



City Council Meeting

October 7, 2024

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



October 7, 2024 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We are all accountable

CALL TO ORDER
PLEDGE OF ALLEGIANCE
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 September 16, 2024
Support Document III-A

B. Minutes from the closed session held on September 16, 2024

IV. PROCLAMATION

A. Support Your Local Chamber of Commerce Day
Support Document IV-A

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V. COMMUNICATIONS

- A. Zion Lutheran Church
Support Document V-A
- B. Toy Town Toy Trot
Support Document V-B
- C. Cadillac Garden Club
Support Document V-C
- D. Christmas in the Park
Support Document V-D
- E. Domestic Violence Awareness Month
Support Document V-E

VI. APPOINTMENTS

- A. Recommendation regarding appointment to the Local Development Finance Authority.
Support Document VI-A
- B. Recommendation regarding appointment to the Local Development Finance Authority.
Support Document VI-B
- C. Recommendation regarding appointment to the Local Development Finance Authority.
Support Document VI-C
- D. Recommendation regarding reappointment to the Board of Review.
Support Document VI-D
- E. Recommendation regarding reappointment to the Planning Commission.
Support Document VI-E

VII. CITY MANAGER'S REPORT

- A. Striking 2019 Delinquent Personal Property Taxes.
Support Document VII-A
- B. Recommendation Regarding Renewal of an Agreement for Services with the Alliance for Economic Success.
Support Document VII-B
- C. COLA Update & Request
Support Document VII-C

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VIII. INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance to Add a New Section 46-754 to and Amend Sections 46-526 and 46-745 of the Code of Ordinances and set a public hearing for October 21, 2024.

Support Document VIII-A

- B. Adopt resolution to introduce Ordinance to Amend Sections 46-4, 46-186, and 46-216 of the Code of Ordinances and set a public hearing for October 21, 2024.

Support Document VIII-B

IX. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding North Lake Street Flats Brownfield Plan and set a public hearing for October 21, 2024.

Support Document IX-A

X. 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.

XI. GOOD OF THE ORDER

XII. ADJOURNMENT

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

Respect

Integrity

Trust

Excellence

Guiding Behaviors

We support each other in serving our community

We communicate openly, honestly, respectfully, and directly

We are fully present

We are all accountable

We trust and assume goodness in intentions

We are continuous learners

CITY COUNCIL MEETING MINUTES

September 16, 2024

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Council Absent: None

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

APPROVAL OF AGENDA

2024-175 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

Don Koshmider commented on the low water level in the Clam River.

Bill Barnett commented on the FOIA information he received from the City and on the LDFA. He noted he is organizing a town hall meeting in October.

Andrea Lilly noted her family is using well water and she expressed concerns about PFAS.

Audrey Wood noted she is the sister of Andrea Lilly and expressed concerns about PFAS.

Jeff Anderson noted he had his well water tested through EGLE and the results for PFAS were 9 ppt.

CONSENT AGENDA

2024-176 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Downtown Trick or Treat

2024-177 Approve street closure for Downtown Trick or Treat.

Motion was made by Elenbaas and supported by King to approve the closure of Mitchell St. between Cass St. and Nelson St. from 4:00 pm to 7:00 pm on October 23, 2024 for the Downtown Trick or Treat event.

Motion unanimously approved.

B. Friends of the Library

2024-178 Approve display of banner for Friends of the Library.

Motion was made by Schippers and supported by Elenbaas to approve the display of a banner from October 21-28, 2024 for Friends of the Library.

Motion unanimously approved.

C. Steam Railroading Institute

Bob Matthews stated it is good to finally be bringing a train back to Cadillac after 5-years. He cautioned people to stay 25 feet from the track while the train is moving.

2024-179 Approve street closure for Steam Railroading Institute.

Motion was made by Elenbaas and supported by King to approve the closure of Lake St. between Cass St. and Pine St. from 10:00 am to 6:00 pm on October 26 & 27, 2024 for the Steam Railroading Institute Fall Color Excursion.

Motion unanimously approved.

APPOINTMENTS

A. Recommendation regarding reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.

2024-180 Approve reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.

Motion was made by Schippers and supported by Elenbaas to approve the reappointment of Miranda Grunow to the City of Cadillac/Clam Lake Joint Planning Commission for a 3-year term to expire on September 16, 2027.

Motion unanimously approved.

B. Recommendation regarding reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.

2024-181 Approve reappointment to the City of Cadillac/Clam Lake Joint Planning Commission.

Motion was made by Elenbaas and supported by Engels to approve the reappointment of Mark Lagerwey to the City of Cadillac/Clam Lake Joint Planning Commission for a 3-year term to expire on September 16, 2027.

Motion unanimously approved.

- C. Recommendation regarding reappointment to the Cadillac West Corridor Improvement Authority.

2024-182 Approve reappointment to the Cadillac West Corridor Improvement Authority.

Motion was made by Engels and supported by Elenbaas to approve the reappointment of Jake Walraven to the Cadillac West Corridor Improvement Authority for a 4-year term to expire on September 21, 2028.

Motion unanimously approved.

- D. Recommendation regarding reappointment to the Cadillac West Corridor Improvement Authority.

2024-183 Approve reappointment to the Cadillac West Corridor Improvement Authority.

Motion was made by Elenbaas and supported by Engels to approve the reappointment of Justice Walraven to the Cadillac West Corridor Improvement Authority for a 4-year term to expire on September 21, 2028.

Motion unanimously approved.

- E. Recommendation regarding reappointment to the Cadillac West Corridor Improvement Authority.

2024-184 Reappointment to the Cadillac West Corridor Improvement Authority - Motion failed.

Motion was made by Schippers and supported by Elenbaas to approve the reappointment of Micheal Blackmer to the Cadillac West Corridor Improvement Authority for a 4-year term to expire on October 5, 2028.

Ayes: Schippers, Mayor Filkins

Nays: Engels, King, Elenbaas

Motion failed.

CITY MANAGER'S REPORT

- A. Recommendation regarding short-term rental enforcement.

Peccia noted the request is for City Council to consider a motion that would allow the City Manager to move forward with authorizing the City Attorney, without necessity of Council approval, to begin proceedings for a complaint, including but not limited to a temporary restraining order and/or a preliminary injunction against owners/operators of illegal short-term rentals in violation of City ordinances regarding the advertising and/or operation of an illegal short-term rental within the City of Cadillac.

2024-185 Approve recommendation regarding short-term rental enforcement.

Motion was made by King and supported by Elenbaas to adopt the motion as read by the City Manager.

Motion unanimously approved.

B. Recommendation regarding Blight Elimination Grant Management Contract.

Peccia noted the City of Cadillac received a Blight Elimination Program (BEP) Grant in the amount of \$572,067 from the State Land Bank Authority through the Coronavirus State and Local Fiscal Recovery Funds. This grant was for the acquisition of the Western Concrete property from the Cadillac Industrial Fund and the removal of the buildings and site structures to prepare the property for redevelopment.

Peccia stated the implementation of the BEP Grant requires significant administrative and Management support to ensure compliance with all federal and state requirements and Successful implementation of the project. He noted the grant provides a budget for administration.

Peccia stated Mac McClelland is the Cadillac Brownfield Redevelopment Authority consultant and has provided oversight management of the Mitchell Bentley cleanup project and numerous other Cadillac Brownfield projects. He prepared the BEP grant application on behalf of the City and is providing grant administration and management for other communities in the implementation of their BEP grants.

Peccia noted for these reasons, we are requesting that City Council waive competitive bidding and allow us to enter into the service agreement with Mac Consulting Service, LLC or the grant administration and project management service to implement the State Land Bank Authority Blight Elimination Program Grant.

2024-186 Waive competitive bidding regarding Blight Elimination Grant Management Contract.

Motion was made by Schippers and supported by Elenbaas to waive competitive bidding regarding Blight Elimination Grant Management Contract.

Motion unanimously approved.

2024-187 Approve professional service agreement regarding Blight Elimination Grant Management.

Motion was made by Schippers and supported by Elenbaas to approve the professional services agreement between the City of Cadillac and Mac Consulting Service, LLC for the grant administration and project management service to implement the State Land Bank Authority Blight Elimination Program Grant.

Motion unanimously approved.

PUBLIC COMMENTS

Becky Anderson expressed concern about PFAS in her well water.

Bethanie Kneale, daughter of Jeff and Becky Anderson, stated the City received a grant to clean up a building and should try to get a grant to take care of their water.

Andrea Lilly stated it is easy to place the responsibility of obtaining clean water on private well users, but it is extremely expensive to connect to the municipal water system.

Audrey Wood requested transparency and communication with the citizens of Cadillac.

Don Koshmider noted water quality is a very passionate issue.

GOOD OF THE ORDER

Schippers noted awareness of PFAS in the environment is relatively new. She requested a spotlight from someone from EGLE that could explain what we are doing because it's not like we are just sitting on our hands. She noted she understands that people are afraid so she would appreciate whatever we can do to shed light on this and to let people know what we are doing and maybe what they can do.

Elenbaas stated he will be attending the town hall meeting that Mr. Barnett spoke of because he is still trying to educate himself. He noted he does believe that we have been doing what we can but we need to do better. He stated he likes the idea of having the meeting here with EGLE.

Peccia noted there is a lot of information regarding a very complex topic that goes in, around, over and through the LDFA zone that we have.

