City Council Meeting

April 21, 2025
6:00 p.m.

Cadillac Municipal Complex
Council Chambers
200 N. Lake St.
Cadillac, MI 49601

April 21, 2025 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We support each other in serving our community

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

A. Minutes from the work session held on April 7, 2025
Support Document III-A

B. Minutes from the regular meeting held on April 7, 2025
Support Document III-B

IV. PROCLAMATION

A. Earth Day

V. PUBLIC HEARINGS

A. Public hearing to consider adoption of Ordinance Amending the City Zoning Map Re: 128 E. Pine Street.
Support Document V-A

B. Public hearing to consider adoption of Ordinance Amend the Zoning Ordinance to Conditionally Rezone Property.
Support Document V-B

C. Public hearing to consider approval of the Fiscal Year 2026-2031 Capital Improvement Program.

D. Public hearing to discuss the 2025/2026 Annual Operating Budget.

VI. COMMUNICATIONS

A. Rotary Club of Cadillac
Support Document VI-A

VII. APPOINTMENTS

A. Recommendation regarding reappointment to the Brownfield Redevelopment Authority.
Support Document VII-A

B. Recommendation regarding appointment to the Historic Districts Commission.
Support Document VII-B

VIII. CITY MANAGER'S REPORT

A. PFAS Update

IX. ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Local Governing Body Resolution for Charitable Gaming Licenses – Jam and Bread.
Support Document IX-A

X. PUBLIC COMMENTS

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

XI. GOOD OF THE ORDER

XII. ADJOURNMENT

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

Respect
Integrity
Trust
Excellence

Guiding Behaviors

We support each other in serving our community
We communicate openly, honestly, respectfully, and directly
We are fully present
We are all accountable
We trust and assume goodness in intentions
We are continuous learners

City Council Special Meeting
Work Session Minutes
April 7, 2025

CALL TO ORDER
Mayor Schippers opened the meeting at 4:16 pm.

ROLL CALL

Council Present: Elenbaas, Engels, French, Mayor Schippers
Council Absent: Hopkins (*joined meeting at 4:18)
Staff Present: Peccia, Roberts, Dietlin, Wallace, Ottjepka, Wasson

APPROVAL OF AGENDA

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

DISCUSSION AND REVIEW OF THE DRAFT FY2026 ANNUAL OPERATING BUDGET

** Hopkins joined the meeting at 4:18*

Owen Roberts, Director of Finance, stated the proposed budget can be changed until adoption which will occur on May 19, 2025. He noted it can also change after approval through budget amendments.

Roberts summarized the highlights of the draft Fiscal Year 2026 Annual Operating Budget (see attached Budget Summary). He noted much of the information included in this summary can be found in the Budget Summaries and Analysis section on pages 52-71 of the budget document.

Roberts noted the FY2026 proposed revenues are $24,342,800 and proposed expenditures are $25,669,500. He stated the amount of revenue is under expenditure is $1,326,700. He noted the General Fund is a structurally balanced budget, meaning ongoing revenues are sufficient to support ongoing expenditures.

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Roberts highlighted the use of reserves in the General Fund and the Capital Project Fund called the Downtown Infrastructure Fund. He noted the fund received some proceeds from bonds to help with construction around the Lofts and a portion is waiting for Phase II of that project. He stated a big portion of the General Fund use of reserves is going to fund the Aldrich Street project.

Roberts stated we have a solid reserve position, but there comes a point where we have to invest those dollars in things that are important to the community.

Roberts noted maintenance of the downtown parking lots was previously covered by a special assessment that was charged to parcels in the downtown district that utilized the public parking lots. He stated the special assessment would bring in $50,000 to $60,000 each year to help pay for parking lot maintenance. He noted the last time that renewal was brought forward it was approved by DDA but was not approved by Council. He stated the General Fund assumed full costs of parking maintenance. He stated unless something changes the Auto Parking Fund, which is the fund that received the special assessment dollars, will be eliminated. He noted there is $126,000 left in the Auto Parking Fund.

Mayor Schippers asked if the special assessment is something that Council may want to revisit.

City Manager Peccia noted one of the more significant priorities of the DDA is the streetscape. He noted there are many ways of trying to approach a special assessment in the downtown area.

Roberts noted that we increased the transfer from the General Fund to the Lake Treatment Fund from $50,000 to $65,000. He stated once the special assessment and millage were gone there was no new mechanism in place, so the General Fund has provided the funds to cover ongoing lake treatment costs.

Roberts stated the refuse/recycling rate change per the contract totals an increase of approximately $0.40 per month or about $4.80 per year. He noted these changes are built into the agreements and reflect inflation changes and changes to the annual diesel fuel index.

Roberts stated the CCTV process has changed. He noted when the station shut down those channels went dark. He stated there is drop there where the data is fed in and out of so we have to reestablish that here and we should have the hardware to do the service. He noted the problem is they will require us to be high definition and they are telling us the only option is to pay for the actual access line per channel. He stated one was education and the other was government. He noted it is $3,000 per channel to set up the equipment and $640 per month/per channel to pay for the service. He noted CAPS and ISD have decided not to pay the fee for the educational channel.

Mayor Schippers asked if we could use YouTube.

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Engels asked if there is high demand in the community for people to be able to watch meetings on TV.

Roberts stated he believes that is part of a policy discussion.

Peccia stated part of the policy debate goes back to how all of this started approximately 40 years ago when cable TV started coming into the marketplace. He noted at that time there was no internet. He stated the only way for people to get access to government programming was through cable TV. He stated the question is that if someone is paying for Spectrum cable TV are they not bundling and getting internet as well. He stated if they are then they should have no problem accessing YouTube or our website to watch meetings.

French stated older people are probably more comfortable viewing meetings on the public access station even though she understands there are alternatives.

Council and staff agreed that we should present this to the public to find out how many people do watch the meetings on cable and make them aware of the cost to the City.

Mayor Schippers asked Roberts to bring this up during the public hearing on the budget.

Roberts noted we will be holding an open house at 5:30 pm on April 16, 2025 at the 44 Road Wellfield. He stated our rate consultant will be there to help go through some of the analysis that he has done. He noted we are behind because we didn't increase rates last year. He reviewed the Water and Sewer Rate Adjustments on Page 5 of the Summary. He stated over the past 15 years our water rate changes have averaged 3.2% and our sewer rate changes have averaged 2.7%. He noted according to the 2021 version of the regional water and sewer rate comparison by Gosling Czubak Engineering out of 47 water systems we had the 6th lowest water rates and out of 48 sewer systems we had the 11th lowest sewer rates.

Peccia noted we didn't qualify for certain programs related to water because our rates were too low. He stated we are not in terrible financial distress which is why we don't qualify for governmental subsidies. He noted we are trying to prevent hammering all of our customers and the only way to prevent that is by at least keeping up with the CPI every year. He stated when you start looking at what our capital needs are we may need to do more than that.

Jeff Dietlin, Director of Utilities, noted he pulled back on capital improvement projects due to the lack of increased rates.

Roberts noted if the rate adjustments are approved, the total monthly water and sewer bill for the average residential customer will increase by approximately $3.67 per month, or $44.04 per year. Roberts stated we are proposing a rate increase of 4.5% on water and 8% on sewer.

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Roberts noted the more water you use the less you pay per gallon. He stated there is a declining rate structure.

Peccia stated we hope to know soon what a restructuring of our rate system might look like.

Roberts stated Page 119 of the budget shows the 15 largest users.

Roberts noted General Fund reserves remain in excess of policy levels. He stated there are some 5-year projections on Page 75 of the budget which show that we have some work to do to be able to protect that for future capital investments including two fire trucks.

Roberts noted the proposed budget includes about $2.7 million in appropriations for capital investment which includes: street infrastructure; utilities infrastructure; public safety; buildings and property; equipment, technology and vehicles; and recreation and cemetery. He stated page numbers are provided to view the lists of projects. He noted Aldrich Street is the big capital project we are planning for the year. He stated we are working on an Asset Management Plan for our streets. He noted the State is looking at some ideas for road funding.

Peccia mentioned there are other methods that allow more roads to be done for less money than an entire rebuild. He discussed how other communities are no longer relying on funding from the State. He noted that other communities have developed additional revenue streams through special assessments and through special millages specific to capital programs like streets.

Roberts noted we have 76 full-time employees for FY2026 which is an increase of one employee. He stated the additional employee is the Main Street Manager that will also serve as the DDA Director. He noted that person will be 100% funded by the DDA. He noted the budget does include some COLAs, non-union at 3.5% and unions between 3-4% depending on their contracts. He stated the budget for wages and benefits is about $9.4 million, which is 36.5% of the overall spending.

Roberts reviewed the chart showing the Property Value Changes since 2009. He stated it is expected that the 2025 tax roll will increase approximately 3.1% with a projected taxable value of $316,302,282. He mentioned the impact of the Headlee Amendment as noted in the summary. He stated this equates to a loss of nearly $200,000 in annual property tax revenue.

Roberts noted the projected state shared revenue is 15% which means we must cover the other 85% from other sources. He stated for comparison; we received $1.3 million in state shared revenue in 2001 and it is going to be almost the same in 2026. He noted the dollars we get from the state for street maintenance show a small increase resulting from gas tax and vehicle registrations fees.

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Roberts reviewed the next steps for the budget. He stated he will place the proposed budget on the website tomorrow and will have printed copies at City Hall. He noted the Water and Sewer Rates/General Budget open house will be held at 5:30 pm on April 16, 2025. He noted the CIP & Budget Public Hearings will be held on April 21, 2025. He stated on May 5, 2025 we will introduce the General Appropriations Act and water/sewer rate ordinances. He noted Council will consider adoption of budget on May 19, 2025. He stated the budget takes effect on July 1, 2025.

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

No comments.

ADJOURNMENT

Mayor Schippers adjourned the meeting at 5:31 pm.

Respectfully submitted,

Tiyi Schippers, Mayor Sandra L. Wasson, City Clerk

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City of Cadillac
FY2026 Annual Operating Budget Work Session
April 7, 2025

BUDGET SUMMARY

Much of the information included in this summary can be found in the Budget Summaries and Analysis section on pages 52-71 of the budget document.

Total Revenue and Spending

The proposed FY2026 budget recommends the following:

	FY2026 Proposed	FY2025 Adopted	Change	% Change
Revenues	$24,342,800	$23,907,500	$435,300	1.82%
Expenditures	$25,669,500	$25,235,600	$433,900	1.72%
Revenue Over (Under) Expenditures	($1,326,700)	($1,328,100)		

The use of reserves on hand is nearly all related to street construction projects in the Major and Local Street Funds, Maple Hill Cemetery Fund, and the Downtown Infrastructure Fund (See pg. 57). Summary of use of reserves, excluding Component Units:

Fund	Reserves Used
General Fund	($566,000)
Major Street Fund	(46,700)
Local Street Fund	(34,800)
Capital Projects Funds	(533,000)
Other	(103,000)
	($1,283,500)

Budget Highlights:

- General Fund assumed full costs of parking maintenance in prior budgets after the parking special assessment was not renewed last year. Parking maintenance is now an activity within the Public Works appropriation in the General Fund for a total of $91,000. Auto Parking Fund will be eliminated and residual funds transferred to General Fund and earmarked for lot maintenance. (See page 100)
- Budget plans for an increase in transfer from $50,000 to $65,000 from the General Fund to the Lake Treatment Fund for treatment costs during the year. General Fund is currently the only source of revenue for lake treatment. (See historical treatment cost chart page 150)
- Refuse/recycling rates will increase approximately $0.40 per month, or about $4.80 per year. These changes are built into the agreements and reflect inflation changes and changes to the annual diesel fuel index. (See historical rate chart page 79)
- Slight increase in CCTV management costs ($25,000 to $30,000); General Fund
- Proposed water rate increase of 4.5% and sewer rate increase of 8% (blended increase of 6.62% or $3.67 per month). Recommended increases for FY2025 were not approved, putting the system further behind in its ability to maintain investments in system infrastructure and critical maintenance equipment. We have been in communication with our rate consultant and hope to

have additional analysis soon that will be provided for consideration regarding restructuring our rate schedule. In addition, an open house is planned to discuss these rates in further detail. This meeting is scheduled for April 16, 2025 at 5:30 PM and will be held at the water headquarters at the 44 Road well field.

- Structural balance in General Fund - barely! (See chart p. 74)
- General Fund reserves remain well in excess of policy levels, even with transfer in FY2023 of $1.5 million to fund street maintenance and the proposed use of fund balance included in the initial proposed budget for FY2026. However, major purchases and capital needs will use up this excess and so work will need to be done to identify funds for future capital investments. (See projections p. 75)

Capital Budget

The proposed budget includes about $2.7 million in appropriations for capital investment, highlighted by the following:

	General Fund	Water and Sewer Fund	Other Funds	Total
Street Infrastructure			$912,500	$912,500
Utilities Infrastructure		$486,000		486,000
Public Safety	$140,000			140,000
Buildings, Property		85,000	670,000	755,000
Equipment, Technology, Vehicles	8,000	140,000	150,000	298,000
Recreation and Cemetery	25,000		75,000	100,000
	$173,000	**$711,000**	**$1,807,500**	**$2,691,500**

- General Fund ($173,000): Patrol Vehicle ($80,000), Fire Marshal Truck ($60,000), Parks and Recreation ($25,000) (p. 109)
- Major and Local Street Funds: $100,000 for small repaving projects, $412,500 for Aldrich Street reconstruction (p. 136, 141)
- Water and Sewer Fund: $711,000 (p. 128) *(*Subject to rate adjustments)*
- Stores and Garage Fund: Garage Roof, Truck, Woodchipper; $130,000 (p. 170)
- Information Technology Fund: PC replacement ($20,000), Other equipment ($20,000).

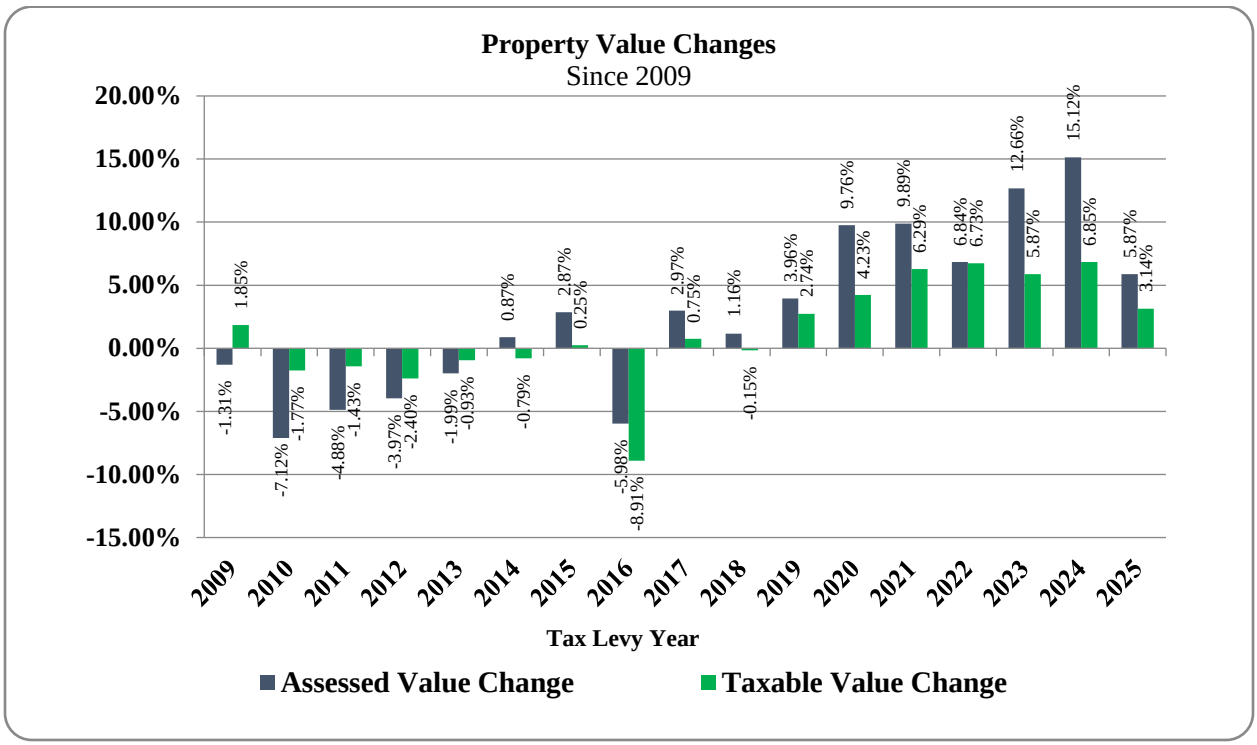
Employment/Cost-of-Living Adjustments (COLA)

The City is primarily a service organization. As such, costs of personnel will be the most significant cost in each year's budget. For FY2026, employee-related costs including wages and benefits total just over $9.4 million, or 36.5% of overall proposed spending.

