



City Council Meeting

March 17, 2025

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



March 17, 2025 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We trust and assume goodness in intentions

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. APPOINTMENT OF WARD TWO AND WARD FOUR COUNCIL MEMBERS

IV. OATH OF OFFICE

V. ELECTION OF MAYOR PRO-TEM

VI. 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 March 3, 2025.

Support Document VI-A

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VII. PUBLIC HEARINGS

- A. Public hearing to consider adoption of Ordinance Vacating a Portion of West Nelson Street and Reserving a Public Utility Easement in Favor of the City of Cadillac.
Support Document VII-A

VIII. FOIA APPEAL

- A. FOIA Appeal received from Mr. Art Stevens.
- B. FOIA Appeal received from Mr. Brad Marine.

IX. COMMUNICATIONS

- A. Earth Day
Support Document IX-A
- B. Cadillac Area Symphony Orchestra
Support Document IX-B
- C. Friends of the Library
Support Document IX-C

X. APPOINTMENTS

- A. Recommendation regarding reappointment to the Construction Board of Appeals.
Support Document X-A

XI. CITY MANAGER'S REPORT

- A. PFAS Update
- B. Recommendation regarding 2025-2026 Road Salt.
Support Document XI-B
- C. Bids and recommendation regarding Fire Department Nozzles.
Support Document XI-C
- D. Bids and recommendation regarding K-9 Patrol Vehicle Emergency Equipment.
Support Document XI-D
- E. Recommendation regarding Equipment/Installation for Diggins Hill Rotary Playground.
Support Document XI-E

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XII. INTRODUCTION OF ORDINANCES

- A. Adopt resolution to introduce Ordinance Amending the City Zoning Map Re: Wright Street and Aldrich Street and set a public hearing for April 7, 2025.

Support Document XII-A

XIII. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt resolution regarding Cadillac Lofts Brownfield Plan Amendment #2 and set a public hearing for April 7, 2025.

Support Document XIII-A

- B. Adopt Resolution Authorizing Submission of Application to Department of Natural Resources Grant Program(s). (Diggins Hill Sensory Playground Development)

Support Document XIII-B

- C. Adopt Resolution Authorizing Submission of Application to Trust Fund Grant Program. (Lake Cadillac Fishing Pier Development)

Support Document XIII-C

- D. Adopt Resolution Regarding MDOT Contract #24-5601. (Shared Streets and Spaces Grant (SSG) Funds)

Support Document XIII-D

XIV. PUBLIC COMMENTS

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XV. GOOD OF THE ORDER

XVI. CLOSED SESSION

Adjourn to closed session pursuant to MCL 15.268(1)(h) to consider a confidential written legal opinion, which is exempt from discussion or disclosure by state or federal statute.

XVII. ADJOURNMENT

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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

Name: Scott Robert Hopkins

RECEIVED

MAR 11 2025

QUESTIONS FOR CITY COUNCIL VACANCY

1. ATTENDANCE AT MEETINGS: The City Council regularly meets at 6:00 p.m. on the first and third Mondays of each month, and last approximately 1 to 3 hours. Will your schedule permit your regular attendance at scheduled meetings? Do you envision any problems, such as work-related matters, that would prevent you from attending on a regular (monthly) basis?

My work schedule will allow me to be present for the regularly scheduled meeting on the first and third Monday of each month. I do not anticipate any work related and/or personal matters that would prevent me from attending the meetings.

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

My interest in serving on the Cadillac City Council stems from a deep-seated desire to contribute to the betterment of our community. I hope to focus on sustainable economic development and community engagement, and I believe serving on the council is crucial to making a tangible difference in our city.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

The City of Cadillac has a charter which must be followed. As a council member it is my responsibility to follow the city charter and to represent my ward. Information gathering from trusted resources is an important step to making an informed decision. I make my decision based on facts.

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

There are many improvements I would like to see happen as a council member such as maintaining infrastructure development and regulation, municipal service delivery, public health management, protecting the local environment, and upholding citizens rights. I will represent citizens living in my ward.

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

No, I have no conflict of interest professionally and/or personally.

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

See Attached.

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

See Attached.

Attention Mayor and Council Members,

I have submitted my name for the vacancy for Ward 2 because I want the city of Cadillac to continue to grow and to be a place where our citizens can be proud of. Cadillac is a great place to live, and I believe we're all in this together. From our homes to our blocks, our neighborhoods and downtown district. We all want Cadillac to be strong today and into the future.

I have made Cadillac my home since I moved here in 1992. I married my wife in 1998 and we have raised our family in Cadillac. I have worked as a speech language pathologist since I moved to Cadillac. I first started working at Mercy Hospital (now Munson Healthcare-Cadillac Hospital). I now work full-time for the Wexford Missaukee ISD as a speech language pathologist. I also work at various nursing homes in the area. My position works daily with communication and I believe I have the skills to be an asset to the Cadillac City Council. I have a proven record with union contacts as I am the president for the ISD professional staff members. I have negotiated many employment contracts and understand the importance of transparency with any decision-making processes. Every place of employment has policies and regulations that must be followed and I am comfortable having unpopular discussion with people who are not following policies and/or procedures. I lead by example to guide and inspire others by actively demonstrating the desired behavior through my own actions, essentially "walking the walk" and not just talking about what should be done; this leadership style has worked for me throughout my career.

I am looking to fill the vacant seat until the November election and will serve my neighbors and work hard on their behalf.

Thank you for your consideration,

Scott R. Hopkins

Name: Tony Lotton - Ward 2

RECEIVED

MAR 05 2025

QUESTIONS FOR CITY COUNCIL VACANCY

Fillable form is 320-character limit for each response; attach additional pages as needed.

1. ATTENDANCE AT MEETINGS: The City Council regularly meets at 6:00 p.m. on the first and third Mondays of each month, and last approximately 1 to 3 hours. Will your schedule permit your regular attendance at scheduled meetings? Do you envision any problems, such as work-related matters, that would prevent you from attending on a regular (monthly) basis?

I am perfectly capable within my work schedule to attend the scheduled meetings.

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

My main goal in serving on the City Council is to provide service and leadership to the community that I represent.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

Having been in leadership positions in multiple jobs in the past ten years, I have experience in making hard decisions to better the work environment.

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

The main focus of change is to restore trust and transparency to help rebuild the people of Cadillac's confidence in the City Council.

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

I do not have any conflict of interest in regards to serving on the City Council.

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

I do not have any experience in politics or community service, but I do have leadership experience over the last ten years at three different businesses.

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

Due to recent events, it is clear that the people need leadership that they can trust and have confidence to get the job done. My no nonsense-get it done mentality & not willing to back down I believe is what is needed on the council.

Please feel free to submit a letter of interest and resume in addition to your answers. Submissions will be available to the public, but addresses, email and phone numbers will be redacted.

Name: Scott W. Weisheim

QUESTIONS FOR CITY COUNCIL VACANCY

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As vet I won't be at everyone

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

My goal is to serve Cadillac in a positive way
It's important to me to be part of the community

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

Yes I'm willing to do my job in a fair and
honest decisions and not back down

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

Make Cadillac more beautiful city in the
area

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

No conflict from me or about me

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

Volunteer for Salvation Army
Public speaking in school and state for JFA

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

I am who you need on your side to get this done
and I care about the folks in our community

Please feel free to submit a letter of interest and resume in addition to your answers. Submissions will be available to the public, but addresses, email and phone numbers will be redacted.

Name: Zac Brown

QUESTIONS FOR CITY COUNCIL VACANCY

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Absolutely

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

To better our City it starts with community.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

Absolutely

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

Transparency and honesty

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

None

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

Help with the homeless

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

I care about our City and think we have the best community ever.

Letter of Introduction for Ruthann French

To: Cadillac City Council

Date March 13, 2025

I am seeking a seat on the City Council for the Fourth Ward. I have been very active in our community, and have remained so as a visually impaired person. I have lived in Cadillac for 36 years and I own my home. I want to share some background information regarding my activities and interests in the Cadillac community.

I attended college at University of Michigan and Kirtland Community College and have an Associate degree in Natural Resources Technology.

I worked as a civil servant with the Michigan DNR as a Wildlife Technician for thirty years. I had responsibilities in the field collecting data for habitat improvements and wildlife surveys. In addition to my job, I have been involved in citizen led environmental protection efforts for decades:

- **PBB Action Committee of Oscoda County**
- **Water Protection citizen group regarding the Cadillac Industrial Park contamination which resulted in the Co-gen plant and the LDFA**
- **Cadillac Area Citizen's for Clean Air (CACCA) whose goal was to prevent tire burning at the Co-gen plant**

I have also served as a board member with community non-profits:

- **Cadillac Area Land Conservancy - 9 yrs. on the board and 3 yrs. as the board chair**
- **Wexford County Council on Aging - 12 years as board member overseeing a multi-million dollar budget of millage money for senior services, and employing over 30 people in our community.**
- **Cadillac Senior Center - approximately 9 years**
- **Gopherwood Concerts - 7 years as board chair**
- **Cadillac Philharmonic - 3 years**

I also served an interim position on the Cadillac Civil Service Commission.

I value supporting my community financially as well. My local philanthropic support includes:

- **Women's Giving Circle**
- **Oasis FRC**
- **New Hope Shelter**
- **Salvation Army**
- **Cadillac Lions Club**
- **UCC Church**

As an active member of the Cadillac community, I would be honored to serve as a council member if selected. I will hold high standards for good governance, work towards solutions for PFAS contamination issues, and implement zoning updates to settle our short term rental concerns. I do this work for my three grandchildren and the future generations who may someday call Cadillac their home.

Respectfully submitted,

Ruthann French

Name: Ruthann French

QUESTIONS FOR CITY COUNCIL VACANCY

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I can attend scheduled meetings each month.
May need a ride.

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

Public service is important to me and I
wish to represent my ward and community.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

Yes, I am capable of reviewing the pros
and cons of an issue. I can make informed:

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

Finish the city-wide zoning for short-term
rentals, and to develop an operational plan →

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

No, I have no conflict of interest. I'm retired
from the State of Michigan.

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

30 yrs experience with the Michigan DNR, board
chairperson for the Land Conservancy, Civil →

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

I feel compelled to finish the term by the
former Council member from my ward.
vacated

decisions for the best interests of the city.

going forward with a PFAS contamination solution.

Service Commission, board member on the Council on Aging for 12 yrs, and the liaison for the Senior Center.

Name: Charles Kennard

QUESTIONS FOR CITY COUNCIL VACANCY

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Yes, I will be able to attend scheduled meetings. I do not have any issues or concerns with being able to attend meetings on a regular basis.

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

I believe I have the ability and drive to be a good representative of city residents. I do not have any personal goals other than serving the best interest of the residents of Cadillac. I grew up in Cadillac and love our city. After college, I returned to Cadillac to work and raise my children.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

I will make independent decisions that are in the best interest of the city and its residents. I believe we can form a consensus on most decisions but will stand up for what is right even if it is not always popular.

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

I would like to see our downtown businesses grow and improve without overburdening them with regulations, fees and taxes. This includes infrastructure and making sure the use of tax dollars is spent wisely. I would also like to see continued efforts to ensure affordable housing options are available.

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

No, I do not have any conflicts of interest either professionally or personally.

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

I have been employed with the Michigan Department of Corrections for 27 years. I have worked to promote public safety in our area while assisting in the rehabilitation of those involved in the criminal justice system. I will utilize my professional and personal experience to advance my representation on the Council.

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

If appointed by the Council, I will serve with dignity and respect for all the citizens of Cadillac. I have no personal angst with city officials or council members. I will do what is in the best interest of our city. I have not run for this seat as I was happy with former Councilman King representation.

CHARLES A KENNARD

EDUCATION

FERRIS STATE UNIVERSITY

Degree: Master of Science, August 1999

Major: Criminal Justice Administration

FERRIS STATE UNIVERSITY

Degree: Bachelor of Science, May 1993

Major: Criminal Justice

PROFESSIONAL EXPERIENCE

MICHIGAN DEPARTMENT OF CORRECTIONS

Field supervisor for Wexford, Missaukee, Benzie, and Manistee Counties

June 2009 – Present

Probation and Parole Field Agent

November 1998 -June 2009

EAGLE VILLAGE, HERSEY MICHIGAN

Coordinator of Operations for residential services

October 1997 – November 1998

Residential Counselor

April 1995 – October 1997

Youth Specialist

February 1994 – April 1995

BOARDS AND COMMITTEES

- City of Cadillac – ZBA
- CAPS PA 216 Committee
- Baker College – Criminal Justice Advisory Board
- Drug Abuse Task Force Committee
- Wexford Missaukee Community Corrections Advisory Board
- Wexford Missaukee DV Task Force
- Wexford Missaukee Silent Observer Board
- Eagle Village Board of Directors

Name: Carla Moore

QUESTIONS FOR CITY COUNCIL VACANCY

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I will be there as a Citizen as often as I can. I would commit to being there every meeting as a Council Member.