Jeff Dietlin, Director of Utilities, noted Marathon Drive does not have water and sewer down it at all so every home is on a well and a septic system.

Peccia stated using Marathon Drive as an example, he doesn't know why the developer wasn't required to put in a paved road, sidewalks, streetlighting or water and sewer. He noted those are all infrastructure pieces that we require today when we look at allowing any area to develop. He stated the preliminary site plans that went through the process of approval for the eventual build out of Cadillac Junction called for public utilities, sidewalks, paved roads, and street lighting. He noted the public portion of that infrastructure then gets conveyed to the City for future ownership, maintenance, and operations. He stated the lateral lines regarding water and sewer utilities are owned by the private property owner similar to a driveway that would connect to the street.

Peccia noted he believes we have something in the Code that allows people to continue to use their own private utility infrastructure if they are not connected to the City's infrastructure and if their equipment is in good working order. He stated if it isn't and they need to do a full replacement he believes our ordinance requires that they connect. He noted we are only going to know about those instances if someone were to call and let us know. He stated the private lines to connect are at the cost of the property owners.

Peccia stated some of the area under discussion is the LDFA area. He noted when that area was established several decades ago it is his understanding that people were told they have to connect unless they can show they have tests that prove that they don't need to be online. He stated back when this occurred, PFAS was not being regulated or tested by the federal or state government entities.

Peccia noted it is his understanding that there are three (3) properties within the LDFA area that are still on their own water system. He stated the Andersons did have their well water tested and it tested at 9 ppt and the drinking level limit should be 4 ppt. He noted he agrees that is an issue. He stated the City is working with the Andersons and the other two (2) property owners to bring them onto our water system at the City's cost.

Peccia stated the federal EPA has requested that we do testing for PFAS so that as they go through the process of telling us whether or not we can stop testing for a completely different chemical they first

wanted us to also test for PFAS. He noted, at this time, we are not aware of a mandate from the state or federal government on any area outside of the LDFA zone.

City Attorney Homier stated this was covered under the ordinances as restricted covenant lease for those restricted areas. He noted there were exceptions that had to do with no proof of influence on the well itself and there was a process set up by ordinance when this was enacted around 1988. He stated at that time the concern was not PFAS it was the other contamination that has resulted. He noted that would not have automatically said you cannot use your well any longer because there was a process for going through those exceptions.

King stated he wanted to clarify that Jeff Dietlin is working with the Andersons to put them on City water.

Dietlin stated we arranged it with them last week and we are waiting for the plumber of their choice to contact us to hook them up. He noted back in 1994 someone had laid the line from the City main into their crawl space so they have to go about ten (10) feet to be connected to the City. He stated we dropped off water to them today.

Mayor Filkins asked Jeff Dietlin if he has been working with the other two (2) homes in the superfund area.

Dietlin stated he has been working with the homeowner on 13th Street. He noted the homeowner is going to see if he wants to do the testing and then turnaround to try to have his well exempted again. He stated the other property looks to be abandoned but he did send a letter and also stopped by multiple times throughout the day and at night.

Schippers noted she does remember that people were very opposed to being forced to hookup to City water because they didn't want treated water, they wanted well water. She stated this is an emerging, quick changing issue and she believes being as up front as possible and providing as much information as possible is helpful to know what we are doing because it is absolutely not true that we are doing nothing.

CLOSED SESSION

Adjourn to closed session to consider material exempt from discussion or disclosure by statute under MCL 15.268 (h), specifically identified as an attorney-client privileged written legal opinion.

2024-188 Adjourn to closed session.

Motion was made by Elenbaas and supported by Schippers to adjourn to closed session to consider material exempt from discussion or disclosure by statute under MCL 15.268 (h), specifically identified as an attorney-client privileged written legal opinion; invite Adam Ottjepka, Director of Public Safety.

Motion unanimously approved.

2024-189 Return to open session.

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

Motion unanimously approved.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk

DRAFT

City of Cadillac Proclamation

WHEREAS, chambers of commerce strive to address the community's top challenges and greatest opportunities through bold leadership and innovative problem-solving; and

WHEREAS, chambers of commerce foster stronger, more vibrant communities by advocating for priorities to promote economic prosperity, boost quality of life and create access to meaningful employment and opportunity for all residents; and

WHEREAS, chambers of commerce are champions of communities, serving as a trusted resource for businesses, residents, and other stakeholders; and

WHEREAS, chambers of commerce create catalytic community partnerships to build resilient economies and promote community-wide prosperity; and

WHEREAS, since 1899, the Cadillac Area Chamber of Commerce has been dedicated to assisting members with local, state, and federal connections and communications through partnership, legislation, and marketing initiatives; that the Chamber focuses on local engagement through its networking initiatives and communication through its local presentations, and that the Chamber works to build local leaders who will promote the economic growth and development of the greater Cadillac area.

THEREFORE, the City of Cadillac proclaims October 16, 2024, as

Support Your Local Chamber of Commerce Day

and encourages Cadillac residents to learn more about the impact of the Cadillac Area Chamber of Commerce, and the many ways that it supports local businesses.

Carla J. Filkins, Mayor
City of Cadillac, Michigan

Date: October 7, 2024

Council Communication

Re: Zion Lutheran Church Fall Craft & Bake Sale

Introduction

Zion Lutheran Church is asking to place two yard-type signs with dimensions of four feet by three feet in the City Right-Of-Way for two days advertising their Craft & Bake Sale on October 18th and 19th. The Craft Show benefits the work they do with Project Christmas.

The locations they are requesting are as follows:

1. Corner of South Mitchell Street and Pearl Street
2. Corner of Sunnyside Drive and Pearl Street.

Signs will be placed so as to not obstruct the view of motorists. The sign will read the following message:

**ZION LUTHERAN
CHURCH
CRAFT & BAKE SALE
THIS SATURDAY**

Staff Comments

This request is similar to those in years past from Zion Lutheran Church. Permission was granted in years past as well. The signs will be put up on the morning of October 18th, and removed immediately after the craft show ends on October 19th.

Requested Council Action

Consider granting permission for the Zion Lutheran Church to place one sign at each of the locations listed above on October 18th and 19th.

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

Today's Date 7/4/24

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request Race
Contact Person Cari Gommersen
Contact Phone [REDACTED] Contact Email orders@toytowncadillac.com

Date: <u>11/16/24</u>		Street Closures	
Street Name <u>Lakeshore</u>	Beginning Location <u>Cass St</u>	Ending Location <u>Harris St</u>	
	Beginning Time <u>7am</u>	Ending Time <u>11am</u>	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time _____	Ending Time _____	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time _____	Ending Time _____	
Street Name _____	Beginning Location _____	Ending Location _____	
	Beginning Time _____	Ending Time _____	

Date _____		Parking Lot Closures	
Lot Location _____	Street _____	Nearest Cross Street _____	
	Beginning Time _____	Ending Time _____	
Lot Location _____	Street _____	Nearest Cross Street _____	
	Beginning Time _____	Ending Time _____	
Lot Location _____	Street _____	Nearest Cross Street _____	
	Beginning Time _____	Ending Time _____	

Form must be mailed or delivered to the above address or emailed to: mvandermeulen@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 Cari Gommersen Signature [Signature] Date 7/4/24

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



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

Today's Date

7/4/24

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Race Request Form

Name of Race Toy Town Tag Trot 5K
Purpose of Race Raise Money for Toys for Tots
Requesting Organization Toy Town
Contact Person(s) Cari Gommesen
Contact Phone [REDACTED] Contact Email orders@toytowncadillac.com
Date of Race 11/16/24 Approx. number of participants 100
Registration Location Lake St. Registration Time 8:00 AM/PM
Starting Time 9:00 AM/PM Ending Time 11:00 AM/PM

City of Cadillac Rules

- The City's designated route must be used unless approved by Police Department (Route on backside)
- If marking the route, washable sidewalk chalk or small signs placed in the City right-of-way must be used
- Spray paint is not allowed and will be strictly enforced & fines will be issued
- Organizations are responsible for all clean-up including removal of signs and pavement markings
- The Police Department does not provide escorting services
- Organizations are responsible for providing designated safety and security workers & escorts
- No streets are to be blocked off unless reviewed with City Staff & approved by City Council
- Participates must follow all State & City laws
- Organizations are responsible for providing their own tables, tents, porta johns etc...

The following must be provided with this request:

- ☒ Proof of Liability Insurance (1 million & City of Cadillac named as additional insured)
☐ Proof of Marine Permit from DNR if race takes place in the Lake
☐ Approval from Wexford Road Commission & Wexford County Police Dept. if race is outside of City Limits
☒ Detailed Daily schedule/agenda of races and events

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

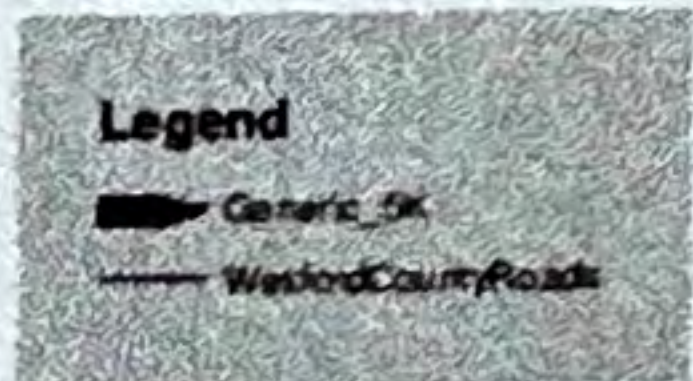
I understand and agree to these requirements & understand if these are not met the request will be denied.