The proposed budget funds 76 full-time employees. This is an increase of 1 employee for the year, which is the DDA and Main Street Program Manager. Included is a proposed 3.5% COLA for non-union staff. The proposed budget also includes a 3-4% COLA for all union employees in accordance with their respective collective bargaining agreements.

Current Tax Roll Projections

The total value of taxable property within the City once again increased. It is expected that the 2025 tax roll will increase approximately 3.1% compared to the 2024 roll. A summary of tax roll changes since 2009 is presented below:



Tax Revenue History:

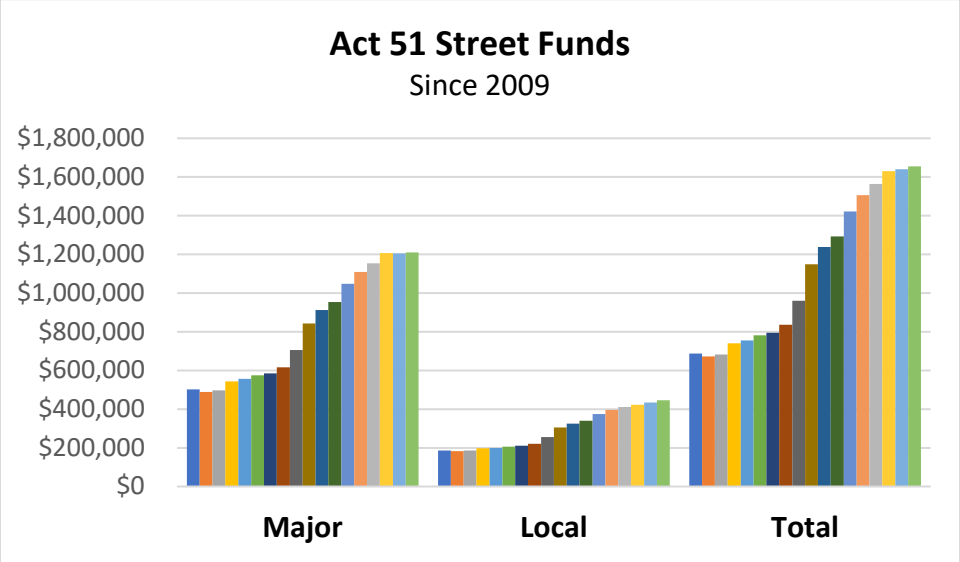
	Fiscal Year Ending June 30,				
Millage	**2022**	**2023**	**2024**	**2025**	**2026**
City Operating	13.6630	13.4922	13.4922	13.3397	13.3397
Police and Fire Retirement	2.6000	2.6000	2.6000	2.6000	2.6000
Total City Millage Rate	**16.2630**	**16.0922**	**16.0922**	**15.9397**	**15.9397**
TAX BASE (Taxable Value of City Property) ***FY26 Projected***	**$254,024,937**	**$270,904,206**	**$287,021,418**	**$306,680,708**	**$316,302,282**
Taxes Generated (Total)	$4,131,208	$4,359,445	$4,618,806	$4,888,398	$5,041,763
Change from Prior Year	$176,527	$228,237	$259,361	$269,592	$153,365

Headlee Rollback

While FY2026 will be the seventh consecutive year of overall taxable value growth, total tax revenue increases have been restricted by the impact of the Headlee Amendment. Headlee calculations have resulted in a ***rollback of the operating millage 5 times since 2017***, lowering total authorized millage from 13.9473 to 13.3397 (0.6076 mill reduction). This equates to a loss of nearly $200,000 in **annual** property tax revenue. The police and fire retirement millage is proposed to remain at 2.6 mills.

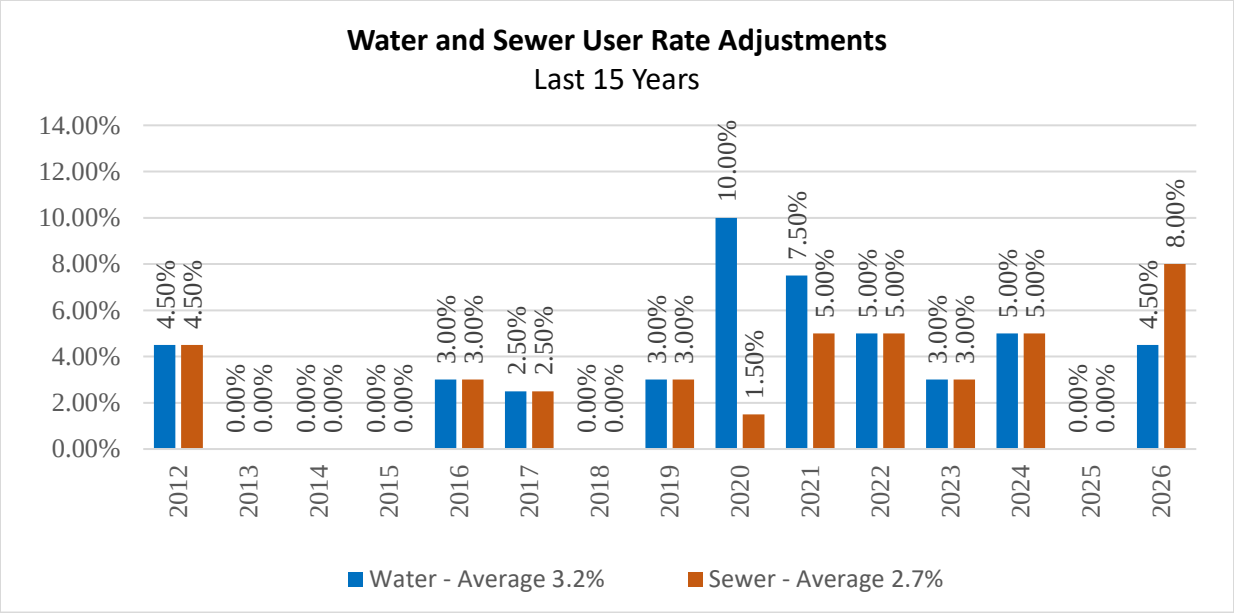
State Shared Revenue
The State of Michigan provides projections for state shared revenue for the upcoming fiscal year. Recent projections released in February 2025 anticipate FY2026 revenues of approximately $1,124,800 for constitutional revenue sharing, and an additional $264,000 for the statutory portion for a total of $1,388,800. The budget anticipates revenue of $1,375,000 which is $13,800 below current State projections.

Michigan Transportation Funds (Act 51)
The chart below shows the annual revenue received since 2009 from the State of Michigan pursuant to Act 51. These revenues – primarily generated from gas taxes and vehicle registration fees – have experienced solid growth in recent years, primarily due to legislative increases in the underlying fees. The total expected revenue projected by the State is $1,655,000 and the City's budget includes projected revenues in the Major Street Fund ($1,210,000) and the Local Street Fund ($445,000).



Anticipated Act 51 revenues are up just 1.3% from the projected current revenue. The State legislature is currently debating a proposed road funding proposal. Assistance from the State will certainly be vital to the City's ability to improve the general conditions of local roads.

Water and Sewer User Charges
A comprehensive rate study was updated using the current budget, confirming the underlying data regarding the overall rate structure and the need for future rate adjustments in order to provide adequate funding for operations and capital investment. The current recommendation is to increase water rates by 4.5% and sewer rates by 8%. This results in an overall increase of 6.67%. A history of rate increases for the last 15 years is presented below:



With the current recommended increase included, rate increases for the last 15 years have averaged 3.2% for water and 2.7% for sewer. The City's rates continue to compare favorably in the region based on an independent rate survey. According to the 2021 version of the survey by Gosling Czubak Engineering Sciences, Inc., the typical monthly water bill was $32.05, and the typical monthly sewer bill was $41.70 for a total of $73.75 per month. By contrast, the typical monthly water bill in Cadillac is just $17.59, and the typical monthly sewer bill in Cadillac is $27.13 per month for a total of $44.72 which is $29.03 – or 39% - below the typical bill reported in the study. Cadillac's typical bill was **6th lowest** out of 47 water system respondents to the survey, and **11th lowest** out of 48 sewer system respondents. In the prior survey, Cadillac was 10th lowest and 11th lowest, respectively.

If the rate adjustments are approved, the total monthly water and sewer bill for the average residential customer will increase by approximately $3.67 per month, or $44.04 per year.

Next Steps

- Budget is available at the Cadillac Municipal Complex, as well as online on the City's website. Public comment and input invited.
- Water and Sewer Rates/General Budget open house April 16, 2025.
- Budget Public Hearing on April 21, 2025.
- Introduce General Appropriations Act and water/sewer rate ordinances on May 5, 2025.
- Consider adoption of General Appropriations Act and water/sewer rate ordinances on May 19, 2025.
- Budget takes effect July 1, 2025.

CITY COUNCIL MEETING MINUTES

April 7, 2025
Cadillac City Hall - 200 N. Lake St. - Cadillac, Michigan 49601

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Hopkins, Engels, French, Mayor Schippers
Council Absent: None
Staff Present: Peccia, Roberts, Dietlin, Wallace, Ottjepka, Genovich, Wasson

APPROVAL OF AGENDA

2025-078 Approve agenda as presented.
Motion was made by Elenbaas and supported by Engels to approve the agenda as presented.

Motion unanimously approved.

PUBLIC COMMENTS

Paula Meyers stated Council Members are public servants and noted she respects them because they have the community's best interest in mind.

Bill Barnett mentioned some of the positive things that have happened regarding the PFAS issue. He noted there is going to be another town hall on May 14, 2025 and he encouraged everyone to attend. He expressed concerns about a hot spot near the Wastewater Treatment Plant.

Brad Marine talked about the work of the Cadillac Advocates for Clean Water and noted they should be recognized by the City. He asked if Mayor Schippers had reached out to that group and if she had started a strategic plan and a PFAS task force. He discussed a FOIA request he submitted regarding the Brownfield Redevelopment Authority meeting notices, minutes and bylaws.

Randy Lindell expressed concerns about PFAS in drinking water at local schools and about City expenditures.

CONSENT AGENDA

2025-079 Approve consent agenda as presented.
Motion was made by Elenbaas and supported by Hopkins to approve the consent agenda as presented.

Motion unanimously approved.

DRAFT

PUBLIC HEARINGS

A. Public hearing to consider adoption of Ordinance Amending the City Zoning Map Re: Wright Street and Aldrich Street.

John Wallace, Community Development Director, provided a presentation on the Rezoning Application for 534 Aldrich Street and adjacent vacant land currently owned by Cornerstone Ministries (see attachment). He noted the proposal for rezoning was prompted by a proposal for the purchase of that property but they wanted to achieve the rezoning prior to the sale of the property.

Wallace noted the Planning Commission voted unanimously in favor of recommending to Council that it be approved.

Mayor Schippers opened the public hearing.

Randy Lindell expressed opposition to the rezoning.

Pastor Troy Baxter mentioned the housing shortage and noted the property is between industrial and residential properties. He stated their congregation has outgrown the building so they have purchased the jail which is on a five-acre site. He encouraged Council to support rezoning the property.

Niki Schultz, Executive Director of the Alliance for Economic Success and Chair of the Wexford-Missaukee Housing Advocacy Committee, mentioned the housing shortage and encouraged Council to support the rezoning.

Mayor Schippers closed the public hearing.

Elenbaas asked about the plan for the existing church building.

Pastor Troy Baxter stated they plan to sell the property and the prospective developers intend to have some apartments in the existing building. He noted at some point in the future the developers would like to develop the Wright Street portion into multi-family housing.

Charlie Tinker noted he lives next door to the church and is the prospective buyer. He stated that have not determined the number of units that would be in the building.

Elenbaas asked about parking.

Charlie Tinker noted he partially owns the driveway and plans to reconfigure things and eventually put a parking lot in the back.

2025-080 Adopt Ordinance 2025-03.
Motion was made by Hopkins and supported by French to approve the resolution to adopt Ordinance Amending the City Zoning Map Re: Wright Street and Aldrich Street.

Ayes: Hopkins, Engels, French, Mayor Schippers
Nays: Elenbaas

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Motion carried.

B. Public hearing regarding Cadillac Lofts Brownfield Plan Amendment #2.

Peccia noted Cadillac Lofts has always been a two-building development. He stated it's perhaps the largest and first mixed-use development downtown that we have seen in multiple generations. He noted the first building was built prior to COVID and required various incentives and programs to make it possible. He stated due to COVID-19, high inflationary pressures and access to outside funding becoming very difficult, the construction of building two was put on hold. He noted assuming approval this evening, construction on building two is slated to begin this month.

Peccia noted the type of brownfield program that was recently awarded to the North Lake Street Flats project did not exist when the Cadillac Lofts Brownfield Plan was put in place. He stated there is now a residential tax increment financing brownfield program available. He noted by moving or amending their current plan to go into that model it will simplify the process.

Mac McClelland, Brownfield Consultant for the Brownfield Redevelopment Authority, noted the original project was in 2019 and at that time the brownfield eligible activities were environmental, demolition, infrastructure and other hard costs. He stated the law was changed in 2023 to provide for the difference between the cost of construction, development costs, and revenues for projects that target housing at 120% of the area median income, both rent and income. He noted there's no upfront costs it is the capture and reimbursement into the project of taxes generated by the project. He stated this amendment now utilizes that new tool to be able to close the gap between the development costs and the revenues for these targeted projects.

McClelland stated this is a $26 million project and there is significant public investment as well from HUD grants, MEDC grants and MSHDA grants. He stated these projects require full financial disclosure. He noted they have been working with financial institutions as well as the granting agencies to ensure there is a need for these kinds of incentives. He noted it's a 92% grant that we're getting with an 8% match.

McClelland stated the Brownfield Authority reviewed and approved the plan at their March 12th meeting and recommended approval by the City Council. He noted this is the public hearing that has been noticed and is being held for consideration of a resolution to approve the Brownfield plan, and one of those conditions is later in the agenda to terminate the two tax abatements and provide full funding for the project.

Peccia asked Mac McClelland to provide a brief overview about how brownfields function.

McClelland noted it is all based on future revenues generated by the investment in the project. He stated it's going to be a $26 million investment and those taxes from vacant property now rise. He noted as those taxes are paid by the developer, they are captured by the Brownfield Authority and then reimbursed as a revenue stream to the project to close that gap between the housing costs, the development costs, and the revenues that the project is generating.

McClelland noted at the end of the period of the Brownfield Plan, those taxes go back to all the taxing jurisdictions. He stated the City represents about 30% of that tax base and the rest are other local units of government and the state. He noted schools are held harmless in terms of their revenues.

French asked about the length of the tax abatement.

McClelland noted it's a total of 30 years from 2019 when the first brownfield plan was passed.

Marilyn Chrumka, Vice President of Development for Michigan Community Capital, noted they are a 501(c)(3) nonprofit and also a community development finance institution. She noted their main mission is to drive private investment into low-income areas. She stated since we started this project, this census tract has moved from a low-income census tract to a moderate-income census tract so there's been a lot of changes since we started working on this project in 2018. She noted that when we started talking to you, we were attracted to the project because of all of the proactive work that Cadillac has done as a community.

Chrumka stated the first project cost $7.5 million in hard cost, and it was built by a local builder. She noted the appraised value before we started construction was $3.5 million so the bank basically said, your building's worth less than half, so we'll give you a loan for $2 million. She stated we had to come up with the rest of it through grants and through equity, through our own dollars that we've been able to fundraise as a nonprofit and we really had to convince the bank that there was a need for housing. She noted the building leased up in less than four months and we've stayed 100% full in that building.

Chrumka stated we like to talk in the language of area median income, which is a very specific way to speak about incomes, and it's not because we want to do that it's because all of the funding that we access is in this language of area median incomes. She noted what they're talking about is the percent of what the median income is for the county. She stated as a nonprofit, we like to target between 60% and 120% of the area median income. She noted our target is working middle income. She reviewed income information of the current residents of the Phase 1 building.

Chrumka noted she just signed a construction contract that was $11 million for essentially the same building, with the addition of apartments on the rear half. She stated we decided to do the apartments on the second phase on the first floor because we have struggled to lease up all 9,000 square feet in the first phase. She stated we wanted to have some commercial space in the second phase but add more housing because we know the demand is there. She noted project costs have gone up significantly and interest rates have gone up, so we really haven't been able to finance much more.

Chrumka noted this project is a $15 million total project which includes acquisition, architectural engineering, and bank fees. She stated it does not include a developer fee, so we are not getting paid for any of the work that we've done since 2018 in terms of an upfront sum. She stated the tool of the Brownfield TIF is a very powerful tool in your community to help encourage the kind of investment that you want to see. She noted this will require us to sign a development agreement with the community that would ensure affordability of these units until the end of the Brownfield Plan.