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

This PFAS issue is important to many Citizens. I would like to prioritize this and get it entirely resolved in as short amount of time as possible so we all can move forward. I am a problem solver and already have several ideas that I will share when it's appropriate.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

Tough decisions are a part of life. I have faced many difficult times in my life. Hiding from issues is not healthy, I believe it's best to just face things head on, with proper information and preparation.

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

I would like to see more community engagement in the City Government functions. I would encourage more people to attend all the various Boards meetings to be familiar with those holding seats, as well as the processes. No Citizen should feel awkward or intimidated coming into our City Hall.

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

I don't believe I do.

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

Please see attached.

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

I have lived in Cadillac for 6 years, all of that time in Ward 4. I knew the seat was filled by a respectable businessman and never gave it another thought.

Attention:

City Council Members and

Mayor of the City of Cadillac, Michigan

I am offering myself as a candidate for the partial term City Council Member seat for Ward 4 that is vacant, to serve through December 31, 2025.

Carla Moore- a brief introduction (crash course)

Proudly born & raised in Detroit, Michigan, near Tiger Stadium, during the riots of the late 60's (off to a great start!)

Physical birth defect limited my potential in life. 8lb, 9oz baby, born breech, delivered feet first, with Bi lateral hip dysplasia. So I developed intelligence, character, and a massive amount of determination. *this would result in a current total of 22 reconstructive bone surgeries on my femurs and hips (plus other things to come later in life).

As a teen, Dad said no Military service would be possible... but I clearly remember them saying I can do anything I put my mind to...

After a tiny bit of college (Psychology & accounting) I realized I was interested in Law Enforcement. Basically =Passed MLEOTC written band A & chickened out of the physical test because I couldn't run a 10 minute mile after so many surgeries. See attached certificate.

Thankfully, I had already realized I have sales skills and a love of customer service. I made a decent living in the car business as a salesperson, and later a Finance Manager. I detoured a few times, into Insurance Sales, and Real Estate Sales (licensing info online-now expired). I've also worked as a bartender, short order cook, and peeled raw shrimp for 40 hours a week. I am not above any honest work.

I have been fingerprinted several times and can pass any background check, as well as a drug test.

Currently, I am medically retired and own a (very) small business doing estate sales. This work is special to me because a service I offer is helping Grandma get sorted and packed to move to assisted living. It's very rewarding to spend such an important part of their life with them.

Life has been a rollercoaster and I'm still smiling, thankful, and determined as ever! I believe my ability to learn thoroughly and quickly will offset any other shortcomings. I am no stranger to hard work, and hope to earn the respect of the Citizens of Cadillac as I serve.

I am available for any questions, at your convenience.

Sincerely,

Carla Moore



★★★ SAVE-OFFICIAL TEST RESULTS ★★★
MICHIGAN LAW ENFORCEMENT OFFICERS TRAINING COUNCIL
PRE-EMPLOYMENT TESTING PROGRAM

TEST DATE: 03/16/91 61430
TEST SITE NO: 81
TEST LOCATION: WAYNE CO. SHERIFF
READING/Writing - PASS/BAND A
PHYSICAL SKILLS - NOT TESTED
DRIVER LICENSE NO: [REDACTED]

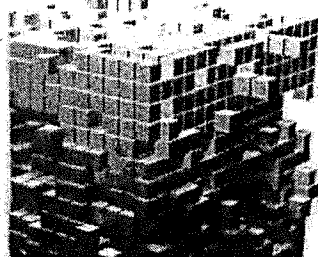
CARLA L. MOORE
[REDACTED]
[REDACTED]

* NOTICE TO *
* AGENCIES: *
* *
* APPLICANT IS *
* TO PRESENT *
* THE ORIGINAL *
* *
* DO NOT ACCEPT *
* PHOTOCOPY OF *
* THIS DOCUMENT *
* *
* *
* SEE BELOW *

BANDS: A=HIGHESTPASS B=HIGHPASS C=PASS
AGENCIES MAY PHOTOCOPY THIS NOTICE FOR LOCAL USE

★★★ THIS ORIGINAL NOTICE IS THE PROPERTY OF THE TEST TAKER ★★★ TC-25 (6/89)

Ms. Carla Moore
Assisted Living Transition
Coordinator



Problem Solver
Professional and Discreet
Patient and Kind

The Urban Archaeologist

Estate & Moving sales

David Powell



3/11/2025

City Council
City of Cadillac
200 N. Lake Street
Cadillac, MI 49601

Dear Members of the City Council,

I am writing to express my interest in serving on the City Council for Ward 4 of Cadillac. Having strong ties to Cadillac, I have remained engaged with the community through active involvement and meaningful connections. My deep appreciation for this city and its people drives my desire to contribute to its continued growth and success.

With over 25 years of experience in the mortgage industry, I have developed valuable skills in finance, problem-solving, and collaboration. These abilities, along with my passion for Cadillac, equip me to serve effectively and support the important decisions shaping our city's future.

As a current member of the Board of Review, I am actively engaged in local governance and committed to the well-being of our community. My diverse experiences and fresh perspective will allow me to make meaningful contributions to the council's efforts. I am eager to collaborate with fellow council members, listen to residents' concerns, and work toward a prosperous future for Cadillac.

Thank you for your consideration. It would be an honor to serve on the City Council and contribute to the success of our community.

Sincerely,
David Powell

QUESTIONS FOR CITY COUNCIL VACANCY

Fillable form is 320-character limit for each response; attach additional pages as needed.

1. ATTENDANCE AT MEETINGS: The City Council regularly meets at 6:00 p.m. on the first and third Mondays of each month, and last approximately 1 to 3 hours. Will your schedule permit your regular attendance at scheduled meetings? Do you envision any problems, such as work-related matters, that would prevent you from attending on a regular (monthly) basis?

I anticipate no issues attending the City Council meetings regularly. My full-time work schedule is flexible, and I am committed to prioritizing these sessions. Should any unforeseen work commitments arise, I will ensure to notify in advance and make arrangements to stay fully engaged with council matters.

2. PERSONAL INTEREST OR GOAL: Does your interest in serving on the City Council stem from a personal interest or goal? Is there something in particular you hope to accomplish while serving on the City Council, and why is serving on the Council important to you? Please elaborate.

My interest in serving on the City Council stems from a commitment to improving our community. I aim to foster growth, inclusivity, and sustainability. Serving on the Council allows me to contribute my skills and passion to shape a positive future, ensuring that all voices are heard and valued.

3. DECISION MAKING: The City Council must render decisions regarding the implementation of policies and/or programs that may be somewhat controversial. Are you willing to take on the responsibility of making decisions that are in the best interest of the public even though they may be somewhat controversial?

I am fully prepared to make decisions that prioritize the public's best interests, even if they may be controversial. I believe that leadership requires courage to address tough issues and find balanced solutions that ultimately benefit the community as a whole, with positive change.

4. CHANGE/IMPROVEMENTS: If you could make one change or improvement, what would that change or improvement be?

Enhancing Cadillac's infrastructure to support sustainable growth while keeping that "home town" feel. Cadillac is a four-season tourism town, we need to keep it that way or it will not survive.

5. CONFLICT OF INTEREST: Do you have any interest in or participate in any professional or personal activity that could lead to, or be perceived as, a conflict of interest if you become appointed? If yes, please explain.

I have no professional or personal activities, aside from the standard vacations I take each year, that would create a conflict of interest if appointed. I recognize a need and the importance of maintaining the health, safety, and well-being of our community.

6. OTHER RELEVANT ACTIVITIES, EXPERIENCE, INTERESTS, SKILLS, ETC. Please tell us about any other activities, specialized skills, knowledge, or professional experience that would contribute to your effectiveness in serving on the City Council.

As a member of the Board of Review for the City of Cadillac, I can utilize my problem-solving, critical thinking, and knowledge of local government, zoning laws, and public services. These skills, along with collaboration and conflict resolution, are key for effective decision-making on the City Council.

7. PLEASE EXPLAIN WHY WE SHOULD APPOINT YOU TO A COUNCIL SEAT YOU DID NOT SEEK IN THE LAST ELECTION? WHAT HAS CHANGED SINCE THEN?

I grew up in Wexford County and have long been connected to Cadillac. Though I didn't seek a council seat in the last election, I now feel a strong desire to serve. With fresh perspectives and a commitment to positive change, I'm eager to contribute to both my future and Cadillac's growth.

Please feel free to submit a letter of interest and resume in addition to your answers. Submissions will be available to the public, but addresses, email and phone numbers will be redacted.

CITY COUNCIL MEETING MINUTES

March 3, 2025

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

CALL TO ORDER

The meeting was called to order by Mayor Pro-Tem Schippers at approximately 6:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Engels, King, Mayor Pro-Tem Schippers

Council Absent: None

Staff Present: Peccia, Roberts, Dietlin, Ottjepka, Homier, Wasson

APPROVAL OF AGENDA

2025-034 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

Mayor Pro-Tem Schippers noted that members of the public have 3 minutes to speak. She asked people in the gallery to please refrain from cheers or jeers during public comment. She noted when we jeer or cheer at people for giving their thoughts we dissuade others from speaking. She asked that we treat each other as neighbors and give respect to every single person who would like to speak. She noted it will be enforced.

Mark Lagerwey expressed support for the appointment of Tiya Schippers to the position of Mayor.

Sam Knoph stated that he submitted the letters of interest and resumes for the position of Mayor to outside hiring managers and he discussed the results of their evaluations.

Linda Baynes expressed support for the appointment of Tiya Schippers to the position of Mayor.

Ruthann French expressed support for the appointment of Tiya Schippers to the position of Mayor.

Brad Marine commented on the LDFA and the performance evaluation of the City Manager.

Randy Lindell expressed support for the appointment of Dr. Dubravec to the position of Mayor.

Art Stevens stated he believes we need to appoint a new person to Council to replace the Mayor.

Mary Galvanek expressed support for the appointment of Dr. Dubravec to the position of Mayor.

APPOINTMENT OF MAYOR

Mayor Pro-Tem Schippers noted there are four (4) candidates for the position of Mayor. She stated there will be a motion made and supported to appoint a candidate followed by a roll call vote. She noted this process will continue until someone is appointed.

Engels noted he has heard from supporters of all of the candidates. He stated it's nice to see participation from such a high level of candidates. He noted the City has elected Council Member Schippers multiple times and she was elected by Council as Mayor Pro-Tem.

Engels asked Council Member Schippers if Council selects her as Mayor does she plan on running in November.

Mayor Pro-Tem Schippers stated she does not plan to run in November.

2025-035 Appoint Council Member Schippers as Mayor (motion failed).

Motion was made by Engels and supported by Schippers to appoint Council Member Schippers as Mayor.

Ayes: Engels, Schippers

Nays: Elenbaas, King

Motion failed.

King stated we are trying to get to where the City is being effective. He noted he thinks it's going to take someone with a new perspective, along with the current Council Members, to deal with the challenges that have caused us problems up to this point. He stated he thinks Dr. Martin Dubravec is the person that brings the skills, talents, and personality to help Council deal with those challenges.

2025-036 Appoint Dr. Martin Dubravec as Mayor (motion failed).

Motion was made by King and supported by Elenbaas to appoint Dr. Martin Dubravec as Mayor.

Ayes: Elenbaas, King

Nays: Engels, Schippers

Motion failed.

Motion was made by King to appoint Mr. Brad Marine as Mayor. Motion was not supported.

Motion was made by King to appoint Mr. Andy VanAlst as Mayor. Motion was not supported.

Engels noted he believes they will all be fine candidates running in November, but we have an opportunity with a sitting Council Member who's been elected multiple times and who's not running again. He stated it gives us the opportunity to not be kingmakers, not to pick someone for an elected position and to him that makes sense.

025-037 Appoint Council Member Schippers as Mayor (motion failed).

Motion was made by Engels and supported by Schippers to appoint Council Member Schippers as Mayor.

Ayes: Engels, Schippers

Nays: Elenbaas, King

Motion failed.

King stated if Council Member Schippers leaves her second ward seat, we still have to fill that seat so there's going to be someone new on Council. He noted he thinks the best way for us to move forward effectively and deal with the hard issues is to bring in a business leader who owns a medical practice, has developed the properties he owns, and has been involved in the historical district and many other community activities.

2025-038 Appoint Dr. Martin Dubravec as Mayor (motion failed).

Motion was made by King and supported by Elenbaas to appoint Dr. Martin Dubravec as Mayor.

Ayes: Elenbaas, King

Nays: Engels, Schippers

Motion failed.

Elenbaas stated he would like to take a minute to apologize to everybody. He noted this is a flawed process. He stated he thinks we all agree that an election or just having the Mayor Pro-Tem automatically step into this seat would have been better. He noted when he came here, he wanted to avoid things like this. He stated he worked for the City for 13 years and he watched these meetings because he was a very proud employee of the City. He stated there were times that he would see the board go into a meeting at 7:00 and they were not out by 10:00 when he went to bed. He noted he really didn't want that to happen here because it's embarrassing. He stated he wished we could have handled this differently.

Mayor Pro-Tem Schippers stated this process was decided at a time when she was in the hospital with a broken back so she was not here to provide any input for this process. She noted there has been criticism of others for creating policy or making requests to do things when other members were on vacation or not in attendance. She stated for something as important as this, had she not broken her back and had been here, we probably would not be sitting here doing this right now. She noted at that time it would have been the process to appoint someone to her seat which brings on a fifth member with a new outlook that doesn't have to lead the meetings or do the other things that are required of the Mayor.

Mayor Pro-Tem Schippers stated that it is unfortunate that this whole decision was made at a time that she could not have input. She noted now she feels she shouldn't say something because she is one of the candidates for this position. She stated because of making quick decisions, we all know it's an attempt at power shifting. She noted she is sorry that we're doing it this way but this is the way we need to do it at this point.

King stated he would respectively like to correct Ms. Schippers in that the Charter is what we are following and no one picked a process. He noted the Charter decides that we must pick someone for that seat within 30 days and it has happened many times in the past. He stated he wants to make sure the

public is not given misinformation. He noted no one picked this process because this is the Charter and this is the way it has been handled. He stated it is not a power shift. He noted the seat for Mayor is one of five seats and is no different than any of the other seats. He noted he's voiced it in the past that it is not a seat that runs our City. He noted the seat that runs our City is the City Manager and that's the seat that needs to have leadership. He stated the five of us manage that seat and we do it equally. He noted the Mayor's seat, just as it is for any other seat, has to be filled within 30 days per Charter.

King stated the Charter specifically states that the Mayor Pro-Tem position only lasts as long as the tenure of the Mayor and the Mayor's tenure has ended. He noted he could have questioned that continuing because the Mayor Pro-Tem will then be chosen again once we pick a new Mayor. He stated he didn't do that because he wanted to make sure this was a smooth process.

Schippers noted there is nothing in the Charter specifically for filling the Mayor's seat in this situation.

King stated if it were Council Member Elenbaas's seat we would be looking for names from the first ward. He noted if it was his seat, it would be the fourth ward. He stated the Mayor's seat is the general population and follows the same exact process for every seat.

Engels asked after this is done if there is any way to review the Charter so this could be avoided. He noted he understands that the Mayor is just a member of Council, but it also means more to people and he doesn't feel like we should be picking it.

025-039 Appoint Council Member Schippers as Mayor (motion failed).

Motion was made by Engels and supported by Schippers to appoint Council Member Schippers as Mayor.

Ayes: Engels, Schippers
Nays: Elenbaas, King

Motion failed.

2025-040 Appoint Dr. Martin Dubravec as Mayor (motion failed).

Motion was made by King and supported by Elenbaas to appoint Dr. Martin Dubravec as Mayor.

Ayes: Elenbaas, King
Nays: Engels, Schippers

Motion failed.

025-041 Appoint Council Member Schippers as Mayor (motion failed).

Motion was made by Engels and supported by Schippers to appoint Council Member Schippers as Mayor.

Ayes: Engels, Schippers
Nays: Elenbaas, King

Motion failed.

King stated he thinks we need to put someone in that has additional leadership skills and additional

ability to work with the people in the community.

2025-042 Appoint Dr. Martin Dubravec as Mayor (motion failed).

Motion was made by King and supported by Elenbaas to appoint Dr. Martin Dubravec as Mayor.

Ayes: Elenbaas, King

Nays: Engels, Schippers

Motion failed.

Engels stated he feels at some point there needs to be a greater discussion.

2025-043 Appoint Council Member Schippers as Mayor (motion failed).

Motion was made by Engels and supported by Schippers to appoint Council Member Schippers as Mayor.

Ayes: Engels, Schippers

Nays: Elenbaas, King

Motion failed.

2025-044 Appoint Council Member King as Mayor (motion failed).

Motion was made by Elenbaas and supported by King to appoint Council Member King as Mayor.

Before the vote was taken, Council Member Engels asked Council Member King if he intended to run for Mayor in November if he is appointed by Council.

Council Member King stated he would at this point if he takes that seat.

Ayes: Elenbaas, King

Nays: Engels, Schippers

Motion failed.

Engels stated he thinks it is a significant improvement to have somebody that people elected.

2025-045 Appoint Council Member Schippers as Mayor.

Motion was made by Engels and supported by Schippers to appoint Council Member Schippers as Mayor.

Ayes: Engels, Schippers, Elenbaas

Nays: King

Motion carried.

Elenbaas stated it is a flawed system, but we have to move forward. He noted he expects the Mayor to get in touch with our water people and begin on that program almost immediately. He stated it's time to heal and get moving in the right direction.

City Attorney Homier stated that the Oath of Office needs to be taken and she will need to resign her position as Mayor Pro-Tem effective upon taking the Oath of Office.

Mayor Pro-Tem Schippers stated she will resign her position as Mayor Pro-Tem and her seat as a Council Member for Ward Two upon taking the oath of office.

2025-046 Accept resignation of Mayor Pro-Tem position and seat as Council Member for Ward Two.
Motion was made by Engels and supported by Elenbaas to accept the resignation of Council Member Schippers from the Ward Two Council seat.

Ayes: Engels, Elenbaas, Schippers

Nays: King

Motion carried.

OATH OF OFFICE

The City Clerk administered the Oath of Office to Mayor Schippers.

Mayor Schippers asked anybody in Ward Two that is interested in serving as a Council Member to let us know because we have 30 days to fill that seat.

CONSENT AGENDA

2025-047 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Presentation of FY2024 Audit Results by Joe Verlin of Gabridge & Company.

Joe Verlin from Gabridge & Co. presented the results of the independent audit for the fiscal year ended June 30, 2024. Gabridge & Co. issued an “Unmodified” opinion on the financial statements. Verlin indicated that this is the best opinion they can offer on the statements. He added that the City is in sound financial condition and commended the City for continuing to receive the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA).

Peccia noted the audit report and the annual budget are available on the City’s website under the Finance Department.

B. Cadillac Farmers Market

Owen Roberts, Director of Finance, stated it would maintain the same number of handicapped parking spots but the location would change. He noted this will enhance safety.

2025-048 Approve updated parking closure for the Cadillac Farmers Market.

Motion was made by Elenbaas and supported by Engels to approve the updated parking closure on Fridays for the Cadillac Farmers Market as presented.

Motion unanimously approved.

APPOINTMENTS

A. Recommendation regarding reappointment to the Construction Board of Appeals.

2025-049 Approve reappointment to the Construction Board of Appeals.

Motion was made by Elenbaas and supported by Engels to approve the reappointment of Ken Bigelow to the Construction Board of Appeals for a 2-year term to expire on March 2, 2027.

Motion unanimously approved.

B. Recommendation regarding appointment to the Cadillac West Corridor Improvement Authority.

2025-050 Approve appointment to the Cadillac West Corridor Improvement Authority.

Motion was made by Elenbaas and supported by Engels to approve the appointment of Marci Hensley to the Cadillac West Corridor Improvement Authority for a 4-year term to expire on March 3, 2029.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Recommendation regarding Wheel Loader.

Peccia noted we are coming to the end of a lease with both wheel loaders. He stated bids were solicited but they came back very high for purchasing or leasing. He noted both of our current wheel loaders are in great condition and it makes the most fiduciary sense to buy them out as well as buy a couple of extended warranties for them versus turning them in and spending a lot more money either leasing or buying new units.

2025-051 Approve final payment of two wheel loaders.

Motion was made by Elenbaas and supported by Engels to approve the final payment of \$210,000 to KS State Bank for two Volvo L90 Loaders and approve the purchase of two 5-year warranties for the loaders in the amount of \$11,875 each from Alta Equipment.

Motion unanimously approved.

PUBLIC COMMENTS

Paula Meyers thanked Council Member Elenbaas for allowing hearing to begin

Sam Knopp referenced the City Charter and questioned whether Ms. Schippers should have been permitted to vote for herself.

Carla Moore commented on the performance of the City Manager.

Andy VanAlst stated he appreciates Council being supportive through the codification and enforcement of short-term rentals.

Art Stevens discussed what occurred when Council Member Engels was appointed to Council. He discussed opportunities for grants related to the water issue.

Andrea Lilly stated she appreciates Mayor Schippers stepping forward and offering more of her time and effort for the citizens of our City. She noted the health of our City is really important and she know Council cares about it.

Troy Baxter thanked Council for their service. He stated he believes as a community we will be able to overcome the issues.

Randy Lindell talked about the City Charter and the process used to appoint the Mayor.

Ruthann French thanked Council Member Elenbaas for his willingness to collaborate and compromise. She also thanked Mayor Schippers, Council Member Engels, and City staff.

GOOD OF THE ORDER

King congratulated Mayor Schippers. He stated this City is run by the City Manager and leadership has to come from him. He discussed issues in relation to asking for a car, a credit card, violating the Charter in October, not dealing with the PFAS issue, and not following the bylaws of the LDFA for 15 years. He stated there has to be accountability and there has been no accountability. He noted he is resigning effective tonight based on the inability to get anything done and the inability to have 3 members of this Council call for accountability. He stated he is scared of potential liability as a Council Member. He noted it's insane to think there would be healing if he stays on because he can't stay quiet about the deficiencies of the Council and the City Manager.

King noted the City Manager has caused the divisiveness of Council by failing to be a leader and for failing to follow up on the PFAS issue. He stated he loves the City will always fight for it. He noted he feels he is ineffective based on the management of the City and the remaining members of Council. He thanked the City for allowing him to serve for the past 7 ½ years.

Elenbaas stated he has a great deal of respect for Council Member King and is sorry to see him leave Council.

Engels stated there have been a lot of times recently when he wondered why he did this and thought about if he was effective, whether he wanted to be here, whether getting yelled at by the crowd sometimes is worth it. He noted he doesn't appreciate the Mayor resigning no matter how much he understands her decision. He added no matter how much he respects or understands Council Member Kings decision; he doesn't appreciate it. He noted it's leaving us in a bad spot. He stated we have a development that might fall through because we can't vacate an alleyway because we can't get the four votes and that's what these two resignations have done. He thanked Council Member King for his service.

Elenbaas suggested a review of the Charter to determine how to change it so we don't have this happen again.

City Attorney Homier stated a lot of jurisdictions have that ascension occur automatically with the resignation of the Mayor. He noted in those cases the Mayor Pro-Tem becomes the Mayor automatically, but your Charter does not read that way.

Elenbaas asked if it can be changed.

Homier stated it requires a Charter amendment which will have to be submitted to the electors which you can do at the next regular City election.

Elenbaas requested that we make a move on that to get it fixed.

Engels discussed the process that was used when he was appointed to Council. He stated there are two open seats and he would like the process to be as simple and straightforward as possible but there needs to be some questions.

Motion was made by Elenbaas to accept Mr. King's resignation tonight, effective immediately. Motion was not supported.

Homier stated it can be placed on the agenda for the next meeting.

Schippers asked with not having accepted that do we still need to look for somebody from his ward right away. She asked if the clock starts when the resignation is accepted.

Homier stated it's not real clear under the Charter. He noted this is why he would prefer a motion. He stated if you are going to accept the resignation then accept it so that you have 30 days and we understand when that clock starts ticking for the purposes of appointments.

Council and City Attorney Homier discussed the process and timing regarding the two open seats and the acceptance of the resignation of Council Member King.

2025-052 Accept resignation effective tonight.

Motion was made by Engels and supported by Elenbaas to accept the resignation effective tonight.

Motion unanimously approved.

2025-053 Accept questionnaires for Ward Two and Ward Four applicants.

Motion was made by Engels and supported by Elenbaas to accept the questionnaires from Ward Two and Ward Four applicants with the deadline of 3:00 pm on Thursday, March 13, 2025.

Motion unanimously approved.

Peccia noted the Michigan PFAS Action Response Team held a session last week. He stated the video of that session along with the slide deck that was shown providing the latest updates including the heat map information is available on our website. He noted United Way has updated their 211 phone system regarding PFAS. He stated if you call 211 you will be connected directly with their local PFAS person in the State MDHHS health department and will have access to getting proper directions to information as to how to get a test and what to do if you have a detection.

Mayor Schippers thanked everyone. She noted she understands that when things don't go as planned things just kind of fall apart. She noted when things fall apart it gives us an opportunity to rebuild. She stated her goal is to create a strategic plan to deal with all of the issues surrounding our groundwater contamination. She noted in addition to herself she wants it to include community stakeholders, another

Council Member, City staff and experts from the State including EGLE and MPARTS. She stated there are a lot of things that have been done and are still being done but those have not been made explicit. She noted part of this strategic plan will be to let the community know exactly what's going on and help people.