Print Name Cari Gommesen Signature [Signature] Date 7/4/24

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

Race Start Time: ----- AM
Race Starts and Ends at City Park
Lake Street
Surface: Sidewalk and Road



Note: The course is marked and ----- are on the course to provide directions and safety.

200 N. Lake Street
Cadillac MI 49801
Phone (231) 775-0181
www.cadillac-mi.net

Today's Date 7/4/24

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Request Planning Guide

Applicant Name (Print) Cari Gommersen Contact Address 122 S. Mitchell St.
Contact Phone(s) [REDACTED] Contact Email orders@toytowncadillac.com
Sponsoring Organization ToyTown of Cadillac Private ☒ Non-Profit ☐
Purpose of Event Race for non profit Approx # of Attendees 100-120

Beginning Date: 11/16/24 Ending Date: 11/16/24

Reoccurring: YES ^{-once a year} NO

1st Day <u>11-16-24</u>	Set-up <u>7:00</u> AM/PM	Start <u>9:00</u> AM/PM	End <u>11:00</u> AM/PM	Clean-up <u>12:00</u> AM/PM
2nd Day _____	Set-up _____ AM/PM	Start _____ AM/PM	End _____ AM/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 Pavillion 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?

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

ToyTrot 5K: ~~11/16/24~~ ~~11/16/24~~

Details race Schedule/Agenda

Nov. 16, 2024

7:00am Start Set Up

Set Up turn around point on North Blvd 1.55 Miles out

8 am-Registration- Lake St Between Harris and Cass

9 am start of race

Head north on Lake St to Chestnut-Turn Left at Light, Head towards High School, Continue on Chestnut Blvd. Merge onto North until turn around point. Then head back to start/finish.

11:00 am Clean Up



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

Today's Date 01/03/2024

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Banner Request Form

Monday Banner Start Date 11/19/24

Monday Banner End Date 11/25/24

(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 Publicize Garden Club Holiday Home Tour

Organization Cadillac Garden Club Contact Person Leslie Hoover

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 Leslie Hoover Signature Leslie Hoover Date 01/03/24

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

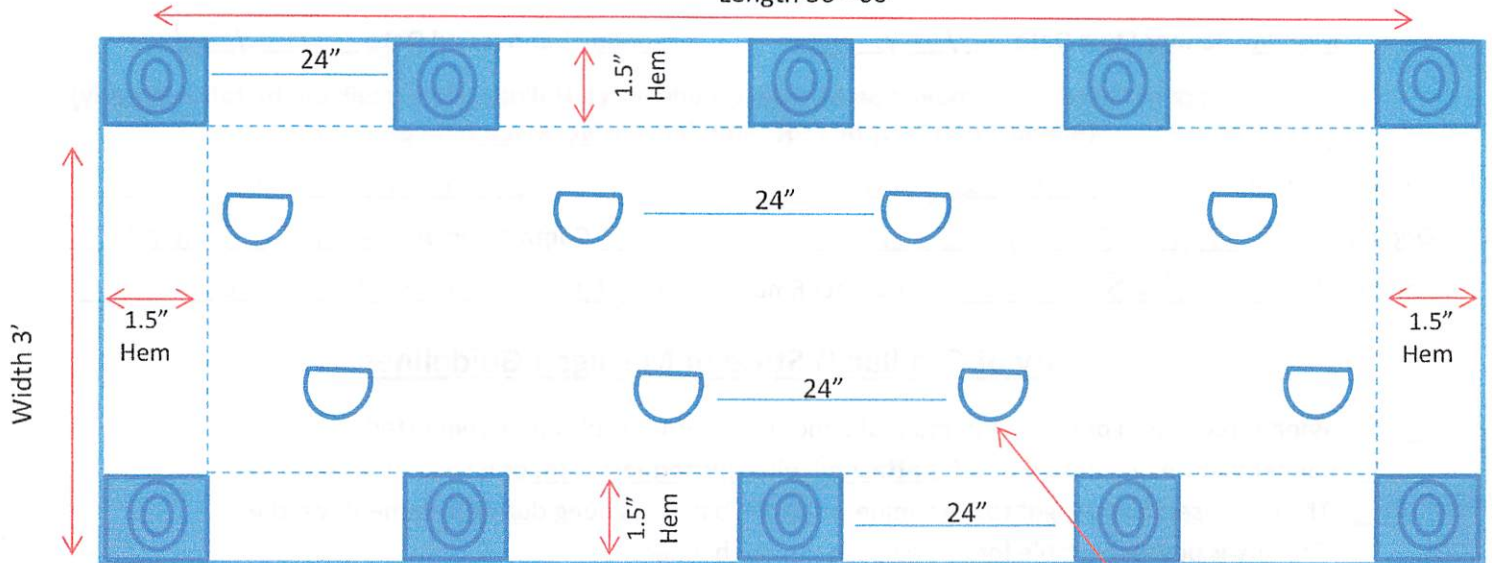
For Office Use Only

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

Banner Specifications

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

Length 30'- 60'



Grommets:

Minimum of #4 Spur
Spaced maximum of 24" apart

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

Wind Vents:

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

Attach a photo of the banner or provide a detailed design proof

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

Same banner as previous years

Cadillac Garden Club
Annual Holiday Home Tour

First Saturday of December

CADILLAC GARDEN CLUB'S HOLIDAY HOME TOUR

 1ST SATURDAY OF DECEMBER 



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

Today's Date _____

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request _____

Contact Person _____

Contact Phone _____ Contact Email _____

Date: _____

Street Closures

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time _____ Ending Time _____

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time _____ Ending Time _____

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time _____ Ending Time _____

Street Name _____ Beginning Location _____ Ending Location _____

Beginning Time _____ Ending Time _____

Date _____

Parking Lot Closures

Lot Location _____ Street _____ Nearest Cross Street _____

Beginning Time _____ Ending Time _____

Lot Location _____ Street _____ Nearest Cross Street _____

Beginning Time _____ Ending Time _____

Lot Location _____ Street _____ Nearest Cross Street _____

Beginning Time _____ Ending Time _____

Form must be mailed or delivered to the above address or emailed to: mvandermeulen@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 _____ Signature _____ Date _____

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



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

Today's Date 1/11/2024

City Received Date

Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request Christmas in the Park
Contact Person Marci Hensley- Cadillac Area Visitors Bureau
Contact Phone 231-775-0657 Contact Email marci@cadillacmichigan.com

Date: <u>11 / 29 / 2024</u>		Street Closures	
Street Name <u>Lake St</u>	Beginning Location <u>Cass St.</u>	Ending Location <u>Harris</u>	
	Beginning Time <u>4 : 00 AM/PM</u>	Ending Time <u>8 : 00 AM/PM</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 ____ / ____ / ____		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 Marci Hensley Signature Marci Hensley Date 1 / 11 / 2024

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



For Office Use Only

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

October 7, 2024

Council Communication

Re: Request to hang purple lights on light poles for Domestic Violence Awareness Month

Oasis Family Resource Center provides services to Wexford/Missaukee residents who have experienced domestic violence and sexual assault, including emergency temporary shelter, transitional housing, counseling, advocacy, and case management.

October is Domestic Violence Awareness Month. This year, in addition to their annual candlelight vigil, pop-up education and awareness sessions, and other public displays, Oasis FRC is asking the city to support awareness efforts by hanging purple lights, (provided by the agency), in the core downtown Cadillac during October so that survivors know that they are not alone, that they are supported by their community, and that there are services available to them.

Recommended Action

It is recommended that City Council approve the request to hang purple lights on light poles in the core downtown area during the month of October for Domestic Violence Awareness Month.

October 7, 2024

COUNCIL COMMUNICATION

Re: Appointment of Matthew Schichtel to a Four-Year Term on the Local Development Finance Authority.

Matthew Schichtel has expressed his interest in being appointed to serve as a member on the Local Development Finance Authority (LDFA).

Requested Council Action:

Motion to appoint Matthew Schichtel to a four-year term on the Local Development Finance Authority (LDFA), term will end on 10/07/2028.

SEP 16 2024



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

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

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

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

Please print or type:

Name MATTHEW SCHICHTER Address [REDACTED]

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

E-mail [REDACTED] Date available for appointment 9/16/24

2 of 2
Please complete the following. You may use additional sheets as needed.

Community Service

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

SEE ATTACHED:

Employment and Education

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

SEE ATTACHED:

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

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

SEE ATTACHED:

Personal

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

If yes, please indicate potential conflicts.

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

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

SEE ATTACHED.

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

Signature 

Date 9/16/24

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

Mail or return your completed application to:

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

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

Employment:

- 27 years of industrial manufacturing experience at CRP/Avon/MGIC/Akwel Automotive:
 - Materials Manager
 - Project Manager
 - Logistics Manager
 - Quality Systems Coordinator

Education:

- Masters of Science degree with concentrations in Leadership studies, Finance, and Industrial Management
- Bachelors of Science degree in Business Administration with a major in Marketing
- Black Belt and Green Belt Six Sigma - Lean Manufacturing Certifications
- ISO9001/QS9000/TS16949 Internal Auditor Certification
- Hazmat Hazardous Material Containment Certification

Community Service:

- As a father of 5 while holding a demanding professional job for almost 3 decades, I have not had the discretionary time for extensive community service. Although I have been an advocate for investing in our youth by coaching soccer and basketball for many years, being retired has now allowed me the resources to get involved and give back to the community.