Chrumka stated MCC does plan to retain long-term ownership and the biggest reason is because we'll never be able to get our investment out of this building. She noted we have many millions of dollars of equity that we've put into this project and we'll never be able to sell it for a profit. She stated we're here to ask for the Brownfield Plan amendment. She noted it is exactly the kind of project that this tool was made for in the hope to encourage middle income housing.

Mayor Schippers opened the public hearing.

Randy Lindell expressed support for the second phase of the project. He noted he is concerned about the impact an increase in population could have on the community.

Bill Barnett expressed concerns about pollution under the site. He asked about the City's investment in the project.

Brad Marine expressed concerns about transparency regarding Brownfield Redevelopment Authority meetings and meeting minutes.

Mary Galvanek expressed concerns about pollution under the site.

Mayor Schippers closed the public hearing.

Chrumka stated they have a Response Activity Plan approved by EGLE and the Michigan State Housing Development Authority. She noted they have an approved grant in the amount of $800,000 through EGLE to help clean up the contamination. She stated they will be excavating the entire footprint of the site down 12 feet to remove all of the contamination which will then be brought to the appropriate landfill. She noted throughout that process they will have an environmental consultant that does testing and then sends those reports to the City's environmental consultant, and this will all be overseen by EGLE.

Engels asked how contamination from the dry cleaner was found.

Chrumka stated when you buy a site you do a phase one environmental which is basically a book report on what's been on there over the past 100 plus years. She noted since there was dry cleaner there it signals that you do a lot of testing which takes a long time. She stated all of those reports have been sent to the Brownfield Redevelopment Authority's consultant.

Chrumka noted they will also have an ongoing vapor mitigation system which is basically a fan system that's continuously pulling air away. She stated that will require long-term testing as well so we'll be 100% sure we didn't miss anything in the ground.

McClelland noted the project also includes infrastructure that's directly related to the project, which is about $1.17 million over the life of the project that's going to be captured and reimbursed to pay for the bonds that were conducted for infrastructure improvements around the site, improvements to Mitchell and Cass.

Engels asked what is included in the $1.17 million for infrastructure improvements.

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McClelland noted it includes streetscape improvements to Shelby, Cass, Chapin and Mitchell Streets.

City Attorney Genovich noted the Brownfield Redevelopment Authority meetings were open meetings conducted in accordance with the Open Meetings Act. She stated if the minutes are not posted online, it does not mean meetings did not occur.

2025-081 Adopt Resolution Approving Brownfield Plan Amendment #2 Cadillac Lofts.
Motion was made by Elenbaas and supported by Engels to adopt the Resolution Approving Brownfield Plan Amendment #2 Cadillac Lofts.

Motion unanimously approved.

FOIA APPEAL

A. FOIA Appeal received from Mr. Art Stevens.

Peccia noted we have a FOIA Appeal from Mr. Stevens. He noted it has been our past practice to give the appellant a few minutes to speak about their appeal. He stated after the appellant has spoken the City Attorney will provide additional framework and then it will go to Council for discussion.

Mr. Stevens provided a packet containing 14 pages to Council and referenced them throughout his discussion. The documents were labeled: A1, A2, A3, B1, B2, B3, C, D1, D2, E1, E2, E3, F and G and are attached for reference.

Mr. Stevens noted A1, A2, and A3 are the original FOIA requests which he submitted on January 7, 2025. He stated on A1 he asked for all written notices sent to owners of the Restricted Zone parcels that have wells prohibited in Ordinance 2018-10 as required under Section 42-169. He noted A2 references the same Ordinance, specifically Section 42-168 (a)(b)(c)(d), and (e) regarding any exceptions that were on record and filed as required by that Section. He stated A3 requested various communications and documents regarding Ordinance 2018-10.

Mr. Stevens noted B1, B2, and B3 are the responses he received, and they were 3 different extension letters. He stated he then received C providing the estimate like they normally do where they want a deposit. He noted he assumed the deposit was requested for A3 and maybe the other two didn't have a fee. He stated D1 and D2, dated February 14, 2025, is the initial FOIA response he received. He noted it was granted in part for all non-exempt information and denied in part because personal emails are exempt from disclosure and certain correspondence was subject to attorney-client privilege. He stated he was waiting to receive information regarding the other two FOIA requests because he only received one letter. He noted he was informed that one letter answered all three of his FOIA requests. He stated he did submit an appeal to the City at that time.

Mr. Stevens noted after he submitted the appeal, Todd Keway realized there was an error because the City should have been more specific on the FOIA responses. He stated he received E1 which did take care of FOIA #1 (A1) because the written notices that were required to be sent to the property owners within 60 days were never sent. He noted #2 on the

letter referred to the second FOIA request (A2) and the answer was there were no exceptions on file. He stated on E2 (regarding the Letter dated January 7, 2025) it states they were denying in part because of attorney-client privilege information, personal email addresses are exempt from disclosure, and because some of the material did not exist.

Mr. Stevens noted he submitted another appeal because he felt that not all of the documentation was provided. He stated he received a call from City Attorney Seurynck and she was very helpful. He noted the City was able to find a file (F) which included 38 more pages of information that were not provided the first or second time. He stated he received letter G in April after talking to Anne and it included another 30 pages that were not included in the first FOIA.

Mr. Stevens stated there was documentation that was not provided initially which makes him think what else is there that wasn't provided. He noted he understands that some of the documentation he received may not be a positive look on the City but by the FOIA Act you can't just not provide information for that reason. He stated he knows there are emails that talk about different reports that he believes refer to those five-year reports. He noted the appeal is based off of requesting all of the documentation that would be relevant to those private wells in that zone. He stated we shouldn't have to but he is taking the extra step to go to the other agencies involved to obtain the documentation from them. He noted he knows that information wouldn't fall under the attorney-client privilege clause.

Mayor Schippers stated she is not sure what Mr. Stevens is appealing.

Mr. Stevens stated he is appealing, mostly on A3, the communications as well as the documentation that was requested. He noted he knows for a fact there are documents that are not provided. He stated the Kysor reports from 2010, 2015 and 2020 should have been in here. He noted after three attempts he received more documentation which makes him wonder if there was other documentation that wasn't provided.

Engels asked Mr. Stevens if he was looking specifically for an email where the Council would have been sent the EPA five-year Kysor reports, which are public.

Mr. Stevens stated that was one of the things he was originally looking for because the City put in an ordinance in 2018 but nothing ever happened with it and there were no notifications. He noted he was looking for the possibility that the ordinance was rescinded or there was another decision or any communication about it. He stated the main one is the documentation up to that ordinance being provided. He added what was the information that came in to make that ordinance and also what reports and data came in. He noted he did receive some good data from that FOIA but he knows there is more out there.

City Attorney Genovich thanked Mr. Stevens for the professionalism and respect because she thinks that everybody involved in our office and the City has tried very hard in good faith to produce everything in response to this. She noted we don't look at whether it is good, bad or otherwise because as was said a public record is a public record regardless of what it says or what light it casts on anyone, and that's always our approach.

Genovich stated she doesn't think it is as simple as saying I asked for more and then there was more. She noted A3 included very broad requests which is not uncommon for a FOIA

request but is a broad net and the City tried to find everything that could fall within that net. She stated what happened later was here's an example of a specific type of email do you have anything like this. She noted that prompted a different kind of search that could be more specific.

Genovich stated the City has produced all of the documents that we can find. She noted we'd say the appeal is granted as to those additional documents that were provided to Mr. Stevens. She stated as to records that other agencies have, unless we have them, the FOIA request isn't properly directed to us. She noted she has drafted a proposed FOIA appeal response letter that says to grant the appeal as to those additional documents that were located and provided and denies to documents that we don't have and could not find.

Mr. Stevens mentioned the Kysor reports from the EPA.

Genovich stated to Mr. Stevens that if there is a specific report that you are saying you don't have and it wasn't identified in a request and you want to have something that says we certify we do or don't have this report then submit that request because we want to make sure we give you everything you're asking for. She stated she appreciates that Mr. Stevens worked with City Attorney Anne Seurynck and we tried to get you everything but those items were not written specifically in the FOIA request.

Genovich stated to Mr. Stevens that we have granted what we believe responds to the requests but if there is something more specific that you think you're looking for, please submit another request. She noted if he wants that letter that says we certify we don't have it then we'll entertain that request.

French stated she doesn't know to what end Mr. Stevens is asking for this information, but she does know it's costing the City of Cadillac a lot of money. She noted she wants people in this room to know that these FOIA requests aren't free and they are not cheap and it puts City staff as well as our City Attorneys who are here to provide legal advice at great expense to the City for these requests.

Mr. Stevens stated FOIA requests were his last resort. He noted in October he started trying to gather information and a couple of members of Council did try and reach out. He stated this was after three months of no responses to trying to get answers. He noted the Council Members that responded to him did not have the information so sometimes it's a last resort.

Mr. Stevens noted there is this issue going on with PFAS. He stated part of the FOIA requests was trying to prove that when he was on Council that they were never told about it all those years. He noted that if we had been notified that there are chemicals and contamination expanding into these private well areas we could have started planning then. He stated for some reason it was decided to keep it private. He noted part of his FOIA was related to people trying to put blame on him and Bill Barnett, but they were never notified.

Mr. Stevens noted that since 2018 when they knew that there has been contamination in those areas, the City adopted an ordinance which included a civil infraction for violation of the ordinance. He stated we are now going on 6 ½ years and those notifications were never sent out as required by the ordinance and nothing was done to let these people know that there was contamination in their water. He noted the end is to hopefully get this information to

Council and maybe there can be decisions made in the future to not just decide if legally we didn't have to say anything but there's a humane part to that too and you don't always have to follow legal advice. He stated you can decide that there's contamination out there and we're going to do the right thing and notify people.

Engels stated he's prepared with any of these FOIA requests to review redacted material and withheld material and then vote on releasing it.

Genovich stated she doesn't think the appeal was related to privileged information.

Engels stated to Mr. Stevens that he is trying to understand what you getting what you want looks like.

Mr. Stevens stated he knew he was going to get voted down and it wasn't a problem. He noted that part of it was to get it on record and then secondly, he'll get that information.

Mr. Stevens stated the nature of the appeal is that there was information that definitely wasn't included including three Kysor reports.

Engels noted Mr. Stevens stated he knew he was going to be voted down and asked him what does voting him up look like.

Mr. Stevens stated voting it up is to say yes you're right there were some reports that were not provided that absolutely was the premise of doing that ordinance. He noted he will get the information from the EPA. He stated some of this will be going back to Council and stating here's what was provided by them and here's what was provided by the City so what's Council's opinion of what happened and was information held back.

Mayor Schippers noted more information came out when the scope was narrowed, and it was made clear what to look for. She stated to Mr. Stevens that what she heard him say is that because after his clarification more documents were found he was assuming that those were being withheld and that now there must be other documents also being withheld. She asked Mr. Stevens if that is what he is saying.

Mr. Stevens stated he will get the information. He noted he knows for sure there are three documents that were not provided.

Genovich asked Mr. Stevens if he is asking for specific reports and is he arguing that those are within the scope of A3.

Mr. Stevens stated he will submit FOIA requests for specific items but at some point you're going to realize those are not outside the scope of this. He noted he will get those from other sources and it will just be something to look at for the future FOIA process.

Mayor Schippers asked Mr. Stevens if he is withdrawing his appeal.

Mr. Stevens stated he is not withdrawing his appeal.

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Genovich noted the letter they prepared is consistent with where we are at which is to grant the appeal as to those additional documents that we provided and deny it as to anything else that we did not have to produce without prejudice to any other FOIA request. She told Mr. Stevens if there is a specific report he is looking for that is not identified in any of this then please submit a FOIA request for it.

Mr. Stevens suggested that if people submit three FOIA requests to keep them separate.

Genovich explained that their practice is that if there are multiple FOIAs on the same date they treat them as one.

Genovich noted Council has been provided with a draft Freedom of Information Act appeal letter. He stated a motion could be to approve the letter which grants in part and denies in part the appeal.

2025-082 Grant in part and deny in part appeal received from Mr. Stevens.
Motion was made by French and supported by Elenbaas to approve the draft letter which grants in part and denies in part the appeal.

Motion unanimously approved.

COMMUNICATIONS

A. Craft Beer Festival

2025-083 Approve banner, street/parking lot closures, and alcoholic beverages for Craft Beer Festival.
Motion was made by Elenbaas and supported by French to approve the display of a banner from September 8-15, 2025, street and parking lot closures from September 11-15, 2025 and the serving of alcoholic beverages in the City Park on September 13, 2025 for the Craft Beer Festival.

Motion unanimously approved.

B. Festival of Races

2025-084 Approve street closures and half /full marathon racecourses for the Festival of Races.
Motion was made by Elenbaas and supported by Hopkins to approve street closures and half and full marathon racecourses on August 30, 2025 for the Festival of Races.

Motion unanimously approved.

C. Cadillac Farmers Market

2025-085 Approve display of banner for Cadillac Farmers Market.
Motion was made by Hopkins and supported by Elenbaas to approve the display of a banner from May 5-12, 2025 for the Cadillac Farmers Market.

Motion unanimously approved.

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D. Rotary Club of Cadillac

2025-086 Approve street closure for Rotary Club of Cadillac concert.
Motion was made by Elenbaas and supported by French to approve the closure of Lake St. between Harris St. and Cass St. from 4:00 pm to 9:30 pm on May 30, 2025 for the Rotary Club of Cadillac concert.

Motion unanimously approved.

APPOINTMENTS

A. Recommendation regarding appointment to the Board of Review.

2025-087 Approve appointment to the Board of Review.
Motion was made by Elenbaas and supported by Engels to approve the appointment of Jan Masten to the Board of Review for a 2-year term to expire on April 7, 2027.

Engels noted he sits on the Board of Review and Jan Masten has a background in real estate which is always helpful on that board.

Motion unanimously approved.

B. Appointment of Mayor Schippers to the Planning Commission.

2025-088 Appoint Mayor Schippers to the Planning Commission.
Motion was made by Elenbaas and supported by Hopkins to appoint Mayor Schippers to the Planning Commission.

Motion unanimously approved.

C. Appointment of Council Member to the Alliance for Economic Success (AES) Board.

Peccia noted we have an agreement with the Alliance for Economic Success and as part of that agreement City Council gets to put one member on their local board.

Mayor Schippers noted she finds that very intriguing and she would be willing to serve on that board.

2025-089 Appoint Mayor Schippers to the Alliance for Economic Success (AES) Board.
Motion was made by Elenbaas and supported by Engels to appoint Mayor Schippers to the Alliance for Economic Success (AES) Board.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. PFAS Update

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Peccia noted there are copies of the Utility Department fact sheet available for the general public. He noted the only update to the fact sheet includes the latest PFAS numbers for our biosolids that we have at the Wastewater Treatment Plant. He stated the last quarterly report now shows a non-detect in both PFOS and PFAS. He noted there are also copies available of a letter from District Health Department #10. He stated the letter contains some good information including a contact sheet that provides names, phone numbers, and public email addresses. He noted the letter also talks about how the Michigan PFAS Action Response Team (MPART) is looking at additional areas in Wexford County to create study zones. He stated both documents are posted on the City's website under PFAS Resources.

Engels asked about testing outside of the study zones.

Jeff Dietlin, Director of Utilities, stated at the last meeting Council approved the Cyclopure test. He noted they purchased 100 tests. He stated they sent out letters last week and received four responses. He noted we are going to test outside of the MPART area in the City of Cadillac.

Peccia explained that the results from the Cyclopure test will list possibly a dozen PFAS types. He noted if a person has any in their water, some of them are regulated by the government and some are not. He stated people should contact the proper person which is listed in the letter and on the City's website to help them understand the results.

Mayor Schippers noted it was explained to her that the number you get as the total result is cumulative. She stated they will provide a final number that does not reflect what is safe for each of those things.

Dietlin noted Cyclopure provides individual results and then they total the individual results. He stated we will be providing a chart that says what the state levels are and what the federal levels are and then we'll have a blank for them to place their own levels.

Engels asked when we tested the biosolids is that just specifically for PFOS and PFAS or is it similar to the Cyclopure.

Dietlin noted there were 30 to 40 PFOS type contaminants on that test and the big ones are PFOS and PFAS. He stated those were both non-detect.

Engels noted some of them are regulated and some aren't regulated but in 2002 these companies were pinned down and started to phase out a lot of these but they engaged in a practice of what a lot of people call regrettable substitutions where they would change the chemical makeup of it slightly and then call it unregulated.

Engels stated he thinks what you also see in post-2002 are PFAS chemicals that are slightly less dangerous in that they have a shorter half-life, so the bioaccumulation rate isn't so great. He noted people talk about PFOS being one of the worst because it has a half-life of over 5 years inside your body to flush out. He stated some of the newer ones, the PFBS have a half-life of several months so the rate of accumulation and the ability to build up in your blood is different with this post-2002 chemical group.