Mayor Schippers stated people are concerned and afraid for the well-being and health of themselves, their children, and their grandchildren. She noted when people are afraid, we cannot respond with facts to fears. She stated we have to figure out what we need to do to help people who are afraid feel like they are empowered, feel like their fears are being addressed, and feel like solutions are moving forward.

Council Member Engels stated he will join the group.

Mayor Schippers stated she would talk to City Manager Peccia about setting a time for that and she will get information to reach out to community members who would like to be part of it.

Mayor Schippers stated our first order of business will not be who should be fired. She noted our first order of business will be what we can do to help our neighbors who are terrified and that's her goal.

Mayor Schippers stated if anyone is interested, please email her at the City email address.

ADJOURNMENT

Respectfully submitted,

Tiyi Schippers, Mayor

Sandra Wasson, City Clerk

March 17, 2025

Council Communication

Re: Resolution to adopt ordinance vacating a portion of West Nelson St and reserving a public utility easement in favor of the City of Cadillac

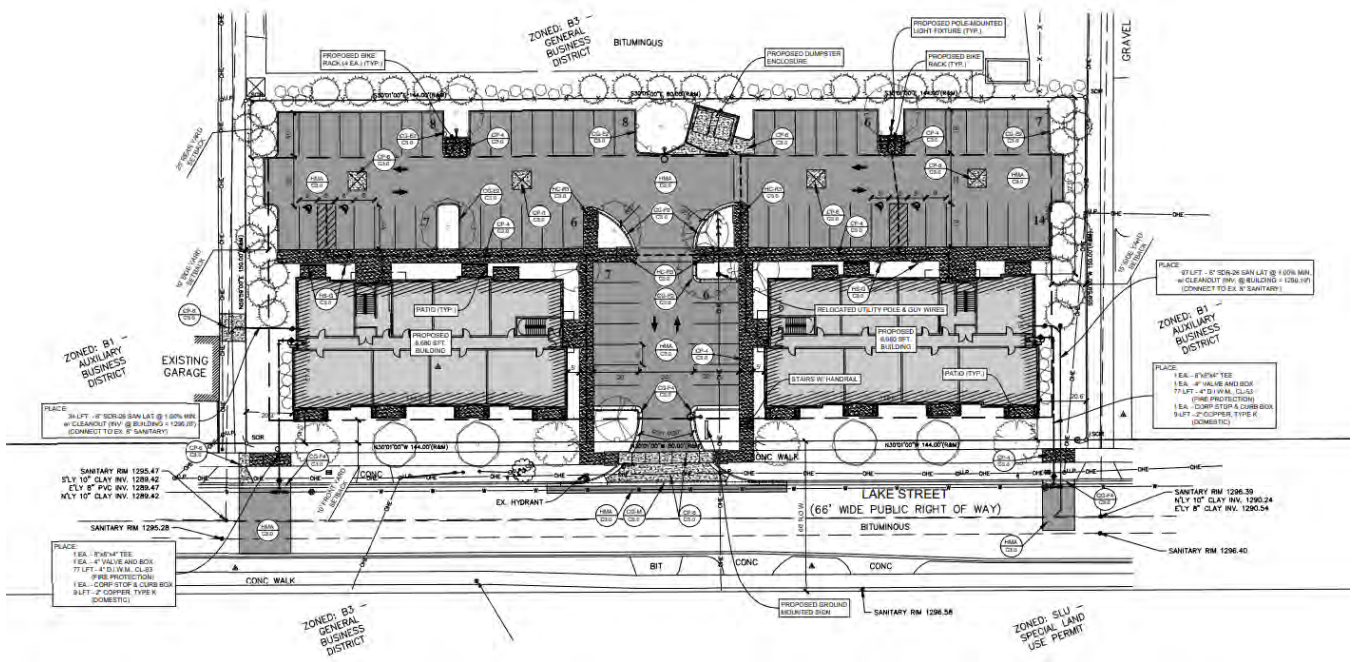
The Cadillac Planning Commission voted unanimously at their November 25, 2024, meeting to approve and recommend that Council approve the vacation of the remaining portion of West Nelson St. The vacation is described as the remaining portion of West Nelson Street running Northeasterly from Lake Street.

This vacation request is necessary for a future development; N. Lake St. Flats, to take place on property owned by Gary Pitsch. Pitsch and Veneklasen Construction presented to the Planning Commission at their November 25, 2024, meeting a request for R-PUD to build two apartment buildings totaling 48 units. Planning Commission voted unanimously to approve of R-PUD request contingent on the approval of the West Nelson St vacation request, lot consolidation, department head review be satisfactorily resolved and approved as well as the easement agreement between G&D be executed and filed with the city. Shown below is an aerial photo of the proposed Street Vacation request, in green as well as the portion that has been previously vacated, in blue. On the following page are photos of the proposed N. Lake St Flats.



Recommended Action

Council is asked to approve the resolution to adopt Ordinance Vacating a Portion of West Nelson Street and Reserving a Public Utility Easement in Favor of the City of Cadillac.



City Council

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



Mayor
Tiyi Schippers

Mayor Pro-Tem

Councilmembers

Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2025-____

**RESOLUTION TO ADOPT ORDINANCE NO. 2025-____,
ORDINANCE VACATING A PORTION OF WEST NELSON STREETS AND
RESERVING A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF CADILLAC**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 17th day of March, 2025, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

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

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

WHEREAS, the City of Cadillac owns an interest in a portion of West Nelson Street (the "Street") described on Exhibit A to the proposed ordinance; and

WHEREAS, the City introduced an ordinance vacating the Street and authorizing the Mayor and/or the City Clerk to execute any and all documents necessary to give effect to the vacation of the Street, and to reserve a public utility easement; and

WHEREAS, the City published notice of the public hearing once at least twenty days before the public hearing and again at least 10 days before the public hearing and held a public hearing on March 17, 2025; and

WHEREAS, the City has determined that adopting the proposed ordinance vacating the Street and reserving to itself a public utility easement is in the best interest of the public health, safety, and welfare.

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

1. Ordinance No. 2025-01, Ordinance Vacating A Portion of West Nelson Street And Reserving a Public Utility Easement in Favor of the City of Cadillac (the "Ordinance"), attached as Exhibit 1, is adopted.

2. The Ordinance shall be filed with the City Clerk.

3. The City Clerk is directed to publish a summary of the Ordinance in a newspaper of general circulation in the City of Cadillac within seven (7) days.

4. The Mayor and/or the City Clerk are hereby authorized and directed to execute any and all documents necessary to vacate the Street, to reserve a public utilities easement in the Street, to adjust the legal description of the vacated Street as may be directed by the City Attorney, and to record the Ordinance with the Register of Deeds and to send a copy to the State Treasurer.

5. 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.

6. Any and all resolutions that are in conflict with this Resolution are hereby repealed, but only to the extent 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. 2025-____, duly adopted at a meeting of the City Council held on the ____ day of _____, 2025.

Sandra Wasson
City Clerk

ORDINANCE NO. 2025-____

**ORDINANCE VACATING A PORTION OF WEST NELSON STREET AND
RESERVING A PUBLIC UTILITY EASEMENT IN FAVOR OF THE CITY OF CADILLAC**

THE CITY OF CADILLAC ORDAINS:

Section 1.

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

Section 2.

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

Section 3.

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

Section 4.

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

Section 5.

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

Approved this ____ day of _____, 2025.

Sandra Wasson, Clerk

Tiyi Schippers, Mayor

I, Sandra Wasson, City Clerk of the City of Cadillac, Michigan, do hereby certify that a summary of Ordinance No. 2025-____ was published in the Cadillac News on the ____ day of _____, 2025.

Sandra Wasson, City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

On this ____ day of _____, 2025, before me, a Notary Public, in and for said County, personally appeared Tiyi Schippers, Mayor, and Sandra Wasson, City Clerk, on behalf of the City of Cadillac, who executed the foregoing Ordinance and acknowledged that they have executed it on behalf of the City of Cadillac in their capacity as its Mayor and City Clerk, respectively.

_____, Notary Public
County of _____, State of Michigan
My commission expires: _____

Prepared By and Return To:

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

EXHIBIT A
(Portion to be vacated)

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

All of the remaining portion of West Nelson Street running Northeasterly from Lake Street.



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

Today's Date 2/24/25

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Banner Request Form

Monday Banner Start Date 4 / 21 / 2025

Monday Banner End Date 4 / 28 / 2025

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

Reason for Banner Earth Day Celebration

Organization Cadillac Area Festivals and Events

Contact Person Marci Hensley

Contact Phone 231-775-0657

Contact Email marci@cadillacmichigan.com

City of Cadillac & State of Michigan Guidelines:

- ☒ Banner requested date is a minimum of 2 months prior to display date requested. **DPW has Banner**
- ☒ 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 Marci Hensley

Signature

Date 2 / 24 / 2025

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 _____

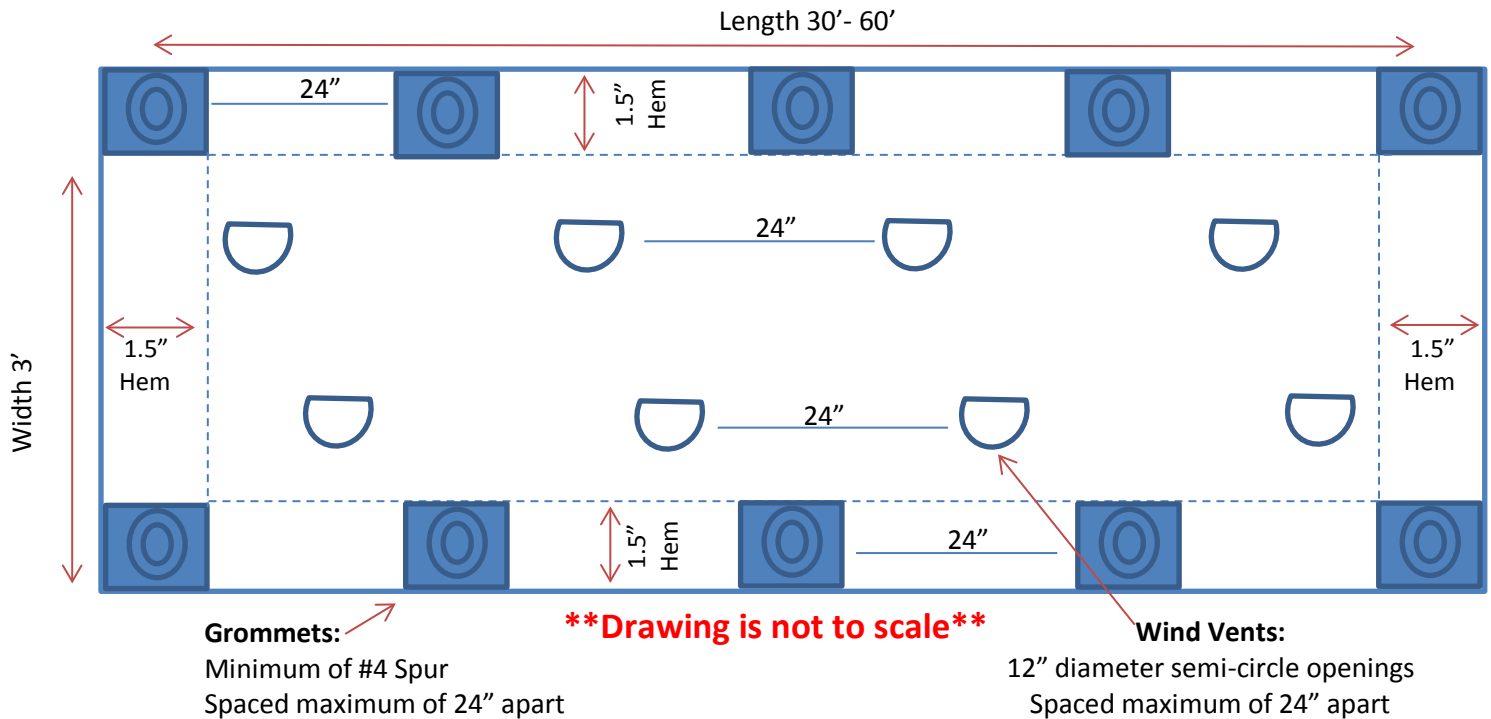
City Council _____

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



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

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



Cadillac Earth Day Celebration
THIS SUNDAY IN THE CADILLAC COMMONS





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 Martin Reib Date 2-25-2025

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 2/25/25

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

Banner Request Form

Monday Banner Start Date 4/28/25

Monday Banner End Date 5/5/25

(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 Announce Cadillac Symphony performance on May 4
Organization Cadillac Area Symphony Orch. Contact Person Leilani Kitler
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.
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- ☐ 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: 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 Leilani Kitler Signature Leilani Kitler Date 2/25/25

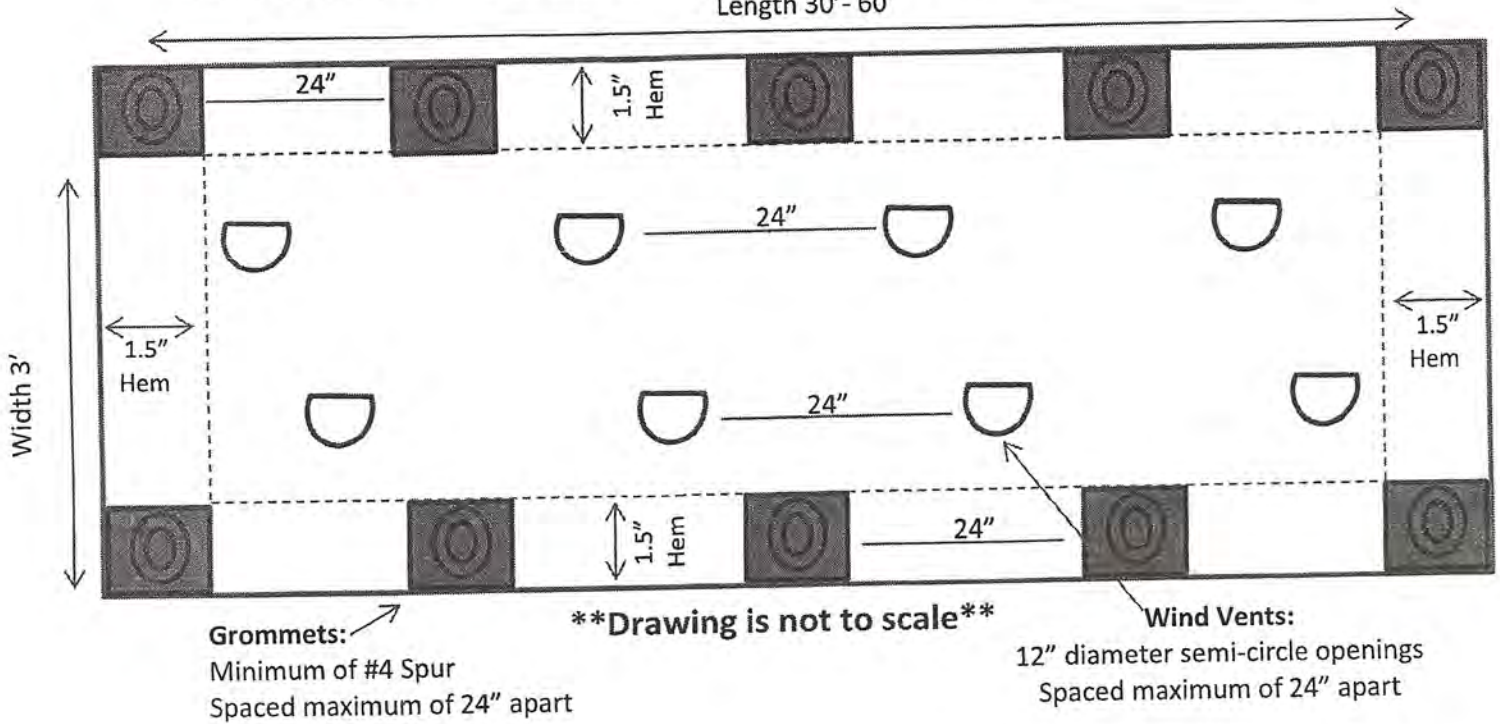
Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.

4/28 - 5/5 okay
11/17 - 24 taken by For

Banner Specifications

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

Length 30' - 60'



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

Cadillac Area Symphony Orchestra
Concert-Sunday at 3:00 p.m.





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

Today's Date 01/09/2025
City Received Date



Banner Request Form

Monday Banner Start Date 10/20/2025

Monday Banner End Date 10/27/2025

(Banners are installed and removed on Mondays unless it is a Holiday, then it will be the following day)

(Banners may only be requested for one week at a time per form)

Reason for Banner National Friends of the Library Week
Organization Friends of the Library Contact Person Vicki Long
Contact Phone [REDACTED] Contact Email [REDACTED]

City of Cadillac & State of Michigan Guidelines:

- ☒ Banner requested date is a minimum of 2 months prior to display date requested.
- ☒ Banner picture or a design proof is **attached with this request form** or it will not be approved.
- ☐ The City reserves the right to determine when the banner is hung during inclement weather.
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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 Vicki Long Signature Vicki Long Date 01/09/2025

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

PHOTO: FRIENDS OF THE CADILLAC LIBRARY BANNER



March 17, 2025

COUNCIL COMMUNICATION

Re: Reappointment of Randy Norman to a Two-Year Term on the Construction Board of Appeals

Randy Norman has expressed interest in continuing his service to the Construction Board of Appeals for another two-year term. He was originally appointed in 2015.

Requested Council Action:

Motion to reappoint Randy Norman to a two-year term on the Construction Board of Appeals, which will end on 3/17/2027.

March 17, 2025

Council Communication

Re: 2025/2026 Road Salt

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

Orders for road salt are placed in the spring of each year. The State's contract is finalized by late summer, and early shipments typically arrive in late fall. Based on seasonal requirements, the City expects to need up to 2000 tons of road salt to cover the entire winter. Depending on the final bid award, annual costs are expected to total about \$150,000 (~\$75/ton).

Recommended Action

Because of the economies of scale achieved through the process, it is recommended that Council, pursuant to Section 2-299 and 2-312 of the City Code, authorize the City to participate in the MiDEAL competitive bidding process and approve the commitment to purchase up to 2000 tons of seasonal road salt through the resulting State of Michigan contract at the unit cost bid approved by the State of Michigan. Funds are available in the Stores and Garage Fund for this purchase. Actual costs of usage are charged to appropriate activities within the Major and Local Street Funds and several other City activities based upon actual usage throughout the winter.

March 17, 2025

Council Communication

Re: Fire Department Nozzle Purchase

The City recently accepted bids for the purchase of firefighting nozzles. The nozzles will replace existing nozzles on all firefighting apparatus.

The following bids were received:

VENDOR	ORIGINAL BID	ADJUSTED SCOPE BID
Municipal Emergency Services Otter Lake, MI	\$19,523.75	\$15,975.25
R&R Fire Truck Repair, Inc. Bellville, MI	\$21,396.40	\$17,520.90
Axes + Irons Coopersville, MI	\$22,814.82	\$18,718.72
Fire Line Equipment, LLC New Holland, PA	\$20,939.87	\$17,107.66

The fire department currently utilizes multiple types of nozzles that date from the mid-1990's to the early 2000's. Due to the types of nozzles and their age/use, the fire department experiences inconsistent and unpredictable flow rates. The nozzles specified were the result of extensive testing performed by the fire department and will make operations uniform and consistently achieve the required flow rates needed to extinguish fires. This will significantly increase effectiveness and safety while reducing maintenance expenses.

This purchase was in lieu of a \$16,000 appropriation for turnout gear upgrades. The Department was awarded a 100% grant of \$34,872.50 to purchase 10 sets of new gear. This freed these budgeted funds to be used to meet another significant need for the department. Because the bids exceeded the budgeted amount, the scope was slightly reduced to stay within budget.

Recommended Action

It is recommended that Council award the purchase of hoses and nozzles to Municipal Emergency Services in the amount of \$15,975.25. Funds are available in the General Fund.

March 17, 2025

Council Communication

Re: K-9 Patrol Vehicle Emergency Equipment

The City of Cadillac recently received bids for the purchase and installation of emergency equipment to be installed on the City's 2023 Tahoe which is being reassigned to the K-9 officer. The following bid was received:

VENDOR	BID
Pro Comm Inc. Mt. Pleasant, MI	\$29,304.75

Recommended Action

It is recommended that Council award the purchase and installation of K-9 patrol vehicle equipment to Pro Comm Inc. in accordance with their bid. Funds are available in the General Fund.

March 17, 2025

Council Communication

Re: Equipment/Installation for Diggins Hill Rotary Playground

The Cadillac Rotary Club has been raising funds to build a playground at Diggins Hill. Donations have been received by the City totaling \$100,672.61. Rotary members have been working with ParkVision Infinite Play of Muskegon to help design a playground within a relatively limited budget. The attached quotation details the work done to get the purchase and installation down to a cost of just under the amount raised by the club.

In addition to the purchase and installation of the equipment, the site needs to be excavated, cleared, and graded to prepare for the installation. This project is currently out for bid and the costs of this are estimated to be approximately \$40,000. The bid documents also provide an opportunity for the contractor to waive a portion of the project costs in the form of an in-kind community donation. The net costs of this project in addition to the engineering costs will represent the City's match.

Recommended Action

It is recommended that City Council waive competitive bidding and authorize the purchase and installation of playground equipment from ParkVision Infinite Play in the amount of \$99,817.14. Funds are available in the General Fund utilizing the funds raised by Cadillac Rotary.



A DIVISION OF AMERICAN ATHLETIX
PROUD SOLUTION PARTNER OF KOMPAN

418 W. Hackley Avenue
Muskegon, MI 49444
Office - 231-798-7300
www.ParkVisionPlay.com

Quotation

Date: 3/13/2025
Quote #: KM-031325-02
Expires: 30 days
Approx. Lead Time 12-14 weeks

PROJECT NAME: Diggins Hill Community Park

ATTN: Connie Houk
ACCOUNT City of Cadillac

ADDRESS
CITY, STATE, ZIP Cadillac, MI

EMAIL chouk@preinnewhof.com

PHONE: 231-468-3456

DESCRIPTION: Diggins Hill-City of Cadillac

SALES REP: Kim O'Farrell 734.626.1008

Ship To:

Ship To Contact:

Reference Image	Quantity	Item Number	Product Description	Mounting Type	Price Each	Net Price
	1	COR207001-1103	Emerald-Blue Ages (5-12)	Inground	\$20,900.00	\$20,900.00
	1	PCM200831-20328251	PCM-Two Towers Custom 20332883 variant Ages (2-5)	Inground	\$20,740.00	\$20,740.00
	1	ELE400024-3717E	Spinner Bowl-Red (Ages 5-12)	Inground	\$1,390.00	\$1,390.00

Additional Services Included/Requested:

Yes	Professional Equipment Installation	>All equipment installed to manufacturer's specification to ensure proper warranty coverage. Includes:	\$32,177.14		
Yes	EWf Safety Surfacing Furnished & Installed	>Playground safety surfacing: Engineered wood mulch safety surfacing provided & installed to critical fall height compliance of equipment selected.	\$7,300.00	Total additional services:	\$39,477.14
Yes	Misc. Services	>Additional Services: (50) 2by2 plastic perimeter playground borders 1-ADA Half Ramp(Flush Mount)			
					EQUIPMENT TOTAL: \$ 60,340.00
					TOTAL FREIGHT: \$ -
					Subtotal: \$ 60,340.00
					Total Services: \$ 39,477.14

SALES TAX: NA \$ -
Quote Total: \$ 99,817.14

PAYMENT TERMS: 50% Deposit of entire quote at time of order. Balance of equipment payment due at time of delivery. Balance of services due at time of completion.

ACCEPTANCE OF QUOTATION: This quotation is subject to policies & terms from our manufacturers. Return a signed copy of this quote along with the deposit and/or purchase order within 10 days otherwise order will void.

PRICING: Any quotes older than 30 days will need to be revised for potential equipment & freight costs changes, material/color updates, etc...

LEAD TIME: Is an estimated schedule from date order is placed after all final equipment selections have been made. Subject to change.

FREIGHT: Freight charges are estimated. Subject to final charges from freight carrier.

EXCLUSIONS: Unless otherwise noted above, this quote specifically excludes any & all grading, sitework, excavation, drainage & landscaping

Acceptance & offloading of equipment is the sole responsibility of the customer unless we have been contracted for equipment installation also.