Why do I have interest in serving on the LDFA board:

- My recently deceased father, Joe Schichtel, served on various city committees over the years and was part of the original group that implemented recycling in this community. It is my desire to continue his legacy of serving the community and making this area a beautiful place to live for many generations to come. As a citizen of this community and having a 27 year industrial background, I truly understand the importance of enabling future industry development while at the same time ensuring citizens the highest quality of groundwater possible.

Specific training, education, experience, or interests:

- Almost 3 decades of management experience in industrial manufacturing:
 - Running and contributing to high level management and staff board meetings
 - Experience directly and indirectly dealing with environmental internal audits by Tier 1, 2, and 3 manufacturers as well as government agencies
 - Certified internal auditor for manufacturing governmental requirements such as ISO9001/QS9000/TS16949
 - Utilizing MSDS (Material Safety Data Sheets) to protect employees and the containment of hazardous materials used on site such as toluene
 - Extensive collaboration with suppliers and sub suppliers to provide just in time logistics and high quality manufacturing processes.
-

October 7, 2024

COUNCIL COMMUNICATION

Re: Appointment of William Tencza to a Four-Year Term on the Local Development Finance Authority.

William Tencza has expressed his interest in being appointed to serve as a member on the Local Development Finance Authority (LDFA).

Requested Council Action:

Motion to appoint William Tencza to a four-year term on the Local Development Finance Authority (LDFA), term will end on 10/07/2028.



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

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

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

Please print or type:

Name WILLIAM TENCIA Address [REDACTED]

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

E-mail [REDACTED] Date available for appointment Immed.

RECEIVED

SEP 20 2024

Page 2

Community Service

City of Cadillac LDFA (2000-2016), Board

Cadillac Downtown Fund (2000-16) & 2020, Secretary

Cadillac Industrial Fund (2000-16) & 2020, Secretary

Various short term non appointed committees with the Cadillac of Cadillac, such as Business 131 Downtown Project, Cobbs & Mitchell Redevelopment, DDA resource but not limited to those areas only.

Employment & Education

President & CEO, Cadillac Area Chamber of Commerce (2000-2016)

Cadillac Area Chamber Liaison with the Cadillac Area Industrial Group (2000-2021)

B/A University of Kansas, Journalism

Never employed by the City of Cadillac

Upon retirement (2017), other than contract work with chamber, I have not been actively involved with civic boards and committees, but currently I have flexibility and desire to assist. Because of my previous tenure with the LDFA, I am applying for board membership.

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

Community Service

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

Employment and Education

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

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

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

Personal

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

If yes, please indicate potential conflicts.

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

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

CAPTURED ON PAGE 2

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

Signature Walter Date 9-20-24

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

Mail or return your completed application to: Marcus Peccia, City Manager
City of Cadillac
200 N. Lake St.
Cadillac MI 49601

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

October 7, 2024

COUNCIL COMMUNICATION

Re: Appointment of Richard Torres to a Four-Year Term on the Local Development Finance Authority.

Richard Torres has expressed his interest in being appointed to serve as a member on the Local Development Finance Authority (LDFA).

Requested Council Action:

Motion to appoint Richard Torres to a four-year term on the Local Development Finance Authority (LDFA), term will end on 10/07/2028.



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

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

RECEIVED
SEP 16 2024

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

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

Please print or type:

Name Richard P. Torres Address [REDACTED]

Telephone: Home [REDACTED] Business [REDACTED]

E-mail [REDACTED] Date available for appointment before oct 5 then after oct. 22nd
(Going to Florida) 1

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

Community Service

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

COMMISSIONED OFFICER/PARK INTERPRETER XII @ MITCHELL STATE PARK
CARL T. JOHNSON HUNTING AND FISHING CENTER WHERE I SCHEDULED
A MYRIAD OF PUBLIC PROGRAMMING FOR THE CADILLAC COMMUNITY.
EX-OFFICIO MEMBER FRIENDS OF MITCHELL STATE PARK. SERVED ON
WEST SIDE DEVELOPMENT AUTHORITY AND WORKED WITH JERRY ADAMS
TO ESTABLISH A PLAN FOR WEST SIDE CORRIDOR BUSINESSES AND THE
PHYSICAL AESTHETICS AND APPEARANCE OF THE AREA.

Employment and Education

E.M.U. - B.S. COMMUNICATIONS/PUBLIC RELATIONS PHOENIX REC-MINOR
List any employment experience or education that, in your opinion, best qualifies you for this appointment. List job titles, duties (current and past), level of education and any certificates or degrees you have obtained.

COMMISSIONED PARK OFFICER/PARK INTERPRETER - MITCHELL STATE PARK
- ENFORCED ALL STATE LAWS & PARK RULES & REGULATIONS AS COMMISSIONED OFFICER
- RECOGNIZED ALL ASPECTS AND COSTS FOR MAINTENANCE & CENTER IMPROVEMENTS & PROGRAMS
- MAINTAINED RELATIONSHIPS WITH A MYRIAD OF BUSINESSES & BOGO'S FOR THEIR SUPPORT.
GENERAL MANAGER/ASSISTANT MANAGER/OFFICE MANAGER - HOLIDAY RETIREMENT LIVING, INC.
- OPERATED AND ASSISTED WITH OPERATIONS AT TWO DIFFERENT INDEPENDANT COMMUNITIES
- MANAGED ALL ASPECTS OF OPERATIONS, EVALUATED KPI REPORTS, HIRING/FIRING / BUDGETING.
- INTERVIEWED POTENTIAL CLIENTELE AND ASSESSED THEIR NEEDS.
HOTEL MANAGER/ASSISTANT MANAGER - MACKINAC ISLAND
- OPERATED AND ASSISTED WITH OPERATIONS AT ISLAND HOUSE AND LAKEVIEW HOTELS

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

If yes, please list dates and names of departments.

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

AS A RESIDENT OF CADILLAC, I BELIEVE I WOULD BE A "PURE MICHIGAN" VOICE
WITH RESPECT TO ALL OF THE CITIZENS IN CADILLAC, WITH HONESTY
AND INTEGRITY. JUST LIKE CONSERVATION, I WOULD PROMOTE
"WISE USE" OF OUR RESOURCES TO ACHIEVE OUR FINANCING
GOALS.

Personal

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

If yes, please indicate potential conflicts.

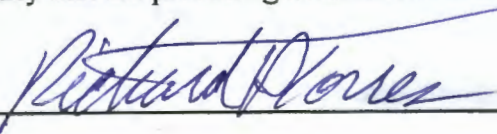
Are you aware of the time commitment necessary to serve on the committee, board and/or commission to which you seek appointment, and will you have such time? ☒ Yes ☐ No

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

MY SUCCESSFUL DUTIES IN PAST MANAGEMENT POSITIONS,
ALONG WITH MY EXPERIENCE IN PUBLIC RELATIONS AND
SERVICE TO THE PUBLIC MAKE ME A EXPERIENCED
AND CONSCIENTIOUS CANDIDATE FOR THIS APPOINTMENT.

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

Signature



Date

9-16-2024

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

Mail or return your completed application to:

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

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

October 7, 2024

COUNCIL COMMUNICATION

Re: Reappointment of Mary Jo O'Hagan to a Two-Year Term on the Board of Review.

Mary Jo O'Hagan has expressed her interest in being reappointed to serve on the Board of Review for a two-year term as a First Ward Representative.

Requested Council Action:

Motion to reappoint Mary Jo O'Hagan to a two-year term on the Board of Review of which will end on 11/21/2026.

October 7, 2024

COUNCIL COMMUNICATION

Re: Reappointment of Dale Rice to a Three-Year Term on the Planning Commission representing Ward 3.

Dale Rice has expressed his interest in being reappointed to serve as a member on the Planning Commission, representing Ward 3.

Requested Council Action:

Motion to reappoint Dale Rice to a three-year term on the Planning Commission representing Ward 3, term will end on 10/07/2027.

October 7, 2024

Council Communication

Re: Striking 2019 Delinquent Personal Property Taxes

According to PA 206 (Property Tax Act) 211.56a, delinquent personal property taxes may be written off after being delinquent for five years. There are a total of 37 parcels still on the 2019 delinquent personal property tax roll. These parcels are buildings on leased land, primarily decks or sheds on rented mobile home lots.

The City Treasurer's Office has diligently attempted to collect payment on all delinquent personal property taxes. Parcels receive a notice of delinquency (sent 7/14/20), requesting payment along with payment options. At this point, recovery of the amounts in question is highly unlikely and will cost more to collect than actual revenue collected. The total city revenue written off through this process will be \$2,438.72 which is an average of \$65.91/parcel.

Recommended Action

It is recommended that City Council approves striking 2019 Delinquent Personal Property Tax pursuant to Public Act 206 (Property Tax Act).

October 7, 2024

Council Communication

Re: Recommendation Regarding Renewal of an Agreement for Services with the Alliance for Economic Success

In 2021 the City entered into an agreement with the Alliance for Economic Success, and at this time the agreement is due for renewal.