Engels noted former Council Member Stevens was talking about those Kysor Superfund site reports that came out every 5 years. He stated those reports were done by the EPA, they were noticed in the paper at the time, and they're published on a website. He noted he was going to read from three of those reports, slightly out of context but he's not trying to distort the story. He encouraged people to read the reports themselves.

Engels stated in the August 2010 report, there's a section on page 27 where it says, at least 12 residences in the City of Cadillac and Haring Township use private wells, which the Wexford County Department of Public Works tries to monitor. He noted of these, about six are connected to the township system, but are still using their private wells for drinking water. He stated 3 of these wells are within the City of Cadillac and near the Kysor Industrial site. He noted although water mains and service connection piping have been extended to these three homes, the residents have refused to connect.

Engels asked Jeff Dietlin if these are the same 3 homes that we're going to talk about in 2018 and 2020 that the Anderson are included in.

Dietlin stated he would assume they are the same.

Engels noted in August 2020 this report says they have water mains and they have service connection. He stated there was a point when the Andersons showed up where we asked, Dietlin, what does it take to get them hooked up. He noted the answer was a plumber. He stated since 2010 he believes the main had to be replaced because it was so old but that piping was all the way down to those three houses. He stated the meter had to be redone but the service line was there. He noted the report says the residents refused to connect.

Engels stated about five private wells are on 13th Street on the north end of the City well field. He noted the wells identified to be at risk in the City of Cadillac and Haring Township were sampled and found to be safe. He stated so you see another part of the story when people say you didn't tell us about PFAS and you have a service line and a water main and they were trying to hook them up and they said no and it was testing safe.

Engels stated to continue with the report from 2010, it says in early 2008 the EPA asked the Haring Township Trustees to pass an ordinance restricting the use of existing private wells in North Park and Pine View subdivisions of Haring Township. He noted the Haring Township Trustees refused and noted that its residents did not want to bear the costs of a prohibition on use of private residential drinking water wells which are the same arguments you're going to hear for the next 15 years.

Engels noted the Wexford County DPW manages and operates the Haring Township water supply system and is the enforcement agency for any ordinance that is put in place for the water supply system. He added, however, the township has the ultimate authority regarding the adoption and implementation of the proposed ordinance. He stated there is a Haring Township Ordinance, effective April 1986, that required township homeowners and property owners to connect to the township water system if they are located within 200 feet of a water distribution line, however, that ordinance did not require those residents to abandon their private wells.

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Engels stated in areas where public water lines are available, all new structures or uses are required to hook up to the public system but because abandonment of private wells is not required the private wells may still be used even when the residence was connected to the water supply. He noted although fines could be imposed and the ordinance is enforceable, compliance has been difficult to achieve. He stated the DPW is currently proposing a more protective Haring Township Ordinance to prohibit the use of private wells in the township water service area and to require abandonment of the private wells.

Engels stated Page 6 of the 2015 report, the EPA is talking about the Kysor site. He noted it states internal controls are in place in the form of local ordinances, for the City of Cadillac and Haring Township that prohibit groundwater use. He noted the existing site use is consistent with the remedial action objectives set forth in the decision documents. He stated, however, in order for the remedy to be protective in the long term, the following actions need to be taken to ensure protectiveness. He stated the City of Cadillac should strengthen its ordinance by requiring all current and future residents in the City to abandon private wells and connect to the municipal water system and procedures should be implemented to monitor and track compliance.

Engels noted the 2015 report says the same thing that the City Manager introduced two or three months ago and there were a lot of people upset. He stated we received calls from several people by the water plant that said, my water's fine and from several people all around town saying don't make me hook up.

Engels stated the 2020 report is where he believes they are talking to Jeff Dietlin. He noted Dietlin says the Cadillac Ordinance of September 2018 has been effective and all residents are connected to the municipal water supply and records indicate that all private wells have been abandoned. He stated we are talking about the 3 wells. He noted he doesn't think Mr. Dietlin ever indicated to the EPA that there were no private wells in the City. He stated Mr. Dietlin indicated that occasionally they receive inquiries from residents living near the City borders regarding approval to install private wells, but the City does not regularly check residents' water supply sources.

Engels stated we did pass that ordinance in 2018. He noted there were 3 houses that in 2010 had water mains and service lines going to them and those are the 3 houses that we lost track of. He stated he thinks these reports are important because they talk about what we're still talking about, and they talk about what we were doing in 2018 and in 2020. He noted Mr. Stevens referenced these reports and he doesn't know if he was trying to FOIA them. He noted the education of Council and of the community about the Superfund sites probably did fall by the wayside because it needed to be ongoing. He stated the EPA reports are published online, but it took him a long time to figure this stuff out and find this stuff as well. He stated these five-year reports definitely helped.

Dietlin stated there are laterals extended to the property line of those houses. He noted the Andersons did have one that went into the house. He stated the former homeowner asked for it to be extended and then never made the connection and kept his old well and the new owners just kept the old well too. He noted the house on 13th Street told them not to extend it into his house but it's to the edge of the property. He stated the property on 6th Street has recently been sold and it is his understanding that it's going to be torn down. He noted we have already contacted the new owners and said we will pay to have the well abandoned and capped.

B. Schedule a public hearing for April 21, 2025 to consider approval of the Fiscal Year 2026-2031 Capital Improvement Program.

2025-090 Schedule public hearing to consider approval of the FY 2026-2031 Capital Improvement Program.
Motion was made by Elenbaas and supported by Hopkins to schedule a public hearing for April 21, 2025 to consider approval of the Fiscal Year 2026-2031 Capital Improvement Program.

Motion unanimously approved.

C. Schedule a public hearing for April 21, 2025 to discuss the 2025/2026 Annual Operating Budget.

2025-091 Schedule a public hearing for April 21, 2025 to discuss the 2025/2026 Annual Operating Budget.
Motion was made by Elenbaas and supported by Hopkins to schedule a public hearing for April 21, 2025 to discuss the 2025/2026 Annual Operating Budget.

Motion unanimously approved.

D. Bids and recommendation regarding Diggins Hill Community Park Playground.

Peccia noted Council previously awarded a contract for the actual equipment for the Diggins Hill Community Park Playground. He stated seven (7) bids were received for demolition and grading-related activities. He noted as part of the bid we asked if they were interested in donating a portion of their services. He stated the recommendation is to award the contract to the lowest bidder, CJ's Excavating, Inc., in the amount of $15,000. He noted they reduced their total bid by $14,550 as a donation.

2025-092 Award contract for Diggins Hill Community Park Playground.
Motion was made by Hopkins and supported by French to award the contract for the Diggins Hill Community Park Playground project to CJ's Excavating, Inc. for the bid amount of $15,000.

Motion unanimously approved.

E. Recommendation regarding purchase of DPW Work Truck.

Peccia noted our current budget does include an appropriation for the purchase of a ¾-ton truck for the Public Works Department. He stated City contacted MiDEAL dealers and it is being recommended to award the purchase of one work truck to the lowest bidder, Todd Wenzel Buick GMC, in the amount of $46,628.

2025-093 Award purchase of DPW Work Truck.
Motion was made by Elenbaas and supported by Engels to award the purchase of one work truck in accordance with the MiDEAL contract to Todd Wenzel Buick GMC in the amount of $46,628.

Motion unanimously approved.

F. Recommendation regarding purchase of Police Vehicles.

Peccia noted we are looking at acquiring two Cadillac Police Department patrol vehicles. He stated the recommendation is to reject the MiDEAL bids and award the purchase of one 2024 Durango patrol vehicle to Galeana's VanDyke Dodge Ram in the amount of $41,129 and the purchase of a 2025 Durango patrol vehicle to Zeigler Chrysler Dodge Jeep Ram in the amount of $41,239.

2025-094 Award purchase of Police Vehicles.
Motion was made by Elenbaas and supported by Engels to reject the MiDEAL bids and award the purchase of one 2024 Durango patrol vehicle to Galeana's VanDyke Dodge Ram in the amount of $41,129 and the purchase of a 2025 Durango patrol vehicle to Zeigler Chrysler Dodge Jeep Ram in the amount of $41, 239.

Motion unanimously approved.

INTRODUCTION OF ORDINANCES

A. Adopt resolution to introduce Ordinance to Amend the Zoning Ordinance to Conditionally Rezone Property and set a public hearing for April 21, 2025.

   Peccia stated it is recommended that a public hearing be set for April 21, 2025 regarding an ordinance that would amend our Zoning Code to conditionally rezone property. He noted this property is off of Pearl Street.

2025-095 Set public hearing for Ordinance 2025-04.
Motion was made by Engels and supported by Elenbaas to adopt the resolution to introduce Ordinance to Amend the Zoning Ordinance to Conditionally Rezone Property and set a public hearing for April 21, 2025.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Resolution Revoking Neighborhood Enterprise Zone Certificate for Cadillac Lofts.

   Peccia noted as a result of approval of the amendment to the Brownfield Plan for the Cadillac Lofts project, these next two items will revoke two abatement programs that are no longer appropriate for the site.

2025-096 Adopt Resolution Revoking Neighborhood Enterprise Zone Certificate for Cadillac Lofts.
Motion was made by Engels and supported by French to adopt the Resolution Revoking Neighborhood Enterprise Zone Certificate for Cadillac Lofts.

Motion unanimously approved.

B. Adopt Resolution Revoking Commercial Redevelopment Exemption Certificate for Cadillac Lofts.

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2025-097 Adopt Resolution Revoking Commercial Redevelopment Exemption Certificate for Cadillac Lofts.

Motion was made by Engels and supported by Hopkins to adopt the Resolution Revoking Commercial Redevelopment Exemption Certificate for Cadillac Lofts.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

A. Cadillac West Corridor Improvement Authority

PUBLIC COMMENTS

Randy Lindell expressed concerns about PFAS in drinking water at local schools and pollution under the Cadillac Lofts site. He noted FOIA requests may cost money, but citizens need to know the truth.

Pastor Troy Baxter thanked Council for approving the rezoning request.

GOOD OF THE ORDER

Peccia stated there is going to be a utility rate open house at 5:30 pm on April 16, 2025 at our water headquarters which is located at 7241 E. 44 Road. He noted it will be held in the training room. He stated it is an opportunity for the general public as well as City Council Members to hear from staff but most importantly to hear from our rate consultant on where we are at and where we need to go.

Engels recommended that the minutes from all of the boards and commissions be posted online.

Hopkins acknowledged our special guests from Northern Michigan Christian School.

Mayor Schippers stated we have compiled the City Manager's Evaluation and she read through a document titled Marcus Peccia Performance Evaluation 2024 (see attachment). She noted this is the data compiled from the surveys provided by the three Council Members remaining after the resignations.

Mayor Schippers stated strategic planning is underway, but it is not a one-hour session. She noted we have already taken some actions and it is ongoing. She thanked Mr. Peccia, Mr. Roberts, Mr. Dietlin and community members for taking the time to get us looking forward in a solutions-based way. She invited everyone to join her for coffee and conversation at 10:30 am at After 26 Depot Café every Wednesday after Council meetings. She noted this will start this Wednesday.

Mayor Schippers encouraged everyone to attend the meeting at the water plant.

Engels asked if the City Manager evaluation is going to be made available for people to review.

Mayor Schippers noted she is going to give the City Manager evaluation documents to the paper and make them available to the public.

DRAFT

ADJOURNMENT

Respectfully submitted,

Tiyi Schippers, Mayor

Sandra Wasson, City Clerk

DRAFT

REZONING APPLICATION

534 ALDRICH STREET(10-41-00-089-00 AND 10-41-00-100-00)
(CORNERSTONE MINISTRIES CHURCH AND VACANT LAND)
R-2 SINGLE-FAMILY RESIDENTIAL TO RM-1 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Cornerstone Ministries

Applicant Representative: Troy Baxter

534 Aldrich Street

Cadillac, MI 49601

534 ALDRICH STREET

Location Map

Existing Land Use:

Single-family on the west and south sides of the properties.

Industrial uses to the north.

Institution use to the south (School site).

Location Map

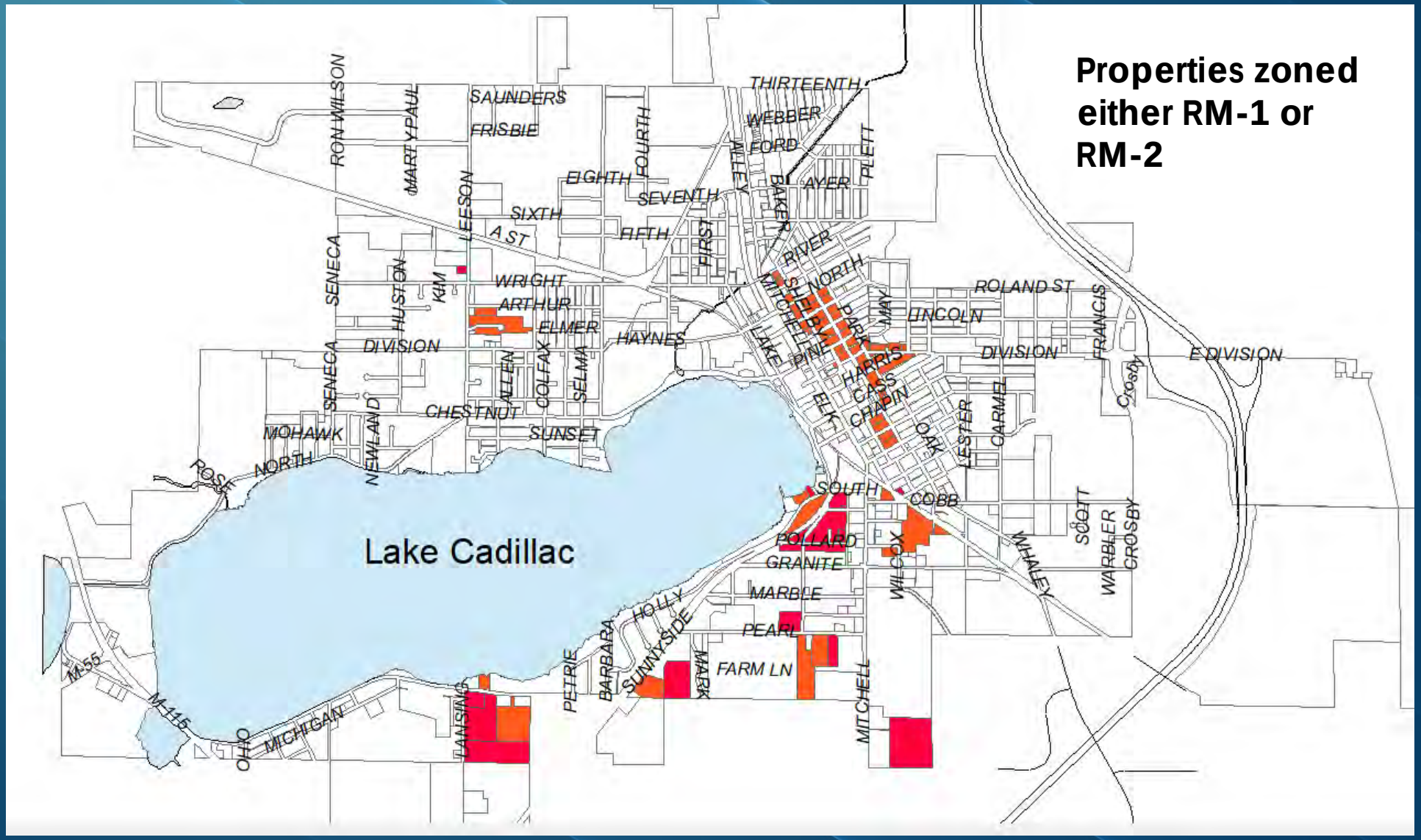
Zoning:

The entire block on which the subject site is located is zone in the R-2 District.

Adjoining blocks south of Wright Street are zoned in the R-2 and R-4 Districts.

Blocks north of Wright Street are zoned in the I-1 District.

Location Map



Proximity Map

Cornerstone Ministries Church – 534 Aldrich St.

Rezoning site from Wright Street

Single-family homes to the west and east of the church building.

ADJACENT LAND USES

Cadillac Area Public Schools site.

ADJACENT LAND USES

Master Plan

The city's master plan identifies the subject property be designated for medium density residential development. This district is intended primarily for single-family development however, indicates that some variety of housing types, densities, styles, and consumer preferences are appropriate. The following objectives are found on page 27.

- Maintain the current range of single-family residential districts to accommodate varying site densities, housing types/styles, and consumer preferences.

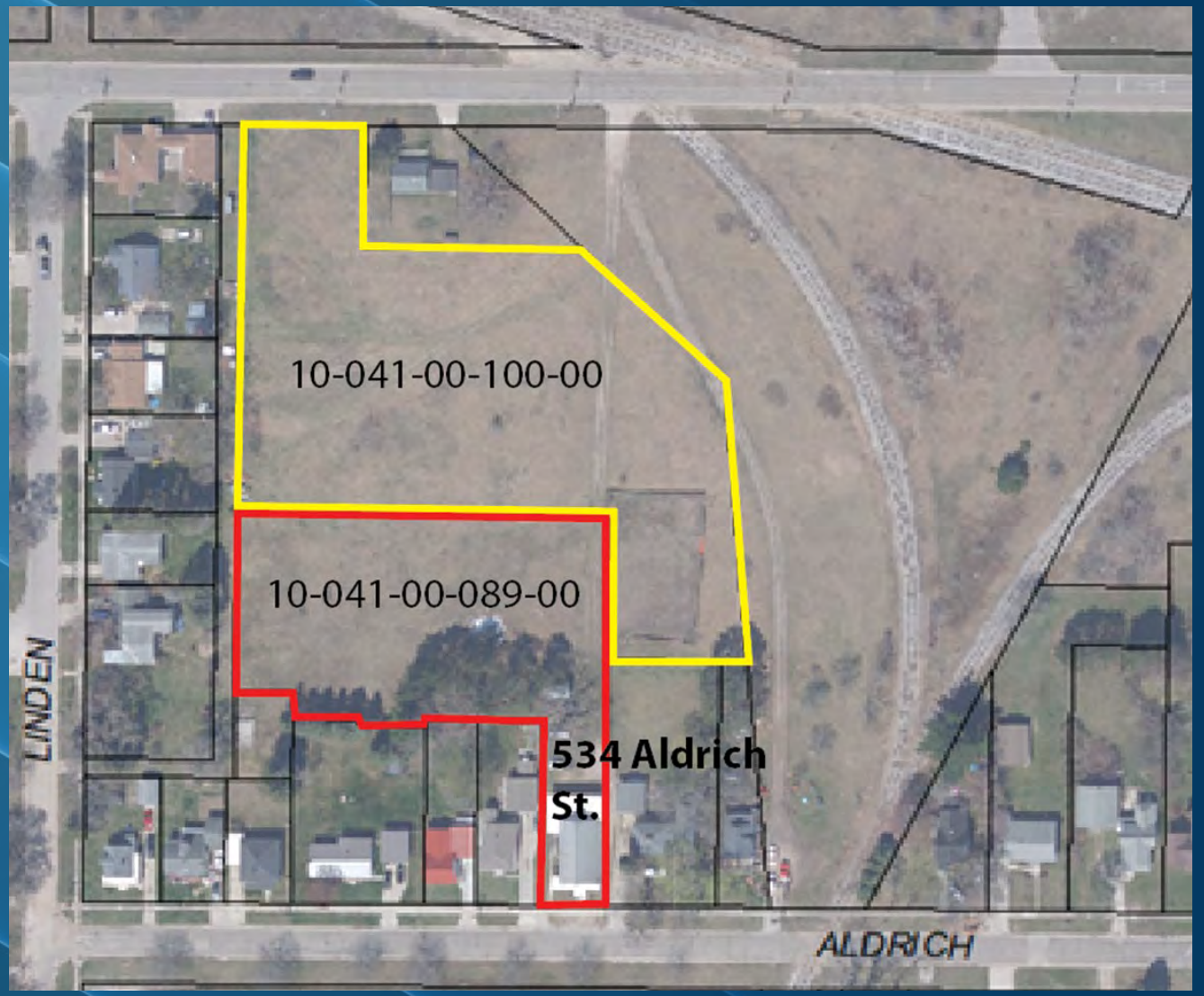
- Provide opportunity for single-family housing to be integrated into mixed-use development projects.

Staff Recommendations

In consideration of the analyses for existing land use, zoning, master plan, and factors for zoning consideration staff recommends that the City Council approve the rezoning application as presented. It should be understood that a site plan will have to undergo a department head site plan review for any change of use of the church building or any new development.

Recommended Motion

To approve a zoning map amendment rezoning from R-2 to RM-1 parcel number 10-041-00-089-00 (534 Aldrich) and parcel number 10-041-00-100-00.



A 1

December 28, 2024

TO: Marcus Peccia, City Manager
City of Cadillac
200 North Lake Street
Cadillac, Michigan 49601

Dear Mr. Peccia,

Per the Freedom of Information Act, I am going to send more than one Freedom of Information Act request to the City in a way to minimize the need to have an extension on each request as these should be pretty easy to fulfill when they are individual requests.

Historically, I know that sometimes requests are denied for being too vague. Please contact me at [redacted] if you have any questions or need additional clarification before denying any portion of this FOIA request for being too vague. I am hoping to be very clear of the document request to prevent a denial based off of vagueness of the request. Please feel free to contact me if you have any other additional questions

I am requesting the following item related to Chapter 42, Article II, Division 6 of the Cadillac City Code. If there is any questions as to the Ordinance I am referring too, it is the Ordinance that was approved by the City Council on September 4, 2018 and specified as Ordinance 2018-10.:

1. A copy of all written notices sent to all owners of Restricted Zone parcels that have wells prohibited under this Ordinance as required under Section 42-169. The title of this Section 42-169 is "Enforcement" and this is the amendment to Ordinance NO 2018-10 "Ordinance Amending Chapter 42, Article II, Division 6 of the Cadillac City Code Regarding Institutional Controls For Kysor Industrial Corporation/Northernaire Plating Company."

Please feel free to contact me if you have any other additional questions.
Thank you,

Arthur Stevens
[redacted]

A 2

December 28, 2024

TO: Marcus Peccia, City Manager
City of Cadillac
200 North Lake Street
Cadillac, Michigan 49601

Dear Mr. Peccia,

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Historically, I know that sometimes requests are denied for being too vague. Please contact me at [redacted] if you have any questions or need additional clarification before denying any portion of this FOIA request for being too vague. I am hoping to be very clear of the document request to prevent a denial based off of vagueness of the request. Please feel free to contact me if you have any other additional questions

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1. A copy of all exceptions on file at the City of Cadillac that are required under Section 42-168 of the Cadillac City Code for all properties granted an exception . This would be any and all exceptions that are required to be on file showing proof/ notice of their approval by the MDEQ and/or EPA as specifically stated in Section 42-168 a,b,c,d and e. I understand that each section may word their exceptions a little differently so this request is for any and all exceptions that have been filed with the City of Cadillac. The title of this Section 42-168 is "Exceptions" and this is the amendment to Ordinance NO 2018-10 "Ordinance Amending Chapter 42, Article II, Division 6 of the Cadillac City Code Regarding Institutional Controls For Kysor Industrial Corporation/Northernaire Plating Company."

Please feel free to contact me if you have any other additional questions.
Thank you,

Arthur Stevens

[redacted]

A3

January 7, 2025

TO: Marcus Peccia, City Manager
City of Cadillac
200 North Lake Street
Cadillac, Michigan 49601

Dear Mr. Peccia,

Per the Freedom of Information Act, I am going to send more than one Freedom of Information Act request to the City in a way to minimize the need to have an extension on each request as these should be pretty easy to fulfill when they are individual requests.

Historically, I know that sometimes requests are denied for being too vague. Please contact me at [redacted] if you have any questions or need additional clarification before denying any portion of this FOIA request for being too vague.

I am requesting the following items related to Chapter 42, Article II, Division 6 of the Cadillac City Code. If there is any questions as to the Ordinance I am referring too, it is the Ordinance that was approved by the City Council on September 4, 2018 and specified as Ordinance 2018-10. :

1. A copy of all documentation showing the infraction or penalty given to any person in violation of Section 42-170. The title of this Section 42-170 is "Penalties" and this is the amendment to Ordinance NO 2018-10 "Ordinance Amending Chapter 42, Article II, Division 6 of the Cadillac City Code Regarding Institutional Controls For Kysor Industrial Corporation/Northernaire Plating Company.
2. A copy of all communications to or from Cadillac City Staff and/or Cadillac City Councilmembers related to Section 42-169 and Section 42-168.
3. A copy of any communications or documentation by email, memo, or other written form discussing the private wells that are in the areas specifically laid out in Section 42-166 titled " Restricted Zone" sent to or sent from City of Cadillac Staff or Council members. This would include discussion of the location and addresses of these private wells.
4. A copy of any communications or documentation relating to the City of Cadillac reviewing and discussing the concept of the City of Cadillac paying for the private wells being capped or the connection of the properties to the City water system pursuant to Section 42-169 titled, "Enforcement"

B 1

FOIA Extension

From: FOIA (foia@cadillac-mi.net)

To: [redacted]

Date: Wednesday, January 15, 2025 at 04:32 PM EST

Dear Mr. Stevens,

Your Freedom of Information Act is acknowledged and considered received by the City on January 8, 2025. This letter serves as notice in accordance with §5(2)(d) of the Freedom of Information Act that the City of Cadillac is extending the time to respond to this request by up to 10 business days in order to have adequate time to search for and review documents.

The City will respond to your request by January 30, 2025 (due to the Martin Luther King. Jr Day), by doing one of the following: (1) granting the request, (2) issuing a written notice denying the request, or (3) granting the request in part and issuing a written notice denying the request in part.

Should you have any questions, please feel free to contact me.

Thank you,

Kelly Prince
Payroll Clerk | Accounts Payable | FOIA Coordinator
City of Cadillac
Ph: 231.779.7337 | www.cadillac-mi.net

B 2

FOIA Extension

From: FOIA (foia@cadillac-mi.net)

To: [redacted]

Date: Wednesday, January 15, 2025 at 04:33 PM EST

Dear Mr. Stevens,

Your Freedom of Information Act is acknowledged and considered received by the City on January 8, 2025. This letter serves as notice in accordance with §5(2)(d) of the Freedom of Information Act that the City of Cadillac is extending the time to respond to this request by up to 10 business days in order to have adequate time to search for and review documents.

The City will respond to your request by January 30, 2025 (due to the Martin Luther King. Jr Day), by doing one of the following: (1) granting the request, (2) issuing a written notice denying the request, or (3) granting the request in part and issuing a written notice denying the request in part.

Should you have any questions, please feel free to contact me.

Thank you,

Kelly Prince
FOIA Coordinator
City of Cadillac
Ph: 231.779.7337 | www.cadillac-mi.net

B 3

FOIA Extension

From: FOIA (foia@cadillac-mi.net)

To: [redacted]

Date: Wednesday, January 15, 2025 at 04:33 PM EST

Dear Mr. Stevens,

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Should you have any questions, please feel free to contact me.

Thank you,

Thank you,

Kelly Prince
FOIA Coordinator
City of Cadillac
Ph: 231.779.7337 | www.cadillac-mi.net

C

FOIA Response

From: FOIA (foia@cadillac-mi.net)

To: [redacted]

Date: Thursday, January 30, 2025 at 12:15 PM EST

Dear Mr. Stevens:

Re: Freedom of Information Act
Deposit Required

The City of Cadillac received your Freedom of Information Act ("FOIA") request. The City requires a deposit before further processing this request.

The City has determined that the total good faith estimate of the cost of processing this request will be $160.07 (see attached Detailed Itemization Sheet). The City will process your request after you have paid a deposit of $80.03 (which is ½ the total estimated costs), as provided in Section 4(8) of the Michigan Freedom of Information Act. MCL 15.234(8). The deposit must be received by March 17, 2025, or the request will be considered abandoned by law. Please be advised that this is a good faith estimate and you will be responsible for the final actual fees, even if they are higher than the estimate. Payment may be made by cash, or check to "City of Cadillac", at 200 North Lake Street in Cadillac. If mailing a check please send it to the attention of FOIA Coordinator.

The City estimates that it will be able to provide the documents to you within 10 business days of receiving the deposit. Please be advised that this date is a good faith estimate of the timeframe required to provide the documents as set forth more fully in Section 4(8) of the FOIA.

The City's FOIA Procedures and Guidelines and the written FOIA summary can be found at:
https://www.cadillac-mi.net/461/FOIA-Information

Should you have any questions, please feel free to contact me at (231) 779-7337.

Sincerely,

Kelly Prince
FOIA Coordinator
City of Cadillac
Ph: 231.779.7337 | www.cadillac-mi.net

D 1

FOIA Response - Final

From: FOIA (foia@cadillac-mi.net)

To: [redacted]

Date: Friday, February 14, 2025 at 02:11 PM EST

February 14, 2025

Arthur Stevens

[redacted]

Dear Mr. Stevens:

Re: Freedom of Information Act

The City of Cadillac received your Freedom of Information Act request. The City has granted your request in part for all non-exempt information. However, the City has also denied your request in part as follows:

Certain information, such as personal e-mail addresses contained in the requested records is exempt from disclosure pursuant to MCL 15.243(1)(a). Disclosure of that information in the requested record would result in a clearly unwarranted invasion of the individuals' privacy under Section 13(1)(a). Further, your request is denied in part because certain correspondence or portions of correspondence you requested were subject to attorney-client privilege and therefore exempt from disclosure under Section 13(1)(g) of the FOIA. MCL 15.243(1)(g). The records you requested contain confidential communications for the purpose of providing legal advice and are subject to attorney-client privilege. For that reason, the information is exempt from disclosure under Section 13(1)(g) of the FOIA, which exempts information subject to attorney-client privilege. MCL 15.243(1)(g).

Since your request has been denied in part, you have the right to (1) submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for the reversal of the disclosure denial or (2) seek judicial review of this decision, as stated in Section 10 of the Michigan Freedom of Information Act, MCL 15.240 (see attachment). Further, you have the right to seek attorney fees as provided in Section 10 (see attachment) if the court determines that the City did not comply with this section and orders disclosure of all or part of the public record.

Please be advised that the City of Cadillac's FOIA Policy & Procedures and Written Public Summary are available at www.cadillac-mi.net.

D2

Your fee has previously been paid in full and the documents are immediately available for you at the City's Municipal Building.

Should you have any questions, please feel free to contact me.

Sincerely,

Kelly Prince
FOIA Coordinator
City of Cadillac
Ph: 231.779.7337 | www.cadillac-mi.net

Sec.10 FOIA.pdf
17.3kB

E 1

FW: FOIA Response - Final

From: FOIA (foia@cadillac-mi.net)

To: [redacted]

Cc: mpeccia@cadillac-mi.net

Date: Monday, February 17, 2025 at 09:50 AM EST

Good Morning Art,

I have been informed that you are seeking to appeal your two requests regarding copies of any notices sent to residents in the restricted area and/or any copies of exceptions on file. Hopefully, I can resolve this for you today. In my haste to get items out to you, I only provided our FOIA Coordinator with exemption language specific to items 2-4 of your request for communications dated January 7th. I will now breakdown each individual item for the three requests officially received on January 9, 2025 (letters dated 12/28 and 1/7).

The City of Cadillac received your Freedom of Information Act request. The City has granted your request in part for all non-exempt information. However, the City has also denied your request in full or in part as follows:

Letters dated December 28, 2024

1. "A copy of all written notices sent to all owners of Restricted Zone parcels that have wells prohibited under this Ordinance as required under Section 42-169. The title of this Section 42-169 is "Enforcement" and this is the amendment to Ordinance NO 2018-10 "Ordinance Amending Chapter 42, Article II, Division 6 of the Cadillac City Code Regarding Institutional Controls For Kysor Industrial Corporation/Northernaire Plating Company."
   - *Your request has been denied in full because the City does not maintain or possess any notices that would be responsive to your request. This letter serves as a certificate that your requested documents do not exist under the name provided by you or another name reasonably known to the City.*

2. "A copy of all exceptions on file at the City of Cadillac that are required under Section 42-168 of the Cadillac City Code for all properties granted an exception . This would be any and all exceptions that are required to be on file showing proof/ notice of their approval by the MDEQ and/or EPA as specifically stated in Section 42-168 a,b,c,d and e. I understand that each section may word their exceptions a little differently so this request is for any and all exceptions that have been filed with the City of Cadillac. The title of this Section 42-168 is "Exceptions" and this is the amendment to Ordinance NO 2018-10 "Ordinance Amending

E 2

Chapter 42, Article II, Division 6 of the Cadillac City Code Regarding Institutional Controls For Kysor Industrial Corporation/Northernaire Plating Company."

- *Your request has been denied in full because the City does not maintain or possess any exceptions on file that would be responsive to your request. This letter serves as a certificate that your requested documents do not exist under the name provided by you or another name reasonably known to the City.*

Letter dated January 7, 2025

1. "A copy of all documentation showing the infraction or penalty given to any person in violation of Section 42-170. The title of this Section 42-170 is "Penalties" and this is the amendment to Ordinance NO 2018-10 "Ordinance Amending Chapter 42, Article II, Division 6 of the Cadillac City Code Regarding Institutional Controls For Kysor Industrial Corporation/Northernaire Plating Company."
   - *Your request has been denied in full because the City does not maintain or possess any documentation of penalties that would be responsive to your request. This letter serves as a certificate that your requested documents do not exist under the name provided by you or another name reasonably known to the City.*
2. "A copy of all communications to or from Cadillac City Staff and/or Cadillac City Councilmembers related to Section 42-169 and Section 42-168." **AND**
3. "A copy of any communications or documentation by email, memo, or other written form discussing the private wells that are in the areas specifically laid out in Section 42-166 titled " Restricted Zone" sent to or sent from City of Cadillac Staff or Council members. This would include discussion of the location and addresses of these private wells." **AND**
4. "A copy of any communications or documentation relating to the City of Cadillac reviewing and discussing the concept of the City of Cadillac paying for the private wells being capped or the connection of the properties to the City water system pursuant to Section 42-169 titled, "Enforcement"
   - *Your request has been granted in part and denied in part. Certain information, such as personal e-mail addresses contained in the requested records is exempt from disclosure pursuant to MCL 15.243(1)(a). Disclosure of that information in the requested record would result in a clearly unwarranted invasion of the individuals' privacy under Section 13(1)(a). Further, your request is denied in part because certain correspondence or portions of correspondence you requested were subject to attorney-client privilege and therefore exempt from disclosure under Section 13(1)(g) of the FOIA. MCL 15.243(1)(g). The records you requested contain confidential communications for the purpose of providing legal advice and are subject to attorney-client privilege. For that reason, the information is exempt from disclosure under Section 13(1)(g) of the FOIA, which exempts information subject to attorney-client privilege. MCL 15.243(1)(g).*

Since your request has been denied in part, you have the right to (1) submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for the reversal of the disclosure denial or (2) seek judicial review of this decision, as

E 3

stated in Section 10 of the Michigan Freedom of Information Act, MCL 15.240 (see attachment). Further, you have the right to seek attorney fees as provided in Section 10 (see attachment) if the court determines that the City did not comply with this section and orders disclosure of all or part of the public record.

Please be advised that the City of Cadillac's FOIA Policy & Procedures and Written Public Summary are available at www.cadillac-mi.net.

Your fee has previously been paid in full, and the documents are immediately available for you at the City's Municipal Building.

My apologies for the confusion. I thought about the other denial exemptions on Friday but failed to jot it down and subsequently forgot. Oh, the joy of getting old and needing reminders! I have carbon copies the City Manager, so he is apprised of this additional communication. Should you have any questions, please feel free to contact me.

Sincerely,

Todd Keway

From: FOIA
Sent: Friday, February 14, 2025 2:11 PM
To: Arthur Stevens [redacted]
Subject: FOIA Response - Final

February 14, 2025

Arthur Stevens

[redacted]

Dear Mr. Stevens:

F

Appeal Documents

From: Seurynck, Anne (aseurynck@fosterswift.com)

To: [redacted]

Date: Thursday, March 13, 2025 at 12:00 PM EDT

Art:

Thank you for taking my call. Please see attached the documents that I believe with resolve your appeal. If so, and you would like to withdraw your appeal, please let me know. If there are other documents that you believe should have been disclosed, please let me know and I will follow up. Thank you.

[redacted]

Anne M. Seurynck
Attorney
Foster Swift Collins & Smith PC
1700 East Beltline, NE, Suite 200
Grand Rapids, MI 49525
Phone: 616.726.2240
Fax: 517.367.7196
aseurynck@fosterswift.com
www.fosterswift.com

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Stevens Appeal.pdf
4.1MB

Includes an additional 38 pages

G

Appeal Documents

From: Seurynck, Anne (aseurynck@fosterswift.com)

To: [redacted]

Cc: lgenovich@fosterswift.com

Date: Thursday, April 3, 2025 at 11:50 AM EDT

Art:

After our conversation, I have reviewed the documents we received from the City as well as asking the City to double check. I have attached the only further correspondence that the City has provided to respond to the FOIA. It is still on the agenda for Monday unless you are willing to withdraw the appeal. However, based on the information I have been provided, we would recommend that the City grant the appeal with respect to the documents that are attached to this email and deny to the extent there are no other additional emails that are not attorney-client privileged. I have copied Laura Genovich because I am out of the country and she is handling the appeal at the meeting, so let us know. Thanks!

Anne M. Seurynck
Attorney
Foster Swift Collins & Smith PC
1700 East Beltline, NE, Suite 200
Grand Rapids, MI 49525
Phone: 616.726.2240
Fax: 517.367.7196
aseurynck@fosterswift.com
www.fosterswift.com

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Stevens Appeal Docs -- 4 3 25(201371346.1).pdf
6.4MB

– Includes 30 extra pages

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

Marcus Peccia Performance Evaluation 2024

Submitted 7 April 2025

Mayor Antoinette (Tiyi) Schippers

Overall Performance:

Marcus Peccia is recognized as a highly competent and respected City Manager throughout the state. He demonstrates strong leadership with city staff, including daily operations and fiscal management. City Council recognizes him as an asset to the City of Cadillac.

Strengths:

- *Strategic Planning & Execution:* Successfully implemented projects and pursued grants aligned with city goals.
- *Organizational Mission & Community Engagement:* Continues to take measures regarding public health issues Such as PFAS contamination.
- *Council Relations*: Provides regular updates and maintains open communication, despite some criticism about timeliness.
- *Leadership*: Highly respected by city staff, investors and developers, along with municipal leaders across the state; inspires loyalty among those he leads.
- *Fiscal Responsibility*: Strong track record of responsible budgeting and securing outside funding.
- *External Communication*: Promotes Cadillac enthusiastically, attracting development and investment.

- *Operational Goals*: Exceeds expectations in aligning work with City Council's strategic priorities.

- Staff Management & Culture: Maintains a professional and respectful environment; leads by example.

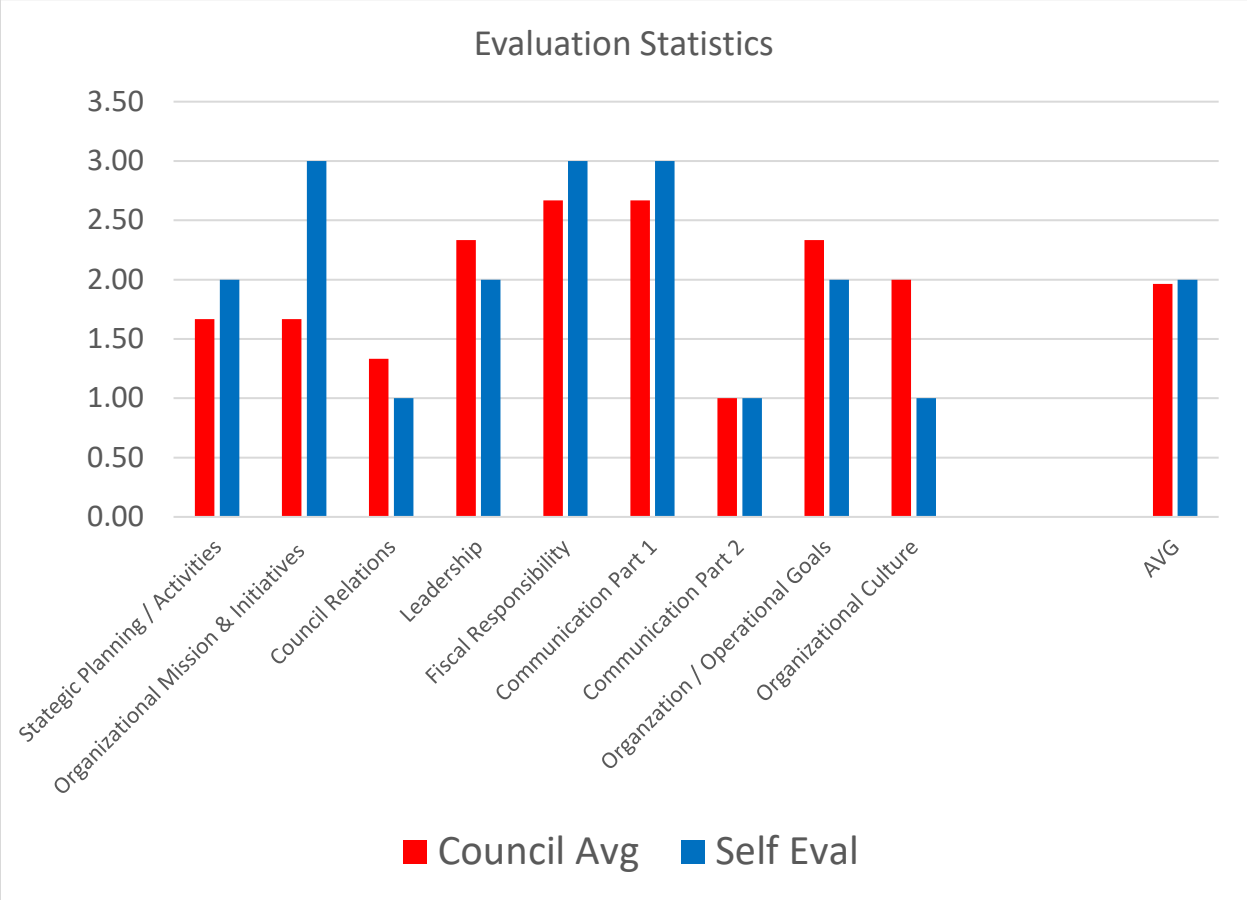
Areas for Improvement:

- Internal Communication (Council Updates): One area marked for improvement was better managing communication flow and tone between city staff and council members, especially during public discourse. There's a call for improved decorum and clearer communication norms.

Final Comments:

Peccia is a dedicated professional with deep expertise in municipal governance. His contributions are valued highly, and he is regarded as a vital part of the city's continued success.

Executive Feedback – City Manager Evaluation Summary
FY 2024



1. **Strategic Planning / Activities**

Develops, communicates, and leads the implementation of established strategic initiatives in a manner consistent with the City's mission, goals, and initiatives in a manner consistent with the City's Standard of Excellence.

- Continues to show improvement. Looking forward to the plans he suggests in 2025.
- The City Manager does a good job of achieving the missions and goals we lay out in the annual budget and CIP. He needs to continue to expand and improve his efforts to ensure we continue to operate in a manner consistent with the City's Standard of Excellence.
- A high level of competency has been demonstrated in this area. Projects approved by the council through the CIP and annual budget were implemented and moving towards

completion. Ordinance updates, receiving grants, helping developers access funding through public and private sources are examples. He has also spearheaded several public forums and meetings to address issues and concerns of the Cadillac citizens.

2. **Organizational Mission & Initiatives**

Works with the City Council, leadership staff, and other internal and external stakeholders to develop strategies and plans for achieving the city's mission and goals.

- Consistently in touch with Lansing and local business leaders. People do not realize the amount of time he spends on communication with agencies and organizations.
- I am pleased with new initiatives and tools developed to manage STRs and code enforcement.

  The City Manager does a good job collaborating with his leadership team and the council with the annual CIP and budget meetings. Additionally, the City Manager does a good job working with local economic and housing groups to find solutions.
- He works well with his team and has responded to requests from the council regarding issues within the community, such as helping to better understand PFAS in the ground water. Though several community members try to paint the city as though it is trying to hide the issue, he has stepped up and created easy access to information, implementing open houses, reached out to surrounding communities to offer assistance, and provided bottled water to citizens suffering well contamination.

3. **Council Relations**

Provides appropriate guidance and ensures that all members of the City Council are well informed on important organizational developments and recommends appropriate actions and policies for the Council to consider.

- More communication please. Updates are needed and appreciated.
- Does a good job recommending appropriate actions and suggesting options to the council. However, sometimes separate and clearer communication is needed regarding topics of community interest, benefit change requests, and some zoning issues. The manager should include extra clear communication when a topic may be contentious or sensitive.
- I feel he does well in this area. Between weekly updates and meeting packets with all the necessary background information, in addition to his availability and openness to converse regarding issues coming before the council, he does well. As a council, we have a responsibility to read the packets in a timely manner so any questions we have can be addressed prior to the meetings in order to be prepared.

4. **Leadership**

Inspires loyalty, trust, and passion among city staff and external partners to further the mission of the City. Seeks professional development opportunities as appropriate with an emphasis on leadership and innovation.

- An A+ for dealing with staff. The employees all seem to like Marcus and feel as though they can trust him and speak openly. His relationship with employees allows and encourages them to do their best.
- I think we have a skilled and innovative leadership team that trusts the City Manager to lead them. The City Manager consistently invests time and resources into professional development opportunities for himself and his team. The City Manager has a good relationship with most external partners, and he needs to continue to focus on collaboration and fostering trust.
- He is highly respected in the community at large, participating in a variety of local, regional, state and national organizations. He continues to lead and inspire staff, business owners and developers. I have witnessed just how much he is respected by other City Managers and officials throughout the state. He continues to perform in the best interests of the city despite those who attempt to disparage him. His love and dedication to the city is palpable and recognized by staff, investors and community leaders.

5. **Fiscal Responsibility**

Sets the tone for financial expectations and finds the appropriate financial balance to achieve the City's mission and vision while continuously exploring opportunities to strengthen the City's financial position, growth, and development.

- The city is financially in a good position and the numbers speak to that.
- The City Manager and his team do a great job managing the city's finances, aggressively pursuing funding sources, and seeking grant opportunities.
- As seen in our annual audits, he has led our community with excellent fiscal responsibility. He consistently seeks grants and other outside funding sources for the advancement of the community. I see a pattern of using the city's capital in a way that benefits "the most" citizens of our city.

6. **Communication – Part 1**

Continues to evangelize the message of our great City to potential developers, policy makers in Lansing and DC, the media, partner organizations, and the like.

- One of Marcus's strong points.
- The City Manager is a great cheerleader for the city and has done a good job working with developers and policy makers on issues such as housing and infrastructure.

- He is a true cheerleader for the city. He sings the praises of the city at meetings he attends at the local, regional and state level. His enthusiasm and love of Cadillac has attracted many developers and business owners to invest in our community, which benefits every citizen.

7. **Communication – Part 2**

Provides a series of updates to the City Council regarding the progress of City activities. Provides regular reports and seeks in-person meetings as appropriate.

- Occasionally I feel left out of the loop. Needs to stay in better touch with the council.
- Certain topics should be more direct and in-depth and separate from the weekly drops. I appreciate the introduction of the weekly code enforcement and PFAS updates. I would like to see more care exercised when communicating and requesting benefit changes for the City Manager.
- He communicates well and in a timely fashion with the council through his weekend bullets, phone calls when items arise quickly, and extensive meeting packets. Communication, however, goes both ways. It disheartens me to see him publicly disrespected by council members. This does not create a good climate for continued communication. I would like to see training or intervention on how the council teats staff in public. I would like to see some rules of decorum designed and implemented in the city to guide council members, staff, and even the public during public disclosure.

8. **Organizational/Operational Goals**

Has shown significant and/or appropriate progress on the following programs:

City Council Goals

1. Community Development and Enhancement

2. Economic Health and Development

3. Public Safety

4. Customer Service and Organizational Enhancement

- Feel he is working diligently to find viable solutions that are currently affecting our community. I have confidence that his grant skills and working with State agencies will find answers to our PFAS crisis.
- Feel the City Manager has improved the level of customer service with regard to code enforcement and has been responsive to the council when asked for changes in the way we handle and report code enforcement.

  Recently funded market updates will be a huge improvement and address the concerns the council had about the market.

He has continued to foster economic development, bringing in new businesses and housing developments.

- Based on goals the council set, he is doing an excellent job in adhering to and implementing them.

9. **Organizational Culture**

Stresses a culture of achievement and innovation that is in place and continues to maintain and improve upon these matters.

- The City Manager fosters a good work environment at city hall.
- He leads by example. His own focus on achievement and innovation creates a culture for others to do the same. His participation in boards throughout the community and beyond sets the bar high for his team, who also participate on boards in their respective fields. He is interested in learning new skills through training available to him, along with his vast network of colleagues in his field to seek advice and ideas. He seeks participation and education opportunities for the betterment of the city.

10. **Additional Comments / Feedback**

Provide additional comments on any performance, behaviors, accomplishments, and/or concerns not covered above.

- Over the years he has had many achievements. I would like to see more manufacturing come to town for more jobs. He has been in contact with state and foreign businesses doing his best.
- I am glad we have made improvements regarding code enforcement and in response to the emerging PFAS concerns. The manager and his team are working with government officials and the community on public safety messaging efforts, clean water relief efforts, and long-term solutions.

  We need to be able to pivot more quickly to emerging issues. We need to continue to foster development in the city, while also focusing on improving processes and responding to new problems.
- He has expressed to me on multiple occasions of just how dedicated he is to the city of Cadillac. He has remarkable expertise in municipal governance and operations. He is professional at every level and in every circumstance. We are lucky to have such a highly qualified and respected city manager. I look forward to his leadership through current and future opportunities for our community to thrive.

McCURDY WOTILA & PORTEOUS PC
Attorneys and Counselors

Michael A. Figliomeni
Nathan Piwowarski
Patrick A. Cherry
Alex S. Mallory

David L. Porteous
Cynthia K. Wotila
Patricia L. O'Dell
Isaac Thomas

Of Counsel
Roger L. Wotila

Emeritus
David S. McCurdy
1949-2024

March 7, 2025

Sent Via USPS First Class Mail and Hand Delivery
Sandra Wasson
City Clerk, City of Cadillac
200 N. Lake Street
Cadillac, MI 49601

Re: Rezoning Application by Matthew McCall-Stillman for 128 E. Pine Street, Cadillac, MI

Dear Ms. Wasson:

As you know, this office represents Matthew McCall-Stillman and Sarah Glidewell in relation to the property located at 128 E. Pine Street. A public hearing is scheduled on the application of my clients for rezoning the property. The public hearing is scheduled for March 17. It is my understanding that the two council vacancies are expected to be filled at the meeting on March 17. Under the circumstances and given the difficulty of properly presenting my clients' argument for rezoning to a council that will consist of two members having no familiarity with the application of my clients, my clients request that the City postpone the public hearing and consideration of the Ordinance Amending the City Zoning Map recently introduced until the next meeting that will comply with the legal notice requirements.

My clients are well aware that there may be a cost incurred by the City for the additional publication of the rescheduled public hearing. My clients will pay promptly any such costs upon notice from the City.

Thank you for your consideration in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Michael A. Figliomeni

MAF/mkj
Cc via Email: Attorney Mike Homier - mhomier@fosterswift.com
Marcus Peccia – mpeccia@cadillac-mi.net

City Council

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

Mayor
Tiyi Schippers

Mayor Pro-Tem
Robert J. Engels

Councilmembers
Bryan Elenbaas
Scott Hopkins
Ruthann French

RESOLUTION NO. _____

RESOLUTION TO ADOPT ORDINANCE AMENDING THE CITY ZONING MAP
RE: 128 E. PINE STREET

At a regular meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held on the 21st day of April, 2025, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Matthew McCall-Stillman (the "Owner") owns real property located at 128 E. Pine Street, Cadillac, Michigan, legally described as:

> *The north ½ of Lots 7 and 8, Block 4, and the west 3.40 feet of the North ½ of Lot 9, Block 4, Mitchell's Revised Plat of Clam Lake (now the City of Cadillac), Section 33, T22N, R9W, City of Cadillac, Wexford County, Michigan (Tax ID No. 10-086-00-159-02)* (the "Parcel"); and

WHEREAS, the Parcel is currently zoned OS-2, Office Service District; and

WHEREAS, the Owner submitted an application to the City Planning Commission requesting that the Parcel be rezoned to B-2, Central Business District; and

WHEREAS, after providing notice in accordance with the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 et seq., the Planning Commission conducted a public hearing on the proposed rezoning on December 23, 2024; and

WHEREAS, the Planning Commission recommended that the City Council approve the rezoning of the Parcel to B-2, Central Business District; and

WHEREAS, pursuant to MCL 125.3401, the Owner requested that the City Council conduct a public hearing regarding the proposed rezoning; and

WHEREAS, the City Council held a duly noticed public hearing on April 21, 2025, to consider the proposed amendment to the City Zoning Map; and

WHEREAS, the City Council now desires to adopt the Ordinance amending the City Zoning Map as recommended.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council hereby adopts Ordinance No. _____, Amending the City Zoning Map to rezone the Parcel from OS-2, Office Service District, to B-2, Central Business District, as set forth in the Ordinance attached as Exhibit A.

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

3. The City Clerk is directed to publish a Notice of Adoption within seven (7) days of the date of this Resolution in a newspaper of general circulation in the City.

4. A copy of the Ordinance shall be available for public inspection at the office of the City Clerk, and copies may be obtained for a reasonable fee.

5. All resolutions or parts of resolutions in conflict with this Resolution are 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 21st day of April, 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
Robert J. Engels

Councilmembers
Bryan Elenbaas
Scott Hopkins
Ruthann French

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY ZONING MAP RE: 128 E. PINE STREET

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends the City Zoning Map to change the OS-2, Office Service District zoning designation and established use district as shown on the City Zoning Map for the real property located at 128 E. Pine Street and legally described as:

> Parcel 86-159: The north ½ of Lots 7 and 8, Block 4, and the west 3.40 feet of the North ½ of Lot 9, Block 4, Mitchell's Revised Plat of Clam Lake (Now the City of Cadillac), Section 33, T22N, R9W, City of Cadillac, Wexford County, Michigan;
>
> (Tax identification No. 10-086-00-159-02) (the "Parcel")

to the B-2, Central Business 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

City Council

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

Mayor
Tiyi Schippers

Mayor Pro-Tem
Robert J. Engels

Councilmembers
Bryan Elenbaas
Ruthann French
Scott Hopkins

RESOLUTION NO. _____

RESOLUTION ADOPTING ORDINANCE NO. ___

AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO CONDITIONALLY REZONE PROPERTY

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held on the 21st day of April, 2025, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

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

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

WHEREAS, pursuant to MCL 125.3405, the City may approve certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map; and

WHEREAS, Alba Ventures, LLC (the "Owner") owns vacant property located off Pearl Street, Tax Identification Number 10-106-00-005-03 (the "Property"); and

WHEREAS, the Owner filed an application to rezone the Property from RM-1, Multiple-Family Residential to B-3, General Business on a conditional basis as set forth in the attached proposed rezoning Ordinance **(Exhibit A**); and

WHEREAS, the Planning Commission properly noticed and held a public hearing on the Application on March 24, 2025, in accordance with the MZEA; and

WHEREAS, the Planning Commission voted to recommend the City Council approve the rezoning application subject to the conditions that were offered in writing by the Applicant and subject to successful execution of a conditional zoning agreement entered into between the Applicant and the City; and

WHEREAS, pursuant to Section 5.2 of the Cadillac City Charter, the City introduced the Ordinance on April 7, 2025, and held a public hearing on April 21, 2025; and

WHEREAS, the City desires to amend its Zoning Ordinance to rezone the Property from RM-1, Multiple-Family Residential to B-3, General Business subject to the conditions that were offered in writing by the Applicant and provided a conditional rezoning agreement is executed between the Applicant incorporating the conditions accepted by the City and offered by the Applicant; and

WHEREAS, the City Council has reviewed and considered all materials provided by the Planning Commission.

NOW, THEREFORE, the Cadillac City Council resolves as follows:

1. Ordinance No. 2025-__, An Ordinance to Amend The Zoning Ordinance To Conditionally Rezone Property **(Exhibit A)** is hereby adopted, subject to approval of the conditional rezoning agreement, attached as **Exhibit 1** to Ordinance.

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

3. The City Clerk is directed to publish a notice of adoption, including a summary of the Ordinance in a newspaper of general circulation in the City within seven (7) days. The summary and notice of the adoption 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 21st day of April, 2025.

_____
Sandra Wasson
Cadillac City Clerk

AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO CONDITIONALLY REZONE PROPERTY

THE CITY OF CADILLAC ORDAINS:

Section 1. Amending Zoning District Map.

The City hereby amends the City Zoning Map to change the RM-1, Multiple-Family Residential District zoning designation and established use district as shown on the City Zoning Map for the real property located off Pearl Street and legally described as:

> Parcel C: That part of the West ½ of the West ½ of the Northeast ¼ of the Northeast ¼ of Section 9, T21N, R9W, City of Cadillac, Wexford County, Michigan, described as: Commencing at the Northeast corner of said Section 9; thence N89°58'53"W along the North line of said Section 9, 1319.72 feet to the Northwest corner of the said Northeast ¼ of the Northeast ¼ of said Section 9; thence S00°54'16"E along the West line of the said Northeast ¼ of the Northeast ¼ of Section 9, 901.85 feet to the Point of Beginning; thence S89°57'12"E, parallel with South line of the said Northeast ¼ of the Northeast ¼ of Section 9, 330.19 feet; thence S00°55'16"E, 416.00 feet to a point on the South line of the said Northeast ¼ of the Northeast ¼ of Section 9; thence N89°57'12"W, along the said South line, 330.32 feet to the Southwest corner of the said Northeast ¼ of the Northeast ¼ of Section 9; thence N00°54'16"W along the West line of the said Northeast ¼ of the Northeast ¼ of Section 9, 416.00 feet to the Point of Beginning.
>
> Subject to an easement to be used for ingress and egress to said parcel and for gas, water, sewage and electrical right-of-way to said parcel of land being known as the dominant estate, lying along the South boundary of Parcel B, as referenced in the Certificate of Survey recorded in Liber 1 at Page 627, known as the servient estate, being described as: That part of the West ½ of the West ½ of the Northeast ¼ of the Northeast ¼ of Section 9, T21N, R9W, City of Cadillac, Wexford County, Michigan, described as commencing at the Northeast corner of said Section 9; thence N89°58'53"W 1253.72 feet along the center line of Pearl Street to the Point of Beginning; thence S00°54'16"E, parallel to the West line of said Northeast ¼ of the Northeast ¼ of Section 9, 901.88 feet to the South line of the above described servient estate, being the North line of said dominant estate; thence N89°57'12"W, 66.00 feet along the Southerly border line of the servient estate, being the Northerly border line of said dominant estate, to the Southwest corner of the servient estate; thence N00°54'16"W, 901.85 feet, along the West line of the servient estate to a point on the North line of said Section 9; thence S89°58'53"E along the said North line 66.00 feet to the Point of Beginning.
>
> (Tax identification No. 10-106-00-005-03) (the "Parcel")

to the B-3, General Business District zoning designation and corresponding use district under Chapter 46 of the Cadillac City Code.

Section 2.

This rezoning is conditionally approved and subject to the use and development conditions established in the Conditional Rezoning Approval Agreement, attached as **Exhibit 1**, which is incorporated herein by reference and which includes the following conditions:

1. The parcel shall only be used for the development and operation of a commercial self-storage facility.

2. Nothing in this Ordinance shall relieve Applicant from any obligation to apply for and receive approval of a special use permit or site plan required by the City's Zoning Ordinance.

Section 3.

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 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; provided, however, that if Section 2 is found invalid, then Section 1 shall no longer be of any force or effect.

Section 5.

This Ordinance shall take effect twenty (20) days after its publication as provided by law.

EXHIBIT 1

CONDITIONAL REZONING AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2025, by and between the City of Cadillac ("City"), a Michigan municipal corporation, whose offices are located at 200 N Lake St, Cadillac, MI 49601, and Alba Ventures, LLC ("Owner"), the owner of the property that is the subject of this Agreement, whose address is PO Box 378, Allendale, MI 49401.

WHEREAS, Owner submitted an amended application to rezone certain real property ("Property") located in the City of Cadillac, Michigan, the legal description of which is set forth in **Exhibit A** attached hereto, from its current designated as zoning classification RM-1 (Multiple-Family Residential District) to B-3 (General Business District) pursuant to the City of Cadillac Zoning Ordinance to develop and operate a commercial self-storage facility; and

WHEREAS, Owner voluntarily offered, in writing, certain use limits as conditions of the rezoning; and

WHEREAS, pursuant to the Michigan Zoning Enabling Act, PA 110 of 2006, the City may approve rezoning conditions offered by an applicant and may establish a time period during which the conditions apply; and

WHEREAS, on March 24, 2025, the City of Cadillac Planning Commission voted to recommend approval of Owner's request to conditionally rezone the Property and to accept Owner's proposed limitations on the use of the Property as more specifically set forth in this Agreement; and

WHEREAS, on _____, the City of Cadillac City Council voted to approve Owner's requested conditional rezoning, accept Owner's proposed limitations on the use of the Property, and approve the terms and conditions of this Conditional Rezoning Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the City and Owner agree as follows:

1. **Conditional Rezoning**

   Pursuant to Section 405 of the Michigan Zoning Enabling Act, MCL 125.3405, Owner's agrees to limit the use of the Property as set forth in this Agreement. Upon execution of this Agreement by the parties, the City shall effectuate the conditional rezoning of the Property from zoning classification RM-1 (Multiple-Family Residential District) to B-3 (General Business District).

2. **Rezoning Conditions**

Owner agrees that the development of the Property will proceed in accordance with the following conditions which have been offered by Owner as a condition of rezoning the Property:

a) The parcel shall only be used for the development and operation of a commercial self-storage facility.
b) Nothing in this Ordinance shall relieve Applicant from any obligation to apply for and receive approval of a special use permit or site plan required by the City's Zoning Ordinance.

3. **Future Development.**

All development of the Property shall be in strict compliance with all applicable City Ordinances, regulations, and applicable building code and utility requirements.

4. **Entire Agreement.**

This Agreement constitutes the entire understanding between the parties with respect to the subject matter hereof, and all prior or contemporaneous agreements or understandings with respect hereto shall be deemed merged into this Agreement.

5. **No Oral Amendment or Modification.**

No amendments, waivers or modifications hereof shall be made or deemed to have been made unless in writing and executed by the parties.

6. **Amendment of Conditions.**

During the time period for commencement of an approved development or use specified pursuant to the Zoning Ordinance or during any extension thereof granted by the City Council, the City shall not add to or alter the conditions in this Agreement. This Agreement may be amended thereafter in the same manner as was prescribed for the original rezoning and the Agreement.

7. **Severability.**

If any provision of this Agreement shall be declared invalid, illegal, or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby and this Agreement shall be construed as if those provisions were not contained in this Agreement.

8. **Applicable Law.**

This Agreement shall be interpreted and enforced according to the laws of the State of Michigan.

9. Recordation.

This Agreement shall be filed by the City with the Register of Deeds of Wexford County.

10. Violation and Enforcement.

The failure of any party to complain or enforce any act or omission on the part of another party, no matter how long the same may continue, shall not be deemed to be an acquiescence or waiver by such party of any of its rights hereunder. No waiver by any party at any time, express or implied, or any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision of this Agreement or a consent to any subsequent breach of the same or any other provision of this Agreement. If any action by any party shall require the consent or approval of another party, such consent or approval of such action shall not be deemed a consent to or approval of any other provision of this Agreement.

11. Violation of Zoning Ordinance.

Any failure by Owner to comply with the terms and conditions of this Agreement shall constitute a violation of the City's Zoning Ordinance, a nuisance per se and shall subject Owner to the applicable penalties and remedies provided by law, including, but not limited to, immediate injunctive relief. Notwithstanding any other term or condition of this Agreement to the contrary, if Owner, its successors or assigns fails to comply with the use and development conditions of this Agreement or attempts to use or develop the Property contrary to Owner's offered use and development conditions, the Property conditionally rezoned to B-3 (General Business District) shall immediately revert to its former zoning classification RM-1 (Multiple-Family Residential District) and the approval of the site plan for the proposed development shall terminate. In such an event, Owner may thereafter develop the Property only in accordance with a site plan that is approved by the Planning Commission and complies with all City zoning, engineering, building and fire codes, as well as Ordinances in effect at that time.

Nothing in this Agreement shall relieve Applicant from any obligation to apply for and receive approval of a special use permit or site plan required by the City's Zoning Ordinance.

12. Binding Effect; Assignment.

This Agreement shall run with the land and shall bind and inure to the benefit of City and the successors and assigns of Owner.

13. Effective Date.

The conditional rezoning approved by the City Council shall be effective as provided by law.

14. Time Period for Establishing Development or Use.

The approved development and/or use of the Property authorized by this Agreement must commence within 18 months after the conditional rezoning takes effect and thereafter proceed diligently to completion. Upon written request, this time may be extended by the City Council if (1) it is demonstrated to the City Council 's reasonable satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and (2) the City Council finds that there has not been a change in circumstances that would render the current zoning with the Agreement incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.

15. Subsequent Rezoning of Land.

If the Property is rezoned to a different zoning classification or to the same zoning classification but with a different or no Agreement, whether as a result of a reversion of zoning pursuant to the Zoning Ordinance or otherwise, this Agreement shall cease to be in effect. Upon the owner's written request, the City Clerk shall record with the Register of Deeds of the County in which the land is located a notice that the Agreement is no longer in effect.

16. City Right to Rezone.

Nothing in this Agreement, nor in the provisions of the Zoning Ordinance shall be deemed to prohibit the City from rezoning all or any portion of the Property to another zoning classification. Any rezoning shall be conducted in compliance with the Zoning Ordinance and the Zoning Enabling Act (MCL 125.1301 et seq.)

IN WITNESS WHEREOF, the parties have caused this Conditional Rezoning Agreement to be executed effective as of the day and year first above written.

City of Cadillac, a Michigan municipal corporation

By: _____
Tiyi Schippers, Mayor

By: _____
Sandra Wasson, Cadillac City Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

The foregoing instrument was acknowledged before me, a notary public, on the ____ day of _____, _____, by Tiyi Schippers, its Mayor and Sandra Wasson, its Clerk, on behalf of the City of Cadillac.

_____

Notary Public, _____County, MI
My Commission Expires:_____
Acting in _____ County, MI

Alba Ventures, LLC ("Owner")

By: _____
Robb Munger, Registered Agent

STATE OF MICHIGAN)
) ss.
COUNTY OF WEXFORD)

The foregoing instrument was acknowledged before me, a notary public, on the ____ day of _____, _____, by Robb Munger, Registered Agent for Alba Ventures, LLC.

_____

Notary Public, _____County, MI
My Commission Expires:_____
Acting in _____ County, MI

EXHIBIT B

NOTICE OF ADOPTION AND SUMMARY OF ORDINANCE NO. ___

NOTICE IS HEREBY GIVEN that the City Council of the City of Cadillac, Wexford County, Michigan, at a meeting on _____, 2025, the City Council of the City of Cadillac adopted Ordinance No. _____, An Ordinance to Amend the Zoning Ordinance To Conditionally Rezone Property.

A copy of the Ordinance may be inspected or purchased, for a reasonable charge, during regular business hours at the City Hall, 200 Lake Street, Cadillac, Michigan 49601. The following is a summary of the Ordinance.

Section 1 of the proposed ordinance provides that the City amends the City Zoning Map to change the RM-1, Multiple-Family Residential District zoning designation and established use district as shown on the City Zoning Map for the real property located off Pearl Street and legally described as:

> Parcel C: That part of the West ½ of the West ½ of the Northeast ¼ of the Northeast ¼ of Section 9, T21N, R9W, City of Cadillac, Wexford County, Michigan, described as: Commencing at the Northeast corner of said Section 9; thence N89°58'53"W along the North line of said Section 9, 1319.72 feet to the Northwest corner of the said Northeast ¼ of the Northeast ¼ of said Section 9; thence S00°54'16"E along the West line of the said Northeast ¼ of the Northeast ¼ of Section 9, 901.85 feet to the Point of Beginning; thence S89°57'12"E, parallel with South line of the said Northeast ¼ of the Northeast ¼ of Section 9, 330.19 feet; thence S00°55'16"E, 416.00 feet to a point on the South line of the said Northeast ¼ of the Northeast ¼ of Section 9; thence N89°57'12"W, along the said South line, 330.32 feet to the Southwest corner of the said Northeast ¼ of the Northeast ¼ of Section 9; thence N00°54'16"W along the West line of the said Northeast ¼ of the Northeast ¼ of Section 9, 416.00 feet to the Point of Beginning.
>
> Subject to an easement to be used for ingress and egress to said parcel and for gas, water, sewage and electrical right-of-way to said parcel of land being known as the dominant estate, lying along the South boundary of Parcel B, as referenced in the Certificate of Survey recorded in Liber 1 at Page 627, known as the servient estate, being described as: That part of the West ½ of the West ½ of the Northeast ¼ of the Northeast ¼ of Section 9, T21N, R9W, City of Cadillac, Wexford County, Michigan, described as commencing at the Northeast corner of said Section 9; thence N89°58'53"W 1253.72 feet along the center line of Pearl Street to the Point of Beginning; thence S00°54'16"E, parallel to the West line of said Northeast ¼ of the Northeast ¼ of Section 9, 901.88 feet to the South line of the above described servient estate, being the North line of said dominant estate; thence N89°57'12"W, 66.00 feet along the Southerly border line of the servient estate, being the Northerly border line of said dominant estate, to the Southwest corner of the servient estate; thence N00°54'16"W, 901.85 feet, along the West line of the servient estate to a point on the

North line of said Section 9; thence S89°58'53"E along the said North line 66.00 feet to the Point of Beginning.

(Tax identification No. 10-106-00-005-03) (the "Parcel")

to the B-3, General Business District zoning designation and corresponding use district under Chapter 46 of the Cadillac City Code.

Section 2 of the proposed ordinance provides that this rezoning is conditionally approved and subject to the use and development conditions established in the Conditional Rezoning Approval Agreement, which includes the following conditions:

1. The parcel shall only be used for the development and operation of a commercial self-storage facility.
2. Nothing in this Ordinance shall relieve Applicant from any obligation to apply for and receive approval of a special use permit or site plan required by the City's Zoning Ordinance.

Section 3 of the proposed ordinance provides that if any portion of the proposed ordinance is found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of the proposed ordinance.

Section 4 of the proposed ordinance provides that all other ordinances inconsistent with the provisions of the proposed ordinance are repealed but only to the extent necessary to give the proposed ordinance full force and effect.

Section 5 of the proposed ordinance provides that it shall take effect twenty (20) days after its adoption.

CITY COUNCIL OF THE
CITY OF CADILLAC, MICHIGAN

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

Edward D. Van Alst
[redacted]

April 7, 2025

City of Cadillac
200 N. Lake Street
Cadillac, Michigan 49601

RE: 2023 ROTARY STRIDE FOR S.T.R.I.V.E MEMORIAL DAY 5K RACE

City of Cadillac:

As we do each year, the Rotary Club of Cadillac is requesting assistance with the 27th annual STRIDE FOR S.T.R.I.V.E. 5K run/walk event to be held on Memorial Day, May 26, 2025, in the City of Cadillac. The event supports our local S.T.R.I.V.E. mentoring program (**S**tudents **T**aking a **R**enewed **I**nterest in the **V**alue of **E**ducation), which assists local high school students who struggle in school.

Enclosed please find completed City of Cadillac forms: Event Planning Cover Page; Race Request Form with detailed schedule for the day, route map, and Certificate of Liability Insurance; Street and Parking Lot Closure Request Form; and City Park Request Form.

This event attracts hundreds of adult and student runners, walkers, and spectators. We plan to manage traffic on the route with signs and volunteers at key locations. We have asked MMR to be present in case of injury and volunteers will be stationed with cell phones to notify of any emergencies. An awards ceremony will be held in the Naval Reserve Flower Open Space following the event.

We ask that you forward a copy of this letter to appropriate entities that may be involved. Please contact me at [redacted] or [redacted] to let me know if further action needs to be taken by Rotary. Your assistance with this important traditional event is appreciated.

Regards,

Edward D. Van Alst

Enc.

CITY OF CADILLAC MICHIGAN

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

Today's Date 4/7/2025

City Received Date

MUST BE OFFICIALLY CITY DATE STAMP

EVENT PLANNING COVER PAGE

This form must be completed and return to the City at least 60 days before a HIGH IMPACT event. Additionally a representative for the event must meet with City Event Team to verify all details for the event before going to City Council for approval. Failure to comply will result in a denial of your event. Please call (231) 775-0181 x 7328 if you have questions.

Applicant Name (Print) Rotary Club of Cadillac Contact Address [redacted]

Contact Phone(s) [redacted] Contact Email [redacted]

Sponsoring Organization Rotary Club of Cadillac ☐ Private ☒ Non-Profit

Purpose of Event Fundraiser Approx # of Attendees 300-400

Please check the facility requested (see related reservation form):

☐ Market at Cadillac Commons ☐ Rotary Pavilion ☐ City Park ☐ Cadillac Commons Plaza

Beginning Date: 5/26/25 **Ending Date:** 5/26/25 **Reoccurring:** ☒ YES ☐ NO

1st Day	5/26/25	Set-up	6:30 AM	Start	8:30 AM	End	10:30 AM	Clean-up 11:00 AM
2nd Day		Set-up		Start		End		Clean-up
3rd Day		Set-up		Start		End		Clean-up
4th Day		Set-up		Start		End		Clean-up

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

YES ☒ NO ☐ Will you be requesting permission to close any streets or parking lots?
YES ☒ NO ☐ Will you be requesting permission to display any off-site signage?
YES ☐ NO ☒ Will you be requesting permission to display a banner over Mitchell Street?
YES ☐ NO ☒ Will you be requesting permission to have a parade?
YES ☒ NO ☐ Will you be requesting permission to hold any races?
YES ☐ NO ☒ Will you be requesting permission to serve alcoholic beverages?
YES ☒ NO ☐ Will your event include use of generators, food trucks, grills, fireworks display, or a tent/membrane structure? Generator for finish line.

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

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

CITY OF CADILLAC MICHIGAN

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

Today's Date 4/7/2025

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Race Request Form

Name of Race Cadillac Rotary Stride for S.T.R.I.V.E. 5k Run/Walk

Purpose of Race Fundraiser - School Mentoring - Students Taking A Renewed Interest in the Value of Education.

Requesting Organization Rotary Club of Cadillac

Contact Person(s) Edward Van Alst

Contact Phone [redacted] Contact Email [redacted]

Date of Race 5/26/2025 Approx. number of participates 300-400

Registration Location Cadillac Senior Center Registration Time 7:00 AM/PM

Starting Time 8:30 AM/PM Ending Time 10:30 AM/PM

City of Cadillac Rules

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

The following must be provided with this request:

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

Form must be mailed or delivered to the above address or emailed to: mvandermeulen@cadillac-mi.net ***(No Faxes accepted)***
I understand and agree to these requirements & understand if these are not met the request will be denied.

Print Name Edward J. Van Alst Signature [signature] Date 4/7/2025

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

ROTARY CLUB OF CADILLAC

ANNUAL STRIDE FOR S.T.R.I.V.E.
5K RUN/WALK

RACE DAY SCHEDULE

6:00 am	Rotary Volunteers set up for event at the east end of Sunset Lane behind the Cadillac Senior Center.
7:00 am	Runner Registration Opens - Participants gather behind the Cadillac Senior Center at the east end of Sunset Lane.
8:30 am	Start 5K Run/Walk
10:30 am	Race finishes and clean-up.

Rotary Club of Cadillac - Annual Stride for S.T.R.I.V.E. 5k

Memorial Day

Race Start Time: 8:30 AM
Race Starts at East End of Sunset Lane
Behind the Cadillac Senior Center
601 Sunset Lane, Cadillac, MI
Surface: Road Race
Restrooms: Inside Cadillac Senior Center and Porta Johns
Parking: Cadillac Senior Center, Adjacent Park Parking, Side Street

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 04/07/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Crystal Gleason	
Hylant Group Inc 811 Madison Ave Toledo OH 43604	PHONE (A/C, No, Ext): 419-259-2710	FAX (A/C, No): 419-255-7557
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Westchester Surplus Lines Insurance Company	10172
Insured All Active US Rotary Clubs & Districts Rotary Club of Cadillac Attn: Risk Management Dept. 1560 Sherman Avenue Evanston, IL 60201-3698	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY	Y		G73578917003	7/1/2024	7/1/2025	EACH OCCURRENCE	$ 2,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
	X Liquor Liability Included						MED EXP (Any one person)	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	$ 2,000,000
	X POLICY PRO-JECT LOC						GENERAL AGGREGATE	$ 4,000,000
	OTHER:						PRODUCTS - COMP/OP AGG	$ 4,000,000
								$
A	AUTOMOBILE LIABILITY	Y		G73578917003	7/1/2024	7/1/2025	COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR			Not applicable			EACH OCCURRENCE	$
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N			Not applicable			PER STATUTE OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is cause in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

City of Cadillac, 200 N. Lake St, Cadillac, MI 49601
Rotary Club of Cadillac District #6290
Cadillac Rotary Stride for S.T.R.I.V.E. 5k Run;Walk
Event Date: May 26, 2025

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Judy K. Wilson

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CITY OF CADILLAC MICHIGAN

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

Today's Date 4/7/2025

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 Rotary Club of Cadillac Stride For S.T.R.I.V.E. 5k Run/Walk

Contact Person Edward Van Alst

Contact Phone [redacted] Contact Email [redacted]

Date: 5/26/2025 **Street Closures**

Street Name Sunset Ln. Beginning Location Eastern Ln Ending Location Selma St

Beginning Time 8:00 AM Ending Time 11:00 AM

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 Edward D. Van Alst Signature [signature] Date 4/7/2025

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

CITY OF CADILLAC MICHIGAN

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

Today's Date 4/7/2025

City Received Date

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City Parks Request Form

Must be submitted with the Event Planning Cover Page. Please submit 60-days prior to event date for HIGH-IMPACT EVENTS

Event Cadillac Rotary Stride for S.T.R.I.V.E. 5k Run/Walk

City Parks

Please Check One

- ☐ City Park at Cadillac Commons "Fountain Park"
- ☐ The Plaza at Cadillac Commons
- ☒ Other Naval Reserve Flower Open Space

Usage Rules:

1. All Parks are for public use.
2. The Plaza nor the City Park in Cadillac Commons will have its general use, as an open space or park without organized activity, restricted to no more than two consecutive weekends.
3. The City does not provide any porta potty's, tents, tables, chairs, rugs, extension cords etc.
4. The fountain may not be operating due to equipment breakdowns or weather conditions such as wind.
5. Not all parks have space for tents, chairs etc. (Separate application required for use of tent or structure, if applicable)
6. No digging, staking, or any other ground disturbing activity shall be performed except as authorized in the permit and upon prior notification from the Operations Manager for DPW.
7. No trucks or other motor vehicles are allowed in City parks except in designated parking lots or except those conveying specialized equipment for the Event, or otherwise allowed as stated in the Permit.

Reservation Fees:

- **Daily Rate (4 hours or more) $108**
- **Hourly Rate (less than 4 hours) $60 per hour**
- **Non-Profit Daily Rate (4 hours or more) $55**
- **Non-Profit Hourly Rate (less than 4 hours) $27 per hour**

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

Recurring events are not permitted in City Parks.

All events require liability insurance.

Forms can be emailed to mvandermeulen@cadillac-mi.net, or mailed/delivered to City Hall, Attention Event Coordinator at 200 N. Lake St, Cadillac, MI 49601

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

Signature EDVA Total Fees Required:_____ Total Fees Paid:_____ Date 4/7/2025

Edward D. Van Alst

April 21, 2025

COUNCIL COMMUNICATION

Re: Reappointment of Regan O'Neill to a Three-Year Term on the Brownfield Redevelopment Authority

Regan O'Neill has expressed interest in being reappointed to serve as a member on the Brownfield Redevelopment Authority for a three-year term. Regan has been a member on the board since 1997.

Requested Council Action:

Motion to reappoint Regan O'Neill to a three-year term on the Brownfield Redevelopment Authority which will end on 5/19/2028.

April 21, 2025

COUNCIL COMMUNICATION

Re: Appointment of Carla Moore to a Three-Year Term on Cadillac Historic Districts Commission

Carla Moore has expressed interest in serving on the Cadillac Historic Districts Commission for a three-year term.

Requested Council Action:

Motion to appoint Carla Moore to a three-year term on the Cadillac Historic Districts Commission which will expire on 04/21/2028.

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

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

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

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

Please print or type:

RECEIVED
APR 15 2025

Name CARLA MOORE Address [redacted]

Telephone: Home [redacted]

Business/cell [redacted]

E-mail [redacted]

Date available for appointment immediately

1

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

Community Service

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

I have not served on any Boards or Nonprofit Organizations. I am looking for a service opportunity that fits well with my past career experiences, general knowledge, and hobbies and interests. Another ability not mentioned is my compassion for people.

Employment and Education

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

I have real world experience with Real Estate Sales, Insurance Sales (Life, Property, Casualty, Health, and Annuities with Fiduciary duties. Automotive Sales/ Finance was by far my favorite employment, due to the positive impact on the Customer, the ability to handle a project from start to finish, and the great variety of demands.

I have also been employed in General Accounting, Cost Accounting, Payables, and Receivables. As part of my Office experience, I was responsible for many tasks including vehicle titles and inventory,

electronic funding, capturing incentives, computer systems, maintenance, and programming specific to our requirements, and anything else they handed me.

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

Personal

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

If yes, please indicate potential conflicts.

None that I'm aware of.

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

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

My relevant hobbies are an appreciation for architecture, studying human behavior, and history. I follow news and current events, locally, Nationally, and Worldwide. Today's news is tomorrow's history. I enjoy thinking and learning. I also enjoy nature and outdoors.

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

Signature Carla L. Nevell Date 4-8-25

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

Mail or return your completed application to:

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

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

Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

Date:
03/24/2023

Employer ID number:
[redacted]

Person to contact:
Name: Customer Service
ID number: 31954
Telephone: 877-829-5500

Accounting period ending:
December 31

Public charity status:
509(a)(2)

Form 990 / 990-EZ / 990-N required:
Yes

Effective date of exemption:
January 25, 2023

Contribution deductibility:
Yes

Addendum applies:
No

DLN:
