise Stations
6’x10’	Concrete Mural Wall
1	Solar Light

The following bids were received:

Contractor	Bid
CJ’s Excavating, Inc. Cadillac, MI	\$68,010.29
Molon Excavating, Inc. Traverse City, MI	\$69,204.31
Eastern Michigan Contracting, LLC Udly, MI	\$72,150.00
Apex Excavating & Underground, LLC Marion, MI	\$75,000.00
Salisbury Excavating, Inc. Tustin, MI	\$77,812.89

Recommended Action

It is recommended that the contract for the Micro-Parks – White Pine Trail Location Project be awarded to CJ’s Excavating, Inc. for the bid amount of \$68,010.29. In addition, a contingency is requested for City engineer-approved field changes in unit quantity or scope due to unknowns in construction, bringing the total recommended award to a total of \$70,000.00.

July 15, 2024

Council Communication

RE: Sanitary Sewer Repair (707 N. Mitchell Street)

On July 9, 2024 the City of Cadillac held a bid opening on the above referenced project. The work includes the following approximate quantities of major items:

140 Lft Sanitary Sewer Replacement
160 Syd Parking Lot Paving (30 Ton HMA)

The following bids were received:

Contractor	Bid
CJ's Excavating, Inc. Cadillac, MI	\$57,330.30
Apex Excavating & Underground, LLC Marion, MI	\$75,060.00
Molon Excavating, Inc. Traverse City, MI	\$82,029.98
Salisbury Excavating, Inc. Tustin, MI	\$104,408.30

Recommended Action

It is recommended that the contract for the Sanitary Sewer Repair (707 N. Mitchell Street) Project be awarded to CJ's Excavating, Inc. for the bid amount of \$57,330.30. In addition, an approximate 10% contingency is requested for City engineer-approved field changes in unit quantity or scope due to unknowns in underground construction, bringing the total recommended award to a total of \$63,000.00.

July 15, 2024

Council Communication

Re: Ordinance to amend Section 20-38 of the Code of Ordinances

Section 20-38 of Chapter 20 of the Cadillac City Code governs the standards for the approval of the division of non-platted parcels of land. Paragraph (2) of the section stipulates that the ratio of the depth to width of any parcel created by a division shall not exceed a 3:1 ratio. That is, for each one foot of lot width the lot depth may not exceed three feet. The land division must also comply with the city's zoning standards. Generally, this does not create a problem if someone wishes to divide his/her property. However, there are several areas of the city where due to physical conditions or surrounding land development patterns, the 3:1 standard prevents the efficient and orderly division of existing parcels. For example, the area along Cobb Street, east of Carmel Street, has several fairly deep lots capable of being divided for single-family homes. Though the divisions can meet zoning requirements, they would exceed the 3:1 limitation. Reconfiguration of these parcels in some fashion to allow for their division and compliance with the 3:1 ratio is not practicable.

The Land Division Act under which the ordinance was developed does not permit the Zoning Board of Appeals or other local agencies to consider variances from the 3:1 standard. Accordingly, we are requesting a revision of Section 20-38 of Chapter 20 of the Cadillac City Code authorizing the Zoning Administrator to approve the division of unplatted parcels exceeding the 3:1 standard where physical conditions or surrounding land development patterns warrant an increase.

Recommended Action

Council is asked to set a public hearing for August 19, 2024, for the receipt of comment on the ordinance amendment to Section 20-38 of Chapter 20 of the Cadillac City Code authorizing the Zoning Administrator to approve the division of unplatted parcels exceeding the 3:1 lot depth to width standard where physical conditions or surrounding land development patterns warrant an increase.

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Stephen King
Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2024-_____

**A RESOLUTION TO INTRODUCE AN ORDINANCE TO AMEND SECTION 20-38 OF
THE CODE OF ORDINANCES, CITY OF CADILLAC, MICHIGAN**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, at the Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan on the 15th day of July, 2024, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, pursuant to the Land Division Act, 1967 PA 288, MCL 560.101, *et seq.*, (the "Act"), the City adopted ordinances regulating the division of land within the City; and

WHEREAS, pursuant to Section 109 of the Act, the City adopted an ordinance limiting the depth to width ratio of resulting parcels from a land division to a ratio of 3:1; and

WHEREAS, pursuant to Section 109 of the Act, the City may allow a greater depth to width ratio based on standards set forth in the ordinance that establishes the ratio; and

WHEREAS, the City wishes to consider amending the City Code of Ordinances to allow the zoning administrator to approve land divisions resulting in parcels with a depth to width ratio greater than 3:1 if certain conditions are present; and

WHEREAS, Section 5.2 of the City Charter requires the City to hold a public hearing prior to final adoption of an ordinance and to publish notice once at least five days prior to the public hearing.

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces Ordinance No. 2024-____, An Ordinance to Amend Section 20-38 of the Code of Ordinances, City of Cadillac, Michigan (the “Ordinance), attached as **Exhibit A**.

2. A public hearing regarding the Ordinance will be held on the 19th day of August 2024, at 6:00 p.m. at the Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan.

3. The City Clerk is directed to publish a summary of the proposed Ordinance once in a newspaper of general circulation in the City of Cadillac, together with a notice of the public hearing on the Ordinance, within seven (7) days of the adoption of this Resolution. The summary and notice of the hearing shall be substantially in the form of **Exhibit B**.

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

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

YEAS: _____

NAYS: _____

[illegible]

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 15th day of July, 2024.

Sandra Wasson, City Clerk

Exhibit A

CITY OF CADILLAC

ORDINANCE NO. 2024-____

**AN ORDINANCE TO AMEND SECTION 20-38 OF THE CODE OF ORDINANCES,
CITY OF CADILLAC, MICHIGAN**

The City of Cadillac ordains:

Section 1. Amendment of Section 20-38 of the Code of Ordinances.

Section 20-38 is amended in its entirety to read as follows:

Sec. 20-38. - Standards for approval.

Approval of a nonplatted land division shall be based on the following:

- (1) All parcels shall comply with underlying zone district standards.
- (2) Absent special conditions, the ratio of depth to width of any parcel created by the division does not exceed a 3:1 ratio. The lot width and depth of a parcel created by a land division shall be measured pursuant to the standards of chapter 46, pertaining to zoning.
 - a. The ratio of depth to width of any parcel created by the division may be greater than a 3:1 ratio if, in the zoning administrator's opinion, any of the following special conditions necessitate a greater ratio:
 - i. Exceptional topographic or physical conditions with respect to the parcel.
 - ii. Compatibility with surrounding lands.
- (3) All parcels created and remaining have existing adequate accessibility or an area available therefor, for public utilities and emergency and other vehicles. Permanent easements for said accessibility and utilities have been or will be provided.
- (4) The proposed land division shall comply with all requirements of the land division act and this chapter.

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. **Effective Date.**

This Ordinance takes effect 20 days after its adoption.

Exhibit B

NOTICE OF PUBLIC HEARING AND SUMMARY OF PROPOSED ORDINANCE

On July 15, 2024, the City Council of the City of Cadillac introduced Ordinance No. 2024-____, An Ordinance to Amend Section 20-38 of the Code of Ordinances, City of Cadillac, Michigan.

NOTICE IS HEREBY GIVEN that a Public Hearing on the proposed ordinance will be held in the Council Chambers, Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan, on August 19, 2024 at 6:00 p.m. at a meeting of the City Council.

The proposed ordinance would allow the zoning administrator to permit land divisions resulting in a parcel with a depth to width ratio of more than 3:1 if certain conditions are present.

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

CITY COUNCIL OF THE
CITY OF CADILLAC, MICHIGAN

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

In 1921, Italian immigrant Mariano Meconi founded The Border City Winery in Ontario, Canada. After prohibition's repeal, Mariano moved to Detroit with the business and renamed it the Meconi Wine Company. In 1936, the name was changed again - this time to the Italian Wine Co. This name change coincided with a move to our current location in Paw Paw, MI, which sits in Michigan's premier grape-growing region; The Lake Michigan Shore Appellation. Finally in 1941, Mariano changed the name to St. Julian after the patron saint of his hometown and it has stood the test of time.

St. Julian has been owned and operated by the same family for four generations. Our dedication to supporting local farms and the production of quality wine and juice has been upheld for over 100 years. This long-term commitment to quality fruit has made us the most-awarded winery in Michigan.

Our newly renovated production facility boasts over 250,000 square feet and 1.5 million gallons of juice and wine storage. On average, St. Julian produces over 250,000 cases of annually. To fulfill the need of over 250,000 cases, St. Julian works with over 50 Michigan grown varietals.

St. Julian's portfolio of award-winning wines has over 100 products and include distilled spirits, ciders, and every type of wine from internationally recognized dry wines to award-winning sweet wines, classic dessert wines and wines using innovative wine-making techniques.

Not only is St. Julian Michigan's longest running winery, but we are also Michigan's first craft distillery producing some of the finest spirits, many of which are made from grapes. Our line of spirits includes vodka, rum, brandy, and more.

Our vast portfolio and innovative wines are used to keep our 6 tasting rooms and over 18,000 wine club members engaged. St. Julian currently operates tasting rooms in Paw Paw, Union Pier, Frankenmuth, Dundee, Rockford, and Troy. Each location is entrenched in its local community. On average, our locations employ about 30 employees, have 2,000-3,000 local wine club members, and draw customers in from miles away. We are also strategically local along highly traveled routes in Michigan. On average, our locations see about 450,000 visitors per year.

Per MLCC licensing requirements, St. Julian is allowed one more tasting room in Michigan. After years of searching, we feel our brand and Cadillac, MI are a great match. We are in negotiation to purchase Burke's Waterfront. With the blessing of the local legislative, our goal is to proceed with the purchase and start the licensing process. St. Julian intends to invest a few hundred thousand dollars in upgrades to the building. Once an extensive remodel and required approvals are complete, we plan on opening sometime mid-2025. The Cadillac tasting room would be very similar to our other locations. It would have a retail shopping section, wine tasting bar, area for seating, and we would utilize the existing patio. We plan to employ around 30 employees, be open year-round, and be a staple in the local community.





Local Government Approval For On-Premises Tasting Room Permit
(Authorized by MCL 436.1536)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new On-Premises Tasting Room Permit application.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (name of township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)
Moved by _____ and supported by _____
that the application from _____
(name of applicant - if a corporation or limited liability company, please state the company name)

for a **NEW ON-PREMISES TASTING ROOM PERMIT**

to be located at: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a _____ meeting held on _____
(regular or special) (date) (name of township, city, village)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906
Fax to: 517-763-0059