Identical to the model used by the Northern Lakes Economic Alliance for many years that serves the Petoskey region, the Alliance for Economic Success is now structured the same, including a partnership with Michigan State University to employ their Executive Director, Niki Schultz that is helping to facilitate and bring economic development resources to our City and region. Pursuant to the agreement, the “Alliance for Economic Success shall serve as a resource throughout the region for various community economic development services, including but not limited to, the following: strategic planning, industrial/business park development, community development efforts, business attraction, business start-up, business retention, business expansion, assistance in obtaining federal, state and other economic development grants, serving as liaison with federal and state governments, grant administration services, economic assessment and analysis, brownfield redevelopment assistance, and historic preservation. An annual report of initiatives will be provided to all funders.”

The updated services agreement is also structured similarly to how the Northern Lakes Economic Alliance provides services to their municipal partners, with the cost for services based on a taxable value formula ($.000031 \times \text{Total Ad Valorem Taxable Value}$) and is structured the same as the initial agreement. For example, the City’s current taxable value in our fiscal year 2025 budget is \$306,500,000, which would calculate to an amount of \$9,501.50, and will adjust annually.

Recommended Action

It is recommended that City Council approve the Contract for Services with the Alliance for Economic Success. Funds are available in the Cadillac Development Fund.

AGREEMENT FOR SERVICES OF ALLIANCE FOR ECONOMIC SUCCESS

THIS AGREEMENT is made between the City of Cadillac, a Michigan municipal corporation, with an address of 200 N Lake Street, Cadillac, Michigan 49601 ("City"), and Alliance for Economic Success, a Michigan non-profit corporation, with an address of 2141 Plett Rd, C108, Cadillac, Michigan 49601 ("AES").

Recitals

WHEREAS, the City wishes to encourage economic development and job creation and retention within its boundaries; and

WHEREAS, the AES has provided community economic development services in the northern Michigan area since 2008, and desires to continue to provide such services to include Cadillac City Limits.

Agreement

NOW THEREFORE, in consideration of an annual investment in operational funds by the City in an amount equal to 0.000031 of the city's then-current total ad valorem taxable value (Example: 2024 tax roll effective for FY2025 budget: \$306,500,000 x 0.000031 = \$9,501.50), and the mutual agreements and benefits to the parties, the parties agree as follows:

1. SERVICES TO BE PROVIDED. The AES shall serve as a resource throughout the region for various community economic development services, including but not limited to, the following: strategic planning, industrial/business park development, community development efforts, business attraction, business start up, business retention, business expansion, assistance in obtaining federal, state and other economic development grants, serving as liaison with federal and state governments, grant administration services, economic assessment and analysis, brownfield redevelopment assistance, and historic preservation. An annual report of initiatives will be provided to all funders.

2. TERM. This agreement will be an annual agreement with the initial year commencing on October 1, 2024, and ending September 30, 2025. The agreement will automatically renew on September 1st of each succeeding year, unless either party provides written notice of their intent to leave the agreement on or before June 1 of the year they wish to terminate.

3. PAYMENT. Payment to be made annually no later than September 30th each year.

4. RELATIONSHIP OF PARTIES. The AES is an independent contractor, and is not an employee, agent or partner of the City.

5. REPRESENTATION ON THE AES BOARD OF DIRECTORS. The Cadillac City Council shall nominate one individual to serve on the AES Executive Board of Directors, which meets monthly. The Council may also nominate one individual to serve on the AES Advisory Board, which meets quarterly. Nominees are subject to approval by the full AES Board of Directors.

6. NONDISCRIMINATION. The AES shall not discriminate against a person to be served, or any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, pregnancy, or protected activity, or because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of these covenants may be regarded as a material breach of this Agreement.

7. INDEMNIFICATION. The AES shall indemnify, defend and hold harmless the City, its elected and appointed officials, employees and volunteers, against any and all claims, demands, suits, or loss, including all costs connected therewith, and for any damages which may be asserted, claimed, or recovered against or from them, by reason of personal injury, including bodily injury or death and/or property damage, including loss of use, which arises out of or is in any way connected or associated with this Agreement. Such indemnification will survive the termination of this Agreement. By entering this Agreement, neither party waives any immunity provided by law.

8. DISCLOSURE OF CONFLICTS OF INTEREST. The AES shall disclose to the City any actual or potential conflict of interest between the AES, its key employees, or their family, business or financial interests and the services to be provided under this Agreement.

9. RECORD KEEPING; AUDITS. The AES shall keep complete and accurate records and maintain audited financial reports according to its bylaws.

10. COMPLIANCE WITH LAW. The parties shall comply with all applicable federal, State and local laws, ordinances and rule and regulations.

11. TERMINATION. Either party may terminate this Agreement, with or without cause, at any time upon providing the other party no less than six-months prior written notice of the intent to terminate. Any outstanding balance owed either party for membership services will be refunded based on the date of termination. Payment to be made within thirty (30) days of termination date.

12. WAIVER. The failure or delay on the part of the City in exercising any right, power, or privilege under this Agreement shall not operate as a waiver thereof or of the right to enforce any right, power, or privilege in the future.

13. AMENDMENT. The parties can amend this Agreement only by a written document signed by both parties.

14. ASSIGNMENT. A party cannot assign this Agreement or any right or obligation under this Agreement without prior written consent of the other party.

15. SEVERABILITY. Each provision of this Agreement must be interpreted in a way that is valid under applicable law. If any provision is held invalid, the rest of the Agreement will remain in full effect.

16. APPLICABLE LAW. This Agreement will be governed and interpreted by Michigan law.

17. NOTICES. All required notices must be in writing and shall be considered given when delivered (1) personally, or (2) by registered or certified mail, return receipt requested, addressed as follows (or any other address that is specified in writing by either party):

If to the City:

City of Cadillac
City Hall and Offices
200 N Lake Street
Cadillac, MI 49601
Attention: City Manager

If to the AES:

Alliance for Economic Success
9600 E. 13th Street
Cadillac, MI 49601
Attention: AES Executive Director

18. TITLES AND HEADINGS. Titles and headings are inserted in this Agreement for reference purposes only and must not be used to interpret the Agreement.

19. COUNTERPARTS. This Agreement may be signed in one or more counterparts, and each counterpart shall be considered an original Agreement. All of the counterparts shall be considered one document and become a binding agreement when one or more counterparts have been signed by each of the parties and delivered to the other.

20. ENTIRE AGREEMENT. This Agreement contains the entire understanding between the parties.

AGREED to this _____ day of _____, 2024, at Cadillac, Michigan.

WITNESSES:

ALLIANCE FOR ECONOMIC SUCCESS

Nicole Schultz, Executive Director

CITY OF CADILLAC

Carla Filkins, Mayor

Sandra Wasson, City Clerk

October 7, 2024

Council Communication

Re: COLA Update & Request

After successful negotiations were completed late summer with the IAFF (Fire Union), all staff members except for the City Manager, have now received (retro regarding IAFF) their annual cost of living adjustments as follows:

- Non-union at 3.5%;
- Police Unions (2) at 4% and 3%;
- Fire at 4%; and
- Steelworkers at 3%.

Respectfully and humbly, as I embark on my 15th anniversary next month, request Council to consider the following compensatory modification that keeps me minimally in pace with my department heads and other non-union staff:

- Update agreement language to automatically annually adjust my base minimally by whatever the non-union percentage increase was, effective July 1. For this year, however, make it retroactive to May 20th, which was when I traditionally would have received an adjustment.

Non-compensatory modifications that I request for consideration:

- Update language regarding the review from “shall” to “may” review annually
- Include language that would require a four-fifths vote to terminate my agreement.

Recommended Action

Consider the approval of the aforementioned requests, direct the City Attorney to make revisions accordingly, and authorize the Mayor to execute an amendment to the agreement.

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 Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2024-_____

**RESOLUTION INTRODUCING AND SETTING PUBLIC HEARING FOR
AN ORDINANCE TO ADD A NEW SECTION 46-754 TO AND AMEND SECTIONS 46-
526 AND 46-745 OF THE CODE OF ORDINANCES, CITY OF CADILLAC, MICHIGAN**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan,
held on _____, 2024, at _____ p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and
supported by _____.

WHEREAS, pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, MCL
125.3101 *et seq.* ("MZEA"), the City has authority to adopt and amend zoning ordinances
regulating land use in the City; and

WHEREAS, the City desires to amend the City's Zoning Ordinance to regulate the use of
land in the City for utility-scale battery energy storage systems; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the
proposed amendments on September 23, 2024; and

WHEREAS, the Planning Commission voted to recommend the proposed amendments to
the City Council; and

WHEREAS, the City Council desires to consider adopting the proposed amendments.

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces the attached Ordinance No. 2024-____, An Ordinance to Add a New Section 46-754 to and Amend Sections 46-526 and 46-745 of the Code of Ordinances, City of Cadillac, Michigan (the “Ordinance”) **(Exhibit A)**.

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

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

3. 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.

4. 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)
)ss.
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 _____, 2024.

Sandra Wasson, Cadillac City Clerk

**CITY OF CADILLAC
ORDINANCE NO. 2024-_____**

AN ORDINANCE TO ADD A NEW SECTION 46-754 TO AND AMEND SECTIONS 46-526 AND 46-745 OF THE CODE OF ORDINANCES, CITY OF CADILLAC, MICHIGAN.