Quote prepared by: Kim O'Farrell 734.626.1008

Customer Acknowledges that he/she has read, understands, accepts and agrees to be bound by the Terms and Conditions contained in this quote

Accepted by: _____ Date: _____

Printed Name & Position: _____

Purchase Order #: _____



City Council

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



Mayor
Tiyi Schippers

Mayor Pro-Tem

Councilmembers
Bryan Elenbaas
Robert J. Engels

RESOLUTION NO. _____

**RESOLUTION TO INTRODUCE ORDINANCE AMENDING THE CITY ZONING MAP RE:
WRIGHT ST AND ALDRICH ST AND TO SET A PUBLIC HEARING**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held on the 17th day of March, 2025, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Cornerstone Tabernacle (the "Owner") owns real property in the City of Cadillac located at Wright St and 534 Aldrich St and legally described as follows:

PART OF LOTS 19 & 20. BLK 130 COM. ON N LINE OF LOT 20. 116 FT. E OF NW COR: S 317.8 FT: E 288 FT: S 118 FT: E 104.8 FT: N 4DEG 45 MIN W 230.91 FT; N 45 DEG 53 MIN W 152.04 FT: W 152.73 FT: N 100 FT: W 112 FT. TO POB ASSESSMENT PLAT NO 1, CITY OF CADILLAC

PART OF LOT 19, BLK 130, COM 354 FT E OF SW COR: E 50 FT: N 150 FT: W 50 FT: S 150 FT TO BEG AND COM. AT PT. ON N LINE OF LOT 19, 116 FT. E OF NW COR: S 146.8 FT: E 45 FT: S 21 FT: E 50 FT: S 6 FT: E 53 FT: N 6 FT: E 140 FT: N 167.8 FT: W 288 FT TO POB, ASSESSMENT PLAT 1, CITY OF CADILLAC

and whose tax identification numbers are 10-041-00-100-00 and 10-041-00-089-00 (hereinafter the "Parcels"); and

WHEREAS, the Parcels are currently zoned R-2, One-Family Residential District; and

WHEREAS, the Owner submitted an application (the "Application") to the City Planning Commission requesting that the Parcels be rezoned to RM-1 Multiple-Family Residential District; and

WHEREAS, upon giving notice in accordance with the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 *et seq.* ("MZEA"), the City Planning Commission conducted a public hearing regarding rezoning of the Parcel on February 24, 2025; and

WHEREAS, the City Planning Commission has recommended that the City Council amend the City Zoning Map to rezone the Parcels to the RM-1 District; and

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

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

1. Pursuant to Section 5.2 of the Charter, the City introduces the Ordinance Amending City Zoning Map (the "Ordinance," attached as Exhibit A).
2. A public hearing regarding the Application shall be held on April 7, 2025, at 6:00 p.m. in the Council Chambers, Cadillac Municipal Complex, 200 Lake Street, Cadillac, Michigan.
3. The City Clerk is directed to publish a summary of the Ordinance once in a newspaper of general circulation in the City, together with a notice setting the time and place for a public hearing on the Ordinance, within seven days. The summary and notice of the hearing shall be substantially the form of Exhibit B.
4. A copy of the Ordinance shall be available for examination at the office of the City Clerk, and copies may be provided for a reasonable charge.

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

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. ____, duly adopted at a meeting of the City Council held on the 17th day of March, 2025.

Sandra Wasson
Cadillac City Clerk

City Council

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



Mayor
Tiyi Schippers

Mayor Pro-Tem

Councilmembers
Robert Engels
Bryan Elenbaas

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CITY ZONING MAP RE: WRIGHT ST AND ALDRICH ST
AND TO SET A PUBLIC HEARING**

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends the City Zoning Map to change the R-2, One-Family Residential District zoning designation and established use district as shown on the City Zoning Map for the real property located at Wright St and 534 Aldrich St and legally described as:

PART OF LOTS 19 & 20. BLK 130 COM. ON N LINE OF LOT 20. 116 FT. E OF NW COR: S 317.8 FT: E 288 FT: S 118 FT: E 104.8 FT: N 4DEG 45 MIN W 230.91 FT; N 45 DEG 53 MIN W 152.04 FT: W 152.73 FT: N 100 FT: W 112 FT. TO POB ASSESSMENT PLAT NO 1, CITY OF CADILLAC

PART OF LOT 19, BLK 130, COM 354 FT E OF SW COR: E 50 FT: N 150 FT: W 50 FT: S 150 FT TO BEG AND COM. AT PT. ON N LINE OF LOT 19, 116 FT. E OF NW COR: S 146.8 FT: E 45 FT: S 21 FT: E 50 FT: S 6 FT: E 53 FT: N 6 FT: E 140 FT: N 167.8 FT: W 288 FT TO POB, ASSESSMENT PLAT 1, CITY OF CADILLAC

(Tax identification No. 10-041-00-100-00 and 10-041-00-089-00) (the "Parcels")

to the RM-1 Multiple-Family Residential District zoning designation and corresponding use district under Chapter 46 of the Cadillac City Code.

Section 2.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3.

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

Section 4.

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

Approved this ____ day of _____, 2025

March 17, 2025

Council Communication

Re: Cadillac Lofts II Brownfield Plan Amendment

The Cadillac Lofts Brownfield Plan was originally approved by the Cadillac Brownfield Redevelopment Authority and the City Council in 2019 to provide for capture of future increased incremental revenues to reimburse certain Environmental, Site Preparation and Infrastructure Eligible Activities. The project also received Neighborhood Enterprise Zone (NEZ) and Community Redevelopment Act (Act 255) tax abatements. In 2020, a Brownfield Plan amendment was approved to provide for reimbursement of public infrastructure costs, after the State withdrew support for a Community Development Block Grant (CDBG).

Cadillac Lofts Phase I was completed in 2020 with approximately half of the public infrastructure and has been a significant addition to downtown Cadillac. The second phase was delayed due to COVID and the tremendous increase in construction costs and interest rates.

Because of those increased construction costs and interest rates, financing for Phase II has been incredibly challenging. Cadillac Lofts has secured private financing with the support of State and Federal funding, but a financing gap remains between the development costs and revenues.

Amendments to Act 381 provide for the financing gap for housing projects that serve households with incomes at or below 120% Area Median Income (AMI) to qualify as a Brownfield Eligible Activity that can be reimbursed through future tax capture.

Brownfield Plan Amendment #2 for Cadillac Lofts is proposed to include Housing TIF Eligible Activities to fill the project financing gap and allow Cadillac Lofts Phase II to proceed and finish the public infrastructure improvements. In addition, the Neighborhood Enterprise Zone (NEZ) and Community Redevelopment Act (Act 255) tax abatements are proposed to be terminated.

The Brownfield Plan Amendment #2 was presented to and approved by the City of Cadillac Brownfield Redevelopment Authority at their March 12, 2025 meeting, with a recommendation for City Council Approval.

A public hearing is required to set, noticed, and held by the City Council prior to consideration of the Brownfield Plan Amendment.

Attached is a resolution for consideration by the City Council to set the public hearing for the City Council for the April 7, 2025 meeting. The Brownfield Plan Amendment will be presented for City Council consideration at that meeting.

The following is the proposed schedule for consideration for the Brownfield Plan Amendment:

Action	Entity	Date
Approve Brownfield Plan Amendment	CBRA	March 12, 2025
Set Public Hearing	City Council	March 17, 2025
Notices to Public Hearing	Staff	March 18, 2025
Hold Public Hearing	City Council	April 7, 2025
Approve Brownfield Plan Amendment	City Council	April 7, 2025

Recommended Action

Adopt the resolution to set the public hearing for April 7, 2025 for the Cadillac Lofts Brownfield Plan Amendment #2.

City Council

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



RESOLUTION NO. _____

**RESOLUTION SETTING PUBLIC HEARING FOR
CADILLAC LOFTS BROWNFIELD PLAN AMENDMENT #2**

At a regular meeting of the Cadillac City Council held at Cadillac City Hall, 200 North Lake Street, Cadillac, Michigan on March 17, 2025, 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, The Cadillac Lofts Brownfield Plan was originally approved by the Cadillac Brownfield Redevelopment Authority and the City Council in 2019 to provide for capture of future increased incremental revenues to reimburse certain Environmental, Site Preparation and Infrastructure Eligible Activities and amended in 2020 to provide for reimbursement of public infrastructure costs, after an anticipated Community Development Block Grant (CDBG) was not available; and

WHEREAS, Cadillac Lofts Phase I was completed in 2020 with approximately half of the public infrastructure and has been a significant addition to downtown Cadillac; however, the second phase was delayed due to COVID and the tremendous increase in construction costs and interest rates; and

WHEREAS, Because of those increased construction costs and interest rates, financing for Phase II has been incredibly challenging; however, Cadillac Lofts has secured private financing with the support of State and Federal funding, but a financing gap remains between the development costs and revenues; and

WHEREAS, Amendments to Act 381 provide for the financing gap for housing projects that serve households with incomes at or below 120% Area Median Income (AMI) to qualify as a Brownfield Eligible Activity that can be reimbursed through future tax capture; and

WHEREAS, Brownfield Plan Amendment #2 for Cadillac Lofts is proposed to include Housing TIF Eligible Activities to fill the project financing gap and allow Cadillac Lofts Phase II to proceed and finish the public infrastructure improvements; and

WHEREAS, on March 12, the CBRA reviewed, approved, and recommended approval of the Cadillac Lofts Brownfield Plan Amendment #2 to the City Council, finding the Brownfield Plan Amendment met the

requirements of Act 381 and constitutes a public purpose of workforce housing, increased private investment and economic development, providing jobs and increased property tax value; and

WHEREAS, Act 381 requires the governing body to hold a public hearing on the Brownfield Plan Amendment 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 Amendment at its April 7, 2025 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 Cadillac Lofts Brownfield Plan Amendment #2 shall be held on April 7, 2025, 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 17th day of March, 2025.

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

March 17, 2025

Council Communication

Re: DNR Grant: Diggins Hill Sensory Playground Development

The Sensory Park will be the 2nd phase built in the re-developed Diggins Hill Community Park, after the Rotary funded playground. It will include an exploratory play area with developmental equipment that children can move along and use. Children will be able to touch, turn, push, and pull interactive pieces on the playground. It will provide a manipulative tactile experience that involves interaction, be visually interesting, and incorporate auditory and musical components. Everything will be accessible from the ground and components can be touched by children of all heights and ages. Mobility around the park will include barrier-free ramps for ease of accessibility.

Creating a sensory park will not only enhance the recreational opportunities available to the residents of the Diggins Hill neighborhood but will also provide a safe and welcoming environment for children of all abilities to play and interact. In particular, the provision of accessible play space for students with special needs will address the significant gap in our community and ensure that every child has the opportunity to experience the joy of outdoor play.

The City will be applying for a DNR Grant to fund the construction and engineering of the Diggins Hill Sensory Playground. This project is a part of the current approved 5-Year Recreation Plan, and it is requested that City Council adopt a resolution of support for this grant application and grant match if awarded.

Recommended Action

It is recommended that City Council approve the resolution in support of a DNR grant application in the amount of \$163,800, including the support to fund a match in the amount of \$42,600.

City Council

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



Mayor
Tiyi Schippers

Mayor Pro-Tem
x

Councilmembers
x

Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2025-_____

**RESOLUTION AUTHORIZING SUBMISSION OF
APPLICATION TO DEPARTMENT OF NATURAL
RESOURCES GRANT PROGRAM(S)**

At a regular meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 17th day of March, 2025, at 6:00 p.m.

PRESENT:

ABSENT:

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

WHEREAS, the City of Cadillac (the "City") supports the submission of its application, titled "Diggins Hill Sensory Playground" (the "Application"), to the Michigan Department of Natural Resources' Grant Program(s) for the development of a sensory playground at Diggins Hill Community Park; and

WHEREAS, the Application will support the Revitalization of Diggins Hill project; and

WHEREAS, the Application is supported by the City's 5-Year Approved Parks and Recreation Plan; and

WHEREAS, the City hereby makes a financial commitment to the project in the amount of \$42,600 matching funds, in cash and/or force account, and may amend the City budget as necessary to provide for such funds.

NOW, THEREFORE, the City Council of the City of Cadillac, Wexford County, hereby authorize the submission of the Application for the award of a Michigan Department of Natural Resources' Grant of not less than \$127,800, and further resolves to make available its local match financial obligation amount of \$42,600 (26%) of a total \$170,400 project cost, during the 2026-2027 fiscal year.

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. 2025-____, duly adopted at a regular meeting of the City Council held on the 17th day of March, 2025.

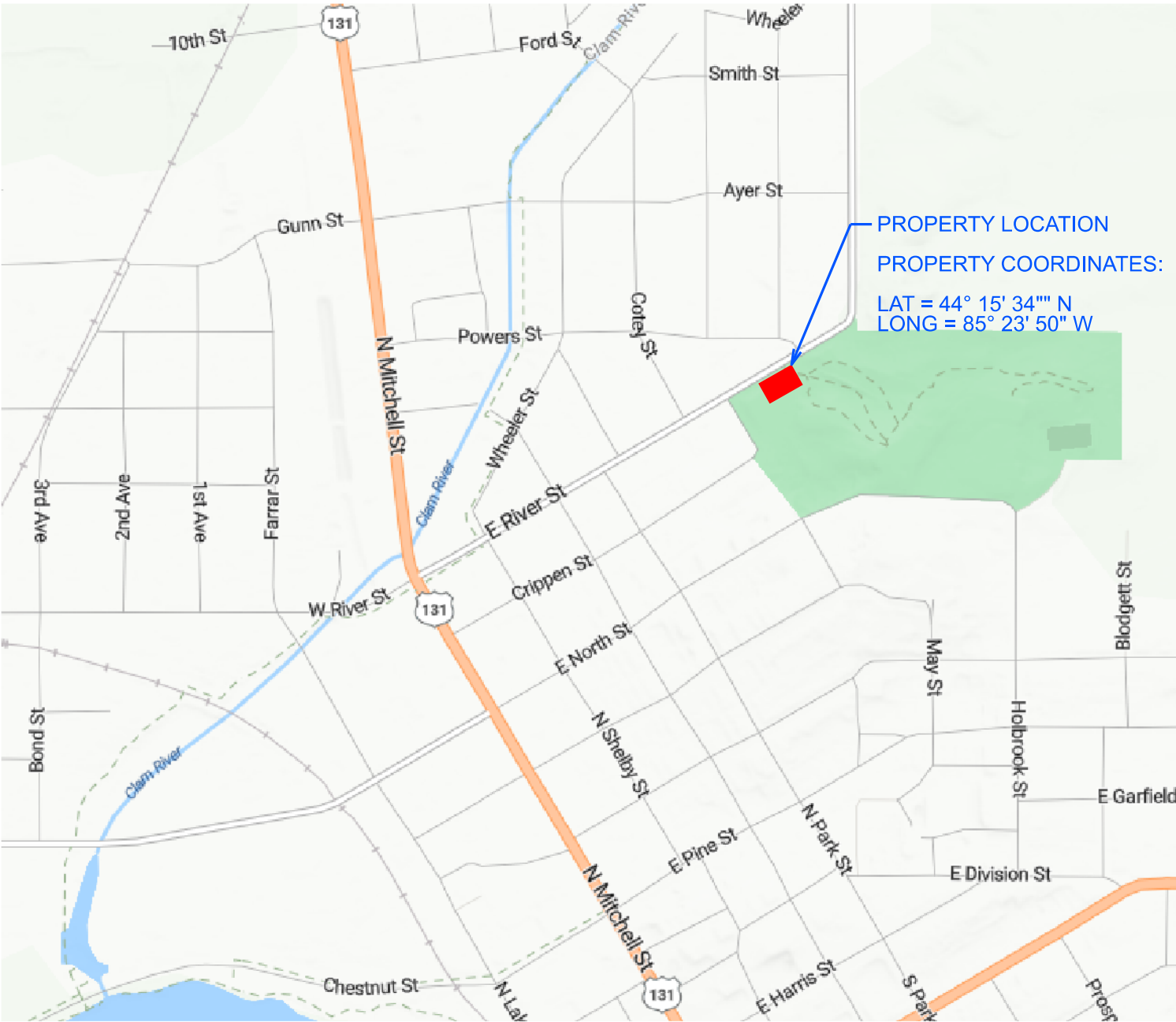
Sandra Wasson, Cadillac City Clerk

LOCATION MAP

DIGGINS HILL COMMUNITY
PARK PLAYGROUND
CITY OF CADILLAC
WEXFORD COUNTY



COUNTY KEY





City of Cadillac

3/13/2025

Wexford County, MI

DIGGINS HILL SENSORY PLAYGROUND

Engineer's Estimate

Natural Resources Trust Fund Grant

#2250214

Site Work	Units	Quantity	Cost Per Unit	Total
Removals and Site Grading	LSUM	1	\$ 4,000.00	\$ 4,000.00
4" Concrete Path	SFT	200	\$ 15.00	\$ 3,000.00
Restoration Turf, Seeding and Topsoil	SYD	600	\$ 5.00	\$ 3,000.00
Park Amenities				
Playground Equipment	LSUM	1	\$ 90,000.00	\$ 90,000.00
Playground Installation	LSUM	1	\$ 27,000.00	\$ 27,000.00
Safety Surfacing	SFT	800	\$ 30.50	\$ 24,400.00
Miscellaneous				
MDNR Recognition Sign	EA	1	\$ 400.00	\$ 400.00
Subtotal				\$ 151,800.00
Engineering				\$ 12,000.00
TOTAL PROJECT COSTS				\$ 163,800.00

City Match (26%) \$ 42,600.00
MDNR Funds \$ 121,200.00

March 17, 2025

Council Communication

Re: DNR Grant: Lake Cadillac Fishing Pier Development

Historically, the Lake Cadillac shoreline positioned along the east side of the M-115 causeway has been a prime location for fishing from shore by residents and tourists. The roughly 1,000 feet of shoreline is separated from M-115 by a non-motorized pathway and guardrail. The location is a popular spot for the fishing of crappie, bluegill, and bass and for the observation of lake recreation. To create greater opportunities for fishing in deeper water, provide protection for the shoreline, create habitat for fish spawning, and to offer a desired amenity commonly referenced as a need by citizens and tourists, the plan proposes the construction of an all-season fishing pier extending in a semi-circle from the causeway bank.

The City will be applying for a Michigan Natural Resources Trust Fund Grant to fund the construction and engineering of the proposed Fishing Pier. This project is a part of the current approved 5-Year Recreation Plan, and it is requested that City Council adopt a resolution of support for this grant application and grant match if awarded.

Recommended Action

It is recommended that City Council approve the resolution in support of a DNR Natural Resources Trust Fund grant application in the amount of \$500,000, including the support to fund a match in the amount of \$140,800.

City Council

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



Mayor
Tiyi Schippers

Mayor Pro-Tem
x

Councilmembers
x

Robert J. Engels
Bryan Elenbaas

RESOLUTION NO. 2025-_____

**RESOLUTION AUTHORIZING SUBMISSION OF
APPLICATION TO TRUST FUND GRANT PROGRAM**

At a regular meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 17th day of March, 2025, at 6:00 p.m.

PRESENT:

ABSENT:

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

WHEREAS, the City of Cadillac (the “City”) supports the submission of its application, titled “Lake Cadillac Fishing Pier Development” (the “Application”), to the Michigan Department of Natural Resources’ Trust Fund Grant Program for the development of a fishing pier along the west causeway of Lake Cadillac; and

WHEREAS, the Application is supported by the City’s 5-Year Approved Parks and Recreation Plan; and

WHEREAS, the City hereby makes a financial commitment to the project in the amount of \$140,800 matching funds, in cash and/or force account, and may amend the City budget as necessary to provide for such funds.

NOW, THEREFORE, the City Council of the City of Cadillac, Wexford County, hereby authorize the submission of the Application for the award of a Michigan Department of Natural Resources' Trust Fund Grant of not less than \$400,000, and further resolves to make available its local match financial obligation amount of \$140,800 (26%) of a total \$540,800 project cost, during the 2026-2027 fiscal year.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF WEXFORD)

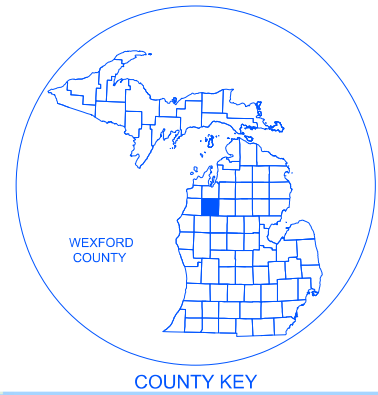
I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2025-____, duly adopted at a regular meeting of the City Council held on the 17th day of March, 2025.

Sandra Wasson, Cadillac City Clerk

LOCATION MAP

LAKE CADILLAC FISHING PIER DEVELOPMENT

CITY OF CADILLAC
WEXFORD COUNTY



SITE PLAN

LAKE CADILLAC FISHING PIER DEVELOPMENT

CITY OF CADILLAC
WEXFORD COUNTY



City of Cadillac

3/13/2025

Wexford County, MI

CADILLAC WEST FISHING PIER

Engineer's Estimate

Natural Resources Trust Fund Grant

#2250214

Site Work	Units	Quantity	Cost Per Unit	Total
Removals and Site Grading	LSUM	1	\$ 7,000.00	\$ 7,000.00
4" Concrete Path	SFT	300	\$ 15.00	\$ 4,500.00
Restoration Turf, Seeding and Topsoil	SYD	200	\$ 5.00	\$ 1,000.00
Fishing Pier				
Boardwalk Abutment	EA	2	\$ 6,000.00	\$ 12,000.00
Timber Piles	EA	32	\$ 2,000.00	\$ 64,000.00
12' Timber Boardwalk	FT	160	\$ 2,250.00	\$ 360,000.00
Railing	FT	320	\$ 170.00	\$ 54,400.00
Miscellaneous				
Benches	EA	3	\$ 2,000.00	\$ 6,000.00
Waste & Recycle Receptacles	EA	1	\$ 1,500.00	\$ 1,500.00
MDNR Recognition Sign	EA	1	\$ 400.00	\$ 400.00
Subtotal				\$ 510,800.00
Engineering				\$ 30,000.00
TOTAL PROJECT COSTS				\$ 540,800.00
City Match (26%)				\$ 140,800.00
MDNR Funds				\$ 400,000.00

CITY OF CADILLAC
Cadillac, Michigan
RESOLUTION
MDOT CONTRACT #24-5601

Minutes of a regular meeting of the Cadillac City Council held in the Council Chambers, Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan on Monday, March 17, 2025, at 6:00 p.m.

Council Members present:

Council Members absent:

The following resolution was offered by Council Member XXXXX and supported by Council Member XXXXX:

NOW, THEREFORE BE IT RESOLVED, that the Cadillac City Council approves and authorizes the City Manager to sign Contract #24-5601 between the Michigan Department of Transportation and the City of Cadillac for:

Permanent signing and pavement markings along shoulders, pedestrian crossings, and wayfinding signing through the Lakeside District around Lake Cadillac; including shade picnic shelters at the White Pine Trailhead and at the Haynes Street Micro-Park, and tables and chairs at the Market; and all together with necessary related work. The PROJECT has been approved for financing in part with funds from the State appropriated to the Shared Streets and Spaces Fund, hereinafter referred to as "SSSG FUNDS," qualifies for funding pursuant to PA 119, Article 15, Section 1004(1)(c); Public Act of 2023 and PA 121, Article 15, Section 1105(d); Public Act of 2024, as amended, and is categorized as: SSSG FUNDED PROJECT

AYES: Council Members:

NAYS:

RESOLUTION DECLARED ADOPTED.

Sandra L. Wasson, City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Cadillac, County of Wexford, Michigan, at a regular meeting held on the 17th day of March, 2025.

Sandra L. Wasson, City Clerk
200 N. Lake Street
Cadillac, MI 49601
(231) 775-0181

Date

SSSG
NON FED

COM	
Control Section	SSSG 83000
Job Number	222874CON
Contract No.	24-5601

THIS CONTRACT is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT;" and the CITY OF CADILLAC, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY;" for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements, in Cadillac, Michigan, hereinafter referred to as the "PROJECT" and estimated in detail on EXHIBIT "I," dated January 26, 2025, attached hereto and made a part hereof:

Permanent signing and pavement markings along shoulders, pedestrian crossings, and wayfinding signing through the Lakeside District around Lake Cadillac; including shade picnic shelters at the White Pine Trailhead and at the Haynes Street Micro-Park, and tables and chairs at the Market; and all together with necessary related work.

WITNESSETH:

WHEREAS, the State of Michigan is hereinafter referred to as the "State;" and

WHEREAS, the PROJECT has been approved for financing in part with funds from the State appropriated to the Shared Streets and Spaces Fund, hereinafter referred to as "SSSG FUNDS," qualifies for funding pursuant to PA 119, Article 15, Section 1004(1)(c); Public Act of 2023 and PA 121, Article 15, Section 1105(d); Public Act of 2024, as amended, and is categorized as:

SSSG FUNDED PROJECT

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto shall undertake and complete the PROJECT in accordance with the terms of this contract.

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2. The term "PROJECT COST," as herein used, is hereby defined as the cost of the physical construction necessary for the completion of the PROJECT.

The costs incurred by the REQUESTING PARTY for preliminary engineering, construction engineering and inspection, and right-of-way are excluded from the PROJECT COST as defined by this contract.

The Michigan Department of Environment, Great Lakes, and Energy has informed the DEPARTMENT that it adopted new administrative rules (R 325.10101, et. seq.) which prohibit any governmental agency from connecting and/or reconnecting lead and/or galvanized service lines to existing and/or new water main. Questions regarding these administrative rules should be directed to the Michigan Department of Environment, Great Lakes, and Energy. The cost associated with replacement of any lead and/or galvanized service lines, including but not limited to contractor claims, will be the sole responsibility of the REQUESTING PARTY.

3. The DEPARTMENT is authorized by the REQUESTING PARTY to perform, at no cost to the PROJECT, such administration of the PROJECT covered by this contract as is necessary to assist the REQUESTING PARTY to qualify for funding. Such administration may include performing such review, legal, financing, any other PROJECT related activities as are necessary to assist the REQUESTING PARTY in meeting applicable State requirements.

The DEPARTMENT may make a final acceptance inspection of the PROJECT as necessary to ensure the PROJECT meets State requirements. Failure to comply with State requirements may result in forfeiture of future distributions of the Michigan Transportation Fund as described in Section 5. No charges will be made by the DEPARTMENT to the PROJECT for any inspection work or construction engineering.

4. The REQUESTING PARTY, under the terms of this contract, shall advertise and award the PROJECT work in accordance with the following:

- A. The REQUESTING PARTY will, at no cost to the DEPARTMENT or the PROJECT, design, or cause to be designed, the PROJECT, and shall accept full responsibility for that design. Any review undertaken by the DEPARTMENT is for its own purposes and is not to nor does it relieve the REQUESTING PARTY of liability for any claims, causes of action or judgments arising out of the design of the PROJECT.
- B. The REQUESTING PARTY, hereby, certifies to the DEPARTMENT that the plans, specifications, and estimates for the PROJECT have been prepared in compliance with applicable State laws, standards, and regulations.
- C. The REQUESTING PARTY, hereby, certifies to the DEPARTMENT that the contracting procedures, when applicable, are to be followed by the

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REQUESTING PARTY and shall be based on an open competitive bid process. It is understood that the proposal for the PROJECT shall be publicly advertised and the contract awarded on the basis of the lowest responsive and responsible bid in accordance with applicable State statutes and regulations.

Upon receipt of the "Request for Payment" form from the REQUESTING PARTY, the DEPARTMENT will authorize payment to the REQUESTING PARTY for the eligible amount in accordance with Section 5.

- D. The REQUESTING PARTY will, at no cost to the PROJECT or the DEPARTMENT, comply with all applicable State statutes and regulations, including, but not limited to, those specifically relating to construction contract administration and obtain all permits and approvals with railway companies, utilities, concerned State, Federal, and local agencies, etc., and give appropriate notifications as may be necessary for the performance of work required for the PROJECT.

The REQUESTING PARTY agrees to comply with all applicable requirements of Part 91, Soil Erosion and Sedimentation Control of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended by 1995 PA 60 and 1996 PA 173, MCL 324.9101 et. seq., for all PROJECT work performed under this contract, and the REQUESTING PARTY shall require its contractors and subcontractors to comply with the same.

- E. All work in connection with the PROJECT shall be performed in conformance with the REQUESTING PARTY'S current Standard Specifications for Construction, special provisions, and the supplemental specifications and plans pertaining to the PROJECT. All materials furnished and used in the construction of the PROJECT shall conform to the aforesaid specifications. Any changes in the scope of work for the PROJECT will require written approval by the DEPARTMENT.
- F. The REQUESTING PARTY shall, at no cost to the PROJECT or to the DEPARTMENT, appoint a project manager who shall administer the PROJECT and ensure that the plans and specifications are followed, and shall perform or cause to be performed the construction engineering and inspection services necessary for the completion of the PROJECT.

Should the REQUESTING PARTY elect to use consultants for construction engineering and inspection, the REQUESTING PARTY shall provide a full-time project manager employed by the REQUESTING PARTY who shall ensure that the plans and specifications are followed.

- G. Should the REQUESTING PARTY elect to use a contractor to construct the PROJECT, the REQUESTING PARTY shall require the contractor who is awarded the contract for the construction of the PROJECT to provide, as a minimum, insurance in the amounts specified in and in accordance with the DEPARTMENT'S current Standard Specifications for Construction, and to:
- (1) Maintain bodily injury and property damage insurance for the duration of the PROJECT.
 - (2) Provide owner's protective liability insurance naming as insureds the State of Michigan, the Michigan State Transportation Commission, the DEPARTMENT and its officials, agents and employees, the REQUESTING PARTY and any other party with jurisdiction for the roadway being constructed as the PROJECT, and their employees, for the duration of the PROJECT and to provide copies of certificates of insurance to the insureds. It is understood that the DEPARTMENT does not assume either ownership of any portion of the PROJECT or jurisdiction of any REQUESTING PARTY highway as a result of being named as an insured on the owner's protective liability insurance policy.
 - (3) Comply with the requirements of notice of cancellation and reduction of insurance set forth in the current Standard Specifications for Construction and to provide copies of notices and reports prepared to those insured.

5. The PROJECT COST shall be met in part by contributions by SSSG FUNDS. SSSG FUNDS shall be applied to the eligible items of the PROJECT COST up to an amount not to exceed the lesser of: (1) 100 percent of the final PROJECT COST, or (2) \$200,000, the grant amount. The balance, if any, of the PROJECT COST, after deduction of SSSG FUNDS, is the sole responsibility of the REQUESTING PARTY.

The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of PROJECT work.

The REQUESTING PARTY shall certify all actual costs incurred for work performed under this contract that are eligible for payment with SSSG FUNDS and will be required to repay any SSSG FUNDS it received in excess of 100 percent of the total of such costs.

The REQUESTING PARTY shall provide digital photographs and a narrative description of the completed PROJECT along with the Final Cost Certification form. The narrative description shall be in a form established by the DEPARTMENT and shall describe expected benefits and impact of the PROJECT on the community being served. If the DEPARTMENT does not receive 07/2024 TEDSSSG.FOR 1/26/25

the Final Cost Certification form with the required photographs and narrative from the REQUESTING PARTY within three (3) months of completion of the PROJECT and payment of all items of PROJECT COST related thereto or December 31, 2026, whichever earlier, the DEPARTMENT may require repayment of full amount of the SSSG FUNDS.

6. The REQUESTING PARTY shall establish and maintain adequate records and accounts relative to the cost of the PROJECT. Said records shall be retained for a period of three (3) years after completion of construction of the PROJECT and shall be available for audit by the DEPARTMENT. In the event of a dispute with regard to allowable expenses or any other issue under this contract, the REQUESTING PARTY shall continue to maintain the records at least until that dispute has been finally decided and the time after all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the records at any reasonable time after giving reasonable notice.

The REQUESTING PARTY, within three (3) months of completion of the PROJECT and payment of all items of PROJECT COST related thereto, shall make a final reporting of PROJECT costs to the DEPARTMENT and certify that the PROJECT has been completed in accordance with the PROJECT plans, specifications, and contract.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense, and (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate arrangements to conveniently and reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit 07/2024 TEDSSSG.FOR 1/26/25

Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 998-502 and applicable State laws and regulations relative to audit requirements.

7. The REQUESTING PARTY certifies that a) it is a person under the Natural Resources and Environmental Protection Act, MCL 324.20101 et seq., as amended, (NREPA) and is not aware of and has no reason to believe that the property is a facility as defined in the NREPA; b) the REQUESTING PARTY further certifies that it has completed the tasks required by MCL 324.20126 (3)(h); c) it conducted a visual inspection of property within the existing right of way on which construction is to be performed to determine if any hazardous substances were present; and at sites on which historically were located businesses that involved hazardous substances, it performed a reasonable investigation to determine whether hazardous substances exist. This reasonable investigation should include, at a minimum, contact with local, State and federal environmental agencies to determine if the site has been identified as, or potentially as, a site containing hazardous substances; d) it did not cause or contribute to the release or threat of release of any hazardous substance found within the PROJECT limits.

The REQUESTING PARTY also certifies that, in addition to reporting the presence of any hazardous substances to the Michigan Department of Environment, Great Lakes, and Energy, it has advised the DEPARTMENT of the presence of any and all hazardous substances which the REQUESTING PARTY found within the PROJECT limits, as a result of performing the investigation and visual inspection required herein. The REQUESTING PARTY also certifies that it has been unable to identify any entity who may be liable for the cost of remediation. As a result, the REQUESTING PARTY has included all estimated costs of remediation of such hazardous substances in its estimated cost of construction of the PROJECT.

07/2024 TEDSSSG.FOR 1/26/25

8. If, subsequent to execution of this contract, previously unknown hazardous substances are discovered within the PROJECT limits, which require environmental remediation pursuant to either State or federal law, the REQUESTING PARTY, in addition to reporting that fact to the Michigan Department of Environment, Great Lakes, and Energy , shall immediately notify the DEPARTMENT, both orally and in writing of such discovery. The DEPARTMENT shall consult with the REQUESTING PARTY to determine if it is willing to pay for the cost of remediation and to determine the eligibility, for reimbursement, of the remediation costs. The REQUESTING PARTY shall pay all costs associated with such remediation, including all delay costs of the contractor for the PROJECT. If the REQUESTING PARTY refuses to participate in the cost of remediation, the amount of TED FUNDS the REQUESTING PARTY received from Grant #5393 shall be forfeited back to the DEPARTMENT.

9. If State funds administered by the DEPARTMENT are used to pay the cost of remediating any hazardous substances discovered after the execution of this contract and if there is a reasonable likelihood of recovery, the REQUESTING PARTY, in cooperation with the Michigan Department of Environment, Great Lakes, and Energy and the DEPARTMENT, shall make a diligent effort to recover such costs from all other possible entities. If recovery is made, the DEPARTMENT shall be reimbursed from such recovery for the proportionate share of the amount paid by the DEPARTMENT and the DEPARTMENT shall credit such sums to the appropriate funding source.

10. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the State.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT does not relieve the REQUESTING PARTY and the local agencies, as applicable, of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402 et seq., as amended.

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT is performing a governmental function, as that term is defined in MCL 691.1401 et seq. as amended, which is incidental to the completion of the PROJECT.

11. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402 et seq., as amended. Exclusive jurisdiction of such

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highway for the purposes of MCL 691.1402 et seq., as amended, rest with the REQUESTING PARTY and other local agencies having respective jurisdiction.

12. The REQUESTING PARTY shall approve all of the plans and specifications to be used on the PROJECT and shall be deemed to have approved all changes to the plans and specifications when put into effect. It is agreed that ultimate responsibility and control over the PROJECT rests with the REQUESTING PARTY and local agencies, as applicable. Any changes in the scope of work for the PROJECT will require written approval by the DEPARTMENT.

13. The REQUESTING PARTY agrees that the costs reported to the DEPARTMENT for this contract will represent only those items that are properly chargeable in accordance with this contract. The REQUESTING PARTY also certifies that it has read the contract terms and has made itself aware of the applicable laws, regulations, and terms of this contract that apply to the reporting of costs incurred under the terms of this contract.

Upon completion of the PROJECT, the REQUESTING PARTY shall accept the facilities constructed as built to specifications within the contract documents. It is understood that the REQUESTING PARTY shall own the facilities and shall operate and maintain the facilities in accordance with all applicable Federal and State laws and regulations, including, but not limited to, Title II of the Americans with Disabilities Act (ADA), 42 USC 12131 et seq., and its associated regulations and standards.

14. Each party to this contract will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the contract, as provided by this contract or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This contract is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this contract.

15. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964 being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.

16. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF CADILLAC

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
for Department Director MDOT

By _____
Title:



07/2024 TEDSSSG.FOR 1/26/25

January 26, 2025

EXHIBIT I

CONTROL SECTION	SSSG 83000
JOB NUMBER	222874CON

ESTIMATED COST

Estimated PROJECT COST	
Contracted Work	\$200,000

ESTIMATED COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$200,000
Less SSSG FUNDS*	<u>\$200,000</u>
BALANCE (REQUESTING PARTY'S SHARE)	\$ 0

NO DEPOSIT

*SSSG FUNDS for the PROJECT are limited to an amount as described in Section 5.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Public Act 453 of 1976 (Elliott-Larsen Civil Rights Act), the contractor shall not discriminate against an employee or applicant for employment with respect to hire, tenure, treatment, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status. A breach of this covenant will be regarded as a material breach of this contract. Further, in accordance with Public Act 220 of 1976 (Persons with Disabilities Civil Rights Act), as amended by Public Act 478 of 1980, the contractor shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment or a matter directly or indirectly related to employment 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 the above covenants will be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status, or any disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment; treatment; upgrading; demotion or transfer; recruitment; advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status, or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or its collective bargaining representative shall send to each labor union or representative of workers with which the contractor has a collective bargaining agreement or other contract or understanding a notice advising such labor union or workers' representative of the contractor's commitments under this Appendix.
6. The contractor shall comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission that may be in effect prior to the taking of bids for any individual state project.

7. The contractor shall furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission; said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor, as well as the contractor itself, and said contractor shall permit access to the contractor's books, records, and accounts by the Michigan Civil Rights Commission and/or its agent for the purposes of investigation to ascertain compliance under this contract and relevant rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Michigan Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this contract, the Michigan Civil Rights Commission may, as a part of its order based upon such findings, certify said findings to the State Administrative Board of the State of Michigan, which State Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, including the governing boards of institutions of higher education, until the contractor complies with said order of the Michigan Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Michigan Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Michigan Civil Rights Commission to participate in such proceedings.
9. The contractor shall include or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Michigan Civil Rights Commission; all subcontracts and purchase orders will also state that said provisions will be binding upon each subcontractor or supplier.

Revised June 2011