The City of Cadillac ordains:

Section 1. Short Title.

This Ordinance may be referred and cited to as the “Utility-Scale Battery Energy Storage System Ordinance.”

Section 2. Purpose.

The purpose of this Ordinance is to regulate the use of land within the City for utility-scale battery energy storage systems, to retain local control over energy storage system zoning regulations to the extent permissible under Public Act 233 of 2023, and to promote the public health, safety, and welfare of City residents.

Section 3. Addition of new Section 46-754 to the City Zoning Ordinance.

A new Section 46-754 is added to Article VI of the City Zoning Ordinance and reads in its entirety as follows:

Sec. 46-754. - Utility-scale battery energy storage systems.

(1) Definitions.

- (a) “Battery management system” means an electronic regulator that manages a utility-scale battery energy storage system by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and capable of shutting down the system before operating outside safe parameters.
- (b) “Utility-scale battery energy storage facilities” means one or more devices, assembled together, capable of storing energy in order to supply electrical energy, including battery cells used for absorbing, storing, and discharging electrical energy in a utility-scale battery energy storage system with a battery management system.
- (c) “Utility-scale battery energy storage system” means a physical container providing secondary containment to battery cells that is equipped with cooling, ventilation, fire suppression, and a battery management system.

- (2) *General provisions.* All utility-scale battery energy storage systems are subject to the following requirements:

- (a) All utility-scale battery energy storage systems must conform to the provisions of this city zoning ordinance and all county, state, and federal regulations and safety requirements, including applicable building codes, applicable industry standards, and NFPA 855 “Standard for the Installation of Stationary Energy Storage Systems.”
 - (b) The city may enforce any remedy or enforcement, including but not limited to the removal of any utility-scale battery energy storage system pursuant to the city zoning ordinance or as otherwise authorized by law if the utility-scale battery energy storage system does not comply with this section 46-754.
 - (c) Utility-scale battery energy storage systems are permitted as a special land use only in the General Industrial, I-2 District.
- (3) *Application requirements.* Utility-scale battery energy storage systems require authorization from the planning commission pursuant to Article VI of the city zoning ordinance. In addition to the requirements of Article VI, applicants for special land use authorization for utility-scale battery energy storage systems must provide the planning commission with all of the following:
 - (a) *Fee.* Application fee in an amount set by resolution of city council.
 - (b) *Escrow.* A deposit for an escrow account in an amount set by resolution or fee schedule approved by city council. The escrow account is used to cover all costs and expenses associated with the special land use review and/or approval process, which costs can include, but are not limited to, review fees of the city attorney, city planner, and city engineer, as well as any reports or studies which the city anticipates will be required during the review and/or approval process for the application. At any point during the review process, the city may require that the applicant place additional monies into escrow with the city if the existing escrowed funds on account with the city will be insufficient, in the determination of the city, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the city to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the city will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be provided to the applicant upon request.
 - (c) *Location Listing.* A list of all parcel numbers that will be used by the utility-scale battery energy storage system; documentation establishing ownership of each parcel; and any lease agreements, easements, or purchase agreements for the subject parcels.

- (d) *Operations Agreement*. An operations agreement setting forth the operations parameters, the name and contact information of the operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.
- (e) *Photos*. Current photographs, videos, and topography maps of the subject property.
- (f) *Conceptual Plan*. A conceptual plan that consists of a graphical computer-generated depiction of how the utility-scale battery energy storage system will appear from all directions.
- (g) *Site Plan*. A site plan that includes all proposed structures and the location of all equipment, as well as all setbacks, the location of property lines, signage, fences, greenbelts and screening, drain tiles, easements, floodplains, bodies of water, proposed access routes, and road right of ways. The site plan must be drawn to scale and must indicate how the utility-scale battery energy storage system will be connected to the power grid.
- (h) *Agreement with Utility*. A copy of the applicant's power purchase agreement or other written agreement with an electric utility showing approval of an interconnection with the proposed utility-scale battery energy storage system.
- (i) *Maintenance Plan*. A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management, which is subject to the city's review and approval.
- (j) *Decommissioning Plan*. A decommissioning and land reclamation plan describing the actions to be taken following the abandonment or discontinuation of the utility-scale battery energy storage system, including evidence of proposed commitments with property owners to ensure proper final reclamation, repairs to roads, and other steps necessary to fully remove the utility-scale battery energy storage system and restore the subject parcels, which is subject to the city's review and approval.
- (k) *Financial Security*. Financial security that meets the requirements of this section, which is subject to the city's review and approval.
- (l) *Complaint Resolution Plan*. A plan for resolving complaints from the public or other property owners concerning the construction and operation of the utility-scale battery energy storage system, which is subject to the city's review and approval.
- (m) *Hazardous Waste Plan*. A plan for managing any hazardous waste, which is subject to the city's review and approval.
- (n) *Emergency Response Plan*. A written emergency response plan detailing the applicant's plan for responding to emergencies, including fire emergencies,

and analyzing whether adequate resources exist to respond to fires and other emergencies. If adequate resources do not exist, the applicant shall identify its plan for providing those resources. The emergency plan shall include identification of potential hazards to adjacent properties, public roadways, and to the community in general that may be created, as well as plans for immediate cleanup, long-term monitoring, and continued mitigation efforts following an emergency.

- (o) *Fire Protection Plan.* A fire protection plan, which identifies the fire risks associated with the utility-scale battery energy storage system; describes the fire suppression system that will be implemented, including the manufacturer of the fire suppression system, its operations, and its capacity to extinguish fires; describes what measures will be used to reduce the risk of fires re-igniting (i.e., implementing a “fire watch”); identifies the water sources that will be available for the local fire department to protect adjacent properties; identifies a system for continuous monitoring, early detection sensors, and appropriate venting; and explains all other measures that will be implemented to prevent, detect, control, and suppress fires and explosions.
- (p) *Fire Training and Equipment.* A written description of specialized training and/or equipment necessary for handling fires and/or other emergencies at the utility-scale battery energy storage system site. The training plan must include, at a minimum, annual emergency response training for local firefighters and other local emergency personnel at the site of the utility-scale battery energy storage system.
- (q) *Transportation Plan.* A transportation plan for construction and operation phases, including any applicable agreements with the county road commission and Michigan department of transportation, which is subject to the city’s review and approval.
- (r) *Indemnification.* An attestation that the applicant will indemnify and hold the city harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the utility-scale battery energy storage system, which is subject to the city’s review and approval.
- (s) *Environmental Regulation Compliance.* Proof of environmental compliance, including compliance with Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.); Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL 324.36501 et. seq.); and any other applicable laws and rules in force at the time the application is considered by the city.

- (t) *Proof of Insurance.* Proof of the owner/operator's required insurance.
 - (u) *Code Compliance.* Compliance with the Michigan Uniform Building Code and National Electric Safety Code. Construction of utility-scale battery energy storage facilities shall comply with the most current version of the Michigan Uniform Building Code and National Electrical Code adopted by the enforcing agencies as a condition of any special land use authorization under this section.
 - (v) *Additional Information.* Any additional information or documentation requested by the planning commission, city council, or other city representative.
- (4) *Site plan requirements.* In addition to the site plan requirements of section 46-29, site plans for special land use authorization for utility-scale battery energy storage systems must include all of the following:
- (a) *Proposed Locations.* Location of all proposed structures and buildings, including equipment, transformers, and substations, on the subject parcel.
 - (b) *Existing Locations.* Location of all existing structures or buildings on the subject parcel and location of all existing structures or buildings on adjacent parcels within 1,000 feet of the property lines of the subject parcel.
 - (c) *Depictions.* Depiction of all setbacks, property lines, fences, signs, drain tiles, easements, flood plains, bodies of water, proposed access routes, and road rights of way.
 - (d) *Connection.* Indication of how and where the system will be connected to the power grid.
 - (e) *Land Clearing.* Plan for any land clearing and grading required for the installation and operation of the system.
 - (f) *Construction Schedule.* Anticipated construction schedule and completion date. As a condition of any special land use or site plan approval, hours of construction shall be limited to Monday through Friday from 7:00 a.m. to 5:00 p.m. with no construction on Saturday, Sunday, or any federally recognized holiday.
 - (g) *Sound Study.* Sound modeling study including sound isolines extending from the sound sources to the property lines.
 - (h) *Additional Studies.* Any additional studies requested by the planning commission, including but not limited to the following:

1. *Environmental Analysis*. An analysis by a third-party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to, removal of trees, wetlands and other fragile ecosystems, wildlife, endangered and threatened species. If required, the analysis will identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.
 2. *Stormwater Study*. An analysis by a third-party qualified professional studying the proposed layout of the utility-scale battery energy storage system and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event. Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.
 3. *Glare Study*. If the utility-scale battery energy storage system includes solar panels, then an analysis by a third-party qualified professional to determine if glare from the solar panels will be visible from nearby airports, air strips, residences, and roadways may be required. The analysis will consider the changing position of the sun throughout the day and year and its influences on the solar panels.
- (i) *Conceptual Layout Plan*. Applicants shall submit a conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan shall consist of a map and summary of the proposed development or land use, indicating the lands to be included, a brief description of the proposed project, a timeline for the proposed project, and any other information applicant deems necessary to provide the planning commission with a general overview and layout of the proposed project. The conceptual layout plan shall be reviewed by the planning commission to allow for discussion and feedback to the applicant.
 - (j) *Approvals from Other Agencies*. Final site plan approval may be granted only after the applicant receives all required federal, state, and local approvals, including any applicable approval by the state historic preservation office. Applicant shall provide copies of all review letters, final approved plans, and reports issued by any other governing agencies to the city.
 - (k) *Topographical Grades*. The site plan must show the existing topographical grades in two-foot intervals and conditions of all participating property at the time of application.

- (l) *Soil Test.* A baseline soil test including cation exchange capacity (CEC) shall be provided to the city prior to any construction.
 - (m) *Dust Control.* A written description of how the applicant will address dust control during construction. Such plan shall, at a minimum, consist of water applications at least three times per day unless it has rained in the preceding three hours of the planned application.
- (5) *System and location requirements.* In addition to the requirements applicable to the General Industrial, I-2 District, utility-scale battery energy storage systems must meet or exceed all of the following:
- (a) *Lighting.* Lighting of the utility-scale battery energy storage system is limited to the minimum light necessary for safe operation. Illumination from any lighting must not extend beyond the perimeter of the lot(s) used for the utility-scale battery energy storage system. The utility-scale battery energy storage system must not produce any glare that is visible to neighboring lots or to persons traveling on public or private roads. Flashing or intermittent lights are prohibited.
 - (b) *Security Fencing.* Security fencing must be installed around all electrical equipment related to the utility-scale battery energy storage system. Appropriate warning signs must be posted at safe intervals at the entrance and around the perimeter of the utility-scale battery energy storage system.
 - (c) *Noise.* All noise measurements are to be instantaneous and shall not be averaged. The noise generated by a utility-scale battery energy storage system must not exceed the following limits, as measured at the property line of any adjacent parcel:
 - 1. 40 dBA Lmax between the hours of 7:00 a.m. and 9:00 p.m.
 - 2. 35 dBA Lmax between the hours of 9:00 p.m. and 7:00 a.m.
 - 3. The owner/operator of the utility-scale battery energy storage system shall annually provide for a sound analysis or modeling, conducted by an auditory expert chosen by the city, at the expense of the applicant.
 - (d) *Underground Transmission.* All power transmission or other lines, wires, or conduits from a utility-scale battery energy storage system to any building or other structure must be located underground at a depth that complies with current National Electrical Code standards, except for power switchyards or the area within a substation.
 - (e) *Drain Tile Inspections.* The utility-scale battery energy storage system must be maintained in working condition at all times while in operation. The applicant

or operator must inspect all drain tile at least once every two years by means of robotic camera, with the first inspection occurring before the utility-scale battery energy storage system is in operation. The applicant or operator must submit proof of the inspection to the city. The owner or operator must repair any damage or failure of the drain tile within sixty (60) days after discovery and submit proof of the repair to the city. The city is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection.

(f) *Fire Protection.*

1. Before any construction of the utility-scale battery energy storage system begins, the city's fire department (or fire department with which the city contracts for fire service) will review the fire protection plan submitted with the application. The fire chief will determine whether the fire protection plan adequately protects the city's residents and property and whether there is sufficient water supply to comply with the fire protection plan and to respond to fire or explosion incidents. If the fire chief determines that the plan is adequate, then the fire chief will notify the city of that determination. If the fire chief determines that the plan is inadequate, then the fire chief may propose modifications to the plan, which the applicant or operator of the utility-scale battery energy storage system must implement. The fire chief's decision may be appealed to city council, and city council will hear the appeal at an open meeting. City council may affirm, reverse, or modify the fire chief's determination. City council's decision is final, subject to any appellate rights available under applicable law.
2. The applicant or operator may amend the fire protection plan from time-to-time in light of changing technology or other factors. Any proposed amendment must be submitted to the fire department for review and approval under subsection 1.
3. The utility-scale battery energy storage system must comply with the fire protection plan as approved by the fire chief (or as approved by city council in the event of an appeal).

(g) *Insurance.* The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$5 million per occurrence. The city shall be listed as an additional insured on each policy.

(h) *Permits.* All required county, state, and federal permits must be obtained before the utility-scale battery energy storage system begins operating. A building permit is required for construction of a utility-scale battery energy

storage system, regardless of whether the applicant or operator is otherwise exempt under state law.

- (i) *Decommissioning.* If a utility-scale battery energy storage system is abandoned or otherwise nonoperational for a period of one year, the property owner or the operator must notify the city and must remove the system within six (6) months after the date of abandonment. Removal requires receipt of a demolition permit from the building official and full restoration of the site to the satisfaction of the zoning administrator. The site must be filled and covered with top soil and restored to a state compatible with the surrounding vegetation. The requirements of this subsection also apply to a utility-scale battery energy storage system that is never fully completed or operational if construction has been halted for a period of one (1) year.
- (j) *Financial Security.* To ensure proper decommissioning of a utility-scale battery energy storage system upon abandonment, the applicant must post financial security in the form of a security bond, escrow payment, or irrevocable letter of credit in an amount equal to 125% of the total estimated cost of decommissioning, code enforcement, and reclamation, which cost estimate must be approved by the city. The operator and the city will review the amount of the financial security every two (2) years to ensure that the amount remains adequate. This financial security must be posted within fifteen (15) business days after approval of the special use application.
- (k) *Extraordinary Events.* If the utility-scale battery energy storage system experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the city within 24 hours.
- (l) *Annual Report.* The applicant or operator must submit a report on or before January 1 of each year that includes all of the following:
 - 1. Current proof of insurance;
 - 2. Verification of financial security; and
 - 3. A summary of all complaints, complaint resolutions, and extraordinary events.
- (m) *Inspections.* The city may inspect a utility-scale battery energy storage system at any time by providing 24 hours advance notice to the applicant or operator.
- (n) *Transferability.* Special use authorization for a utility-scale battery energy storage system is transferable to a new owner. The new owner must register its name and business address with the city and must comply with this section and all approvals and conditions issued by the city.

- (o) *Remedies.* If an applicant or operator fails to comply with this section, the city may pursue any remedy or enforcement, including but not limited to the removal of any utility-scale battery energy storage system pursuant to this section or as otherwise authorized by law. Additionally, the city may pursue any legal or equitable action to abate a violation and recover any and all costs, including the city’s actual attorney fees and costs

(6) *Utility-scale battery energy storage systems under PA 233.*

On or after November 29, 2024, once PA 233 of 2023 is in effect, the following provisions apply to utility-scale battery energy storage systems with a nameplate capacity of 50 megawatts or more and an energy discharge capability of 200 megawatt hours or more.

To the extent these provisions conflict with the provisions in subsections 46-754 (1)–(5), these provisions control as to such utility-scale battery energy storage systems. This subsection 46-754(6) does not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and does not apply to utility-scale battery energy storage systems with a nameplate capacity of less than 50 megawatts and an energy discharge capability of less than 200 megawatt hours. All provisions of subsections 46-754(1)–(5) that do not conflict with this subsection 46-754(6) remain in full force and effect.

- (a) *Setbacks.* Utility-scale battery energy storage systems must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

- (b) *Installation.* Utility-scale battery energy storage systems must comply with the version of NFPA 855 “Standard for the Installation of Stationary Energy Storage Systems” in effect on the effective date of the amendatory act that added this section or any applicable successor standard.
- (c) *Noise.* Utility-scale battery energy storage systems must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

- (d) *Lighting*. Utility-scale battery energy storage systems must implement dark sky-friendly lighting solutions.
- (e) *Environmental regulations*. Utility-scale battery energy storage systems must comply with applicable state or federal environmental regulations.
- (f) *Host community agreement*. The utility-scale battery energy storage system applicant shall enter into a host community agreement with the city. The host community agreement shall require that, upon commencement of any operation, the utility-scale battery energy storage facility owner must pay the city \$2,000.00 per megawatt of nameplate capacity located within the city. The payment shall be used as determined by the city for police, fire, public safety, or other infrastructure, or for other projects as agreed to by the city and the applicant.

Section 4. Amendment of Section 46-526 of the City Zoning Ordinance.

Section 46-526 of the City Zoning Ordinance is amended by the addition of subsection 4, which reads in its entirety as follows:

- (4) Utility-scale battery energy storage systems subject to the conditions set forth in section 46-754 of this chapter.

Section 5. Amendment of Section 46-745 of the City Zoning Ordinance.

Section 46-745 of the City Zoning Ordinance is amended by the addition of “Utility-scale battery energy storage systems, subject to the conditions set forth in section 46-754” as a special use allowed in the General Industrial, I-2 District.

Section 6. Severability and Validity.

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 7. Repealer.

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

Section 8. Effective Date.

This Ordinance takes effect 20 days after its adoption.

Approved this ____ day of _____, 2024.

Sandra Wasson, City Clerk

Carla J. Filkins, Mayor

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

Sandra Wasson, City Clerk

**NOTICE OF PUBLIC HEARING ON
AN ORDINANCE TO ADD A NEW SECTION 46-754 TO AND AMEND SECTIONS 46-526 AND 46-745 OF THE CODE OF ORDINANCES, CITY OF CADILLAC, MICHIGAN**

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

At this meeting, City Council will consider and hold a public hearing on a proposed ordinance that would amend the zoning ordinance to regulate utility-scale battery energy storage systems. The proposed ordinance is available for examination at the office of the City Clerk and copies may be provided at a reasonable charge.

The City Council is receiving written comments concerning the proposed ordinance at the City Hall, 200 Lake Street, Cadillac, Michigan. Comments must be received by the City prior to the start of the public hearing on _____, 2024, at _____ p.m.

The City of Cadillac complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact Sandra Wasson, City Clerk, at least three (3) business days prior to any such meeting.

CITY OF CADILLAC, MICHIGAN

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

City Council

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



Mayor
Carla J. Filkins

Mayor Pro-Tem
Tiyi Schippers

Councilmembers
Robert Engels
Stephen King
Bryan Elenbaas

RESOLUTION NO. 2024-_____

**RESOLUTION INTRODUCING AND SETTING PUBLIC HEARING FOR
AN ORDINANCE TO AMEND SECTIONS 46-4, 46-186, AND 46-216 OF THE CODE OF
ORDINANCES, CITY OF CADILLAC, MICHIGAN**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan,
held on _____, 2024, at _____ p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and
supported by _____.

WHEREAS, pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, MCL
125.3101 *et seq.* ("MZEA"), the City has authority to adopt and amend zoning ordinances
regulating land use in the City; and

WHEREAS, the City desires to amend the City's Zoning Ordinance regarding the use of
land as a bed and breakfast; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the
proposed amendments on _____, 2024; and

WHEREAS, the Planning Commission voted to recommend the proposed amendments to
the City Council; and

WHEREAS, the City Council desires to consider adopting the proposed amendments.

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

1. Pursuant to Section 5.2 of the City Charter, the City introduces the attached Ordinance No. 2024-____, An Ordinance to Amend Sections 46-4, 46-186, and 46-216 of the Code of Ordinances, City of Cadillac, Michigan (the “Ordinance”) (**Exhibit A**).

1. A public hearing regarding the Ordinance shall be held on the ____ day of _____ 2024, at 6:00 p.m.

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

3. 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.

4. 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 _____, 2024.

Sandra Wasson, Cadillac City Clerk

EXHIBIT A

CITY OF CADILLAC

ORDINANCE NO. 2024-_____

AN ORDINANCE TO AMEND SECTIONS 46-4, 46-186, AND 46-216 OF THE CODE OF ORDINANCES, CITY OF CADILLAC, MICHIGAN.

The City of Cadillac ordains:

Section 1. Purpose.

The purpose of this Ordinance is to regulate the use of land within the City as a bed and breakfast.

Section 2. Amendment of Section 46-4 of the City Zoning Ordinance.

The definition of “bed and breakfast” contained in Section 46-4 of the City Zoning Ordinance is amended in its entirety to read as follows:

Bed and breakfast means a single-family dwelling unit in which up to eight rooms are available for rent to transient tenants, for fewer than 15 days, during which time the innkeeper resides in the dwelling unit. The term “bed and breakfast” is also known as a “tourist home.”

Section 3. Amendment of Section 46-186 of the City Zoning Ordinance.

Section 46-186 of the City Zoning Ordinance is amended by the addition of a new subsection 7 to read in its entirety as follows:

Sec. 46-186. - Special land uses permitted.

The following uses of land and structures will be allowed, as stipulated in article VI of this chapter, special land uses:

- (1) Recreational activities.
- (2) Offices and/or business in an existing building.
- (3) Office and/or business in a dwelling (mixed use).
- (4) Family shelter.
- (5) Group shelter.
- (6) Combination group/family shelter.
- (7) Bed and breakfast.

Section 4. Amendment of Section 46-216 of the City Zoning Ordinance.

Section 46-216 of the City Zoning Ordinance is amended by the addition of a new subsection 9 to read in its entirety as follows:

Sec. 46-216. - Special land uses permitted.

The following uses of land and structures will be allowed, as stipulated in article VI of this chapter, special land uses:

- (1) Recreational facilities.
- (2) Mobile home parks.
- (3) Office and/or business in an existing building.
- (4) Office and/or business in a dwelling (mixed use).
- (5) Family shelter.
- (6) Group shelter.
- (7) Combination group/family shelter.
- (8) Accessory buildings and uses customarily incident to any of the special land uses in subsections (1) through (7) of this section.
- (9) Bed and breakfast.

Section 5. 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 6. Repealer.

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

Section 7. Effective Date.

This Ordinance takes effect 20 days after its adoption.

EXHIBIT B

**NOTICE OF PUBLIC HEARING ON
AN ORDINANCE TO AMEND SECTIONS 46-4, 46-186, AND 46-216 OF THE CODE OF
ORDINANCES, CITY OF CADILLAC, MICHIGAN**

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

At this meeting, the City Council will consider and hold a public hearing on a proposed ordinance that would redefine “bed and breakfast” and add bed and breakfast as a special land use permitted in the RM-1 and RM-2 zoning districts. The proposed ordinance is available for examination at the office of the City Clerk and copies may be provided at a reasonable charge.

The City Council is receiving written comments concerning the proposed ordinance at the City Hall, 200 Lake Street, Cadillac, Michigan. Comments must be received by the City prior to the start of the public hearing on _____, 2024, at _____ p.m.

The City of Cadillac complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact Sandra Wasson, City Clerk, at least three (3) business days prior to any such meeting.

CITY OF CADILLAC, MICHIGAN

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

October 7, 2024

Council Communication

Re: North Lake Street Flats Brownfield Plan

A Brownfield Plan is being proposed for the redevelopment of vacant property at 314, 316, 318, 320, and 402 North Lake Street and 135 West Nelson Street to residential use for 48 workforce housing units with target rents for qualified households of 120% of the Area Median Income (AMI) or less developed by North Lake Street Flats, LLC. A public hearing must be established and held by the City Council for the approval of the Brownfield Plan.

Approval of the Brownfield Plan will provide for the reimbursement of Brownfield Environmental and Housing Development Eligible Activity costs, including environmental due diligence and the gap between development and rent revenues for units for qualified households with income of 120% of the Area Median Income or less.

The Brownfield Plan was presented to and approved by the City of Cadillac Brownfield Redevelopment Authority at their October 1, 2024 meeting.

Attached is a resolution for consideration by the City Council to set the public hearing for the City Council for the October 21, 2024 meeting. The Brownfield Plan will be presented for City Council consideration at that meeting.

The following is the proposed schedule for consideration for the Brownfield and OPRA programs:

Action	Entity	Date
Approve Brownfield Plan and Interlocal Agreement	CBRA	October 1
Approve Interlocal Agreement	DD	October 2
Set Public Hearing for October 21	City Council	October 7
Send Notices to Taxing Jurisdictions	Mac/Sandi	October 8
Hold Public Hearing	City Council	October 21
Approve Brownfield Plan	City Council	October 21

Recommended Action

Approve the attached resolution to establish a public hearing for the North Lake Street Flats Brownfield Plan for the October 21, 2024 City Council meeting.

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
Bryan Elenbaas
Robert J. Engels
Stephen King

RESOLUTION NO. _____

RESOLUTION SETTING PUBLIC HEARING FOR NORTH LAKE STREET FLATS BROWNFIELD PLAN

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on October 7, at 6:00 p.m., the following resolution was offered by

Councilperson _____ and supported by

Councilperson _____.

WHEREAS, the Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended ("Act 381"), authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, historically designated, or housing property through tax increment financing of Eligible Activities approved in a Brownfield Plan; and

WHEREAS, the City Council established the Cadillac Brownfield Redevelopment Authority ("CBRA") under the procedures in Act 381 on December 6, 1996, to facilitate the redevelopment of Brownfield properties within the City of Cadillac; and

WHEREAS, a Brownfield Plan has been prepared to support the redevelopment of five parcels along North Lake Street in the middle of the block between West Bremer Street and West Pine Street for 48 residential units for qualified households with income of 120% Area Median Income (AMI) or below; and

WHEREAS, the North Lake Street Flats Brownfield Plan was submitted to the CBRA that: (1) establishes the properties as Eligible Property, (2) outlines Environmental and Housing Development Eligible Activities, and (3) provides for the reimbursement of the Eligible Activity expenses from taxes generated by increased private investment on the Eligible Property; and

WHEREAS, on October 1, 2024, the CBRA reviewed, approved, and recommended approval of the Brownfield Plan to the City Council, finding the Brownfield Plan met the requirements of Act 381 and constitutes a public purpose of workforce housing, increased private investment and economic development, and increased property tax value; and

WHEREAS, Act 381 requires the governing body to hold a public hearing on the Brownfield Plan and provide notice of the public hearing and notice to taxing jurisdictions in compliance with the requirements of Act 381; and

WHEREAS, the City Council desires to hold a public hearing to receive comments on the adoption of the Brownfield Plan at its October 21, 2024 regular meeting.

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

1. Pursuant to Act 381, a public hearing for the North Lake Street Flats Brownfield Plan shall be held on October 21, 2024, at 6:00 p.m. in the City Council Chambers, 200 North Lake Street, Cadillac, Michigan.

2. The City Clerk is directed to provide notice of the public hearing to local taxing jurisdictions and the State of Michigan that levy taxes subject to capture not less than 10 days prior to the public hearing in accordance with Act 381.

3. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof, other than the part so declared to be invalid.

4. Any prior resolution, or any part thereof, in conflict with any of the provisions of this Resolution is hereby repealed, but only 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. ____, duly adopted at a regular meeting of the City Council held on the 7th day of October, 2024.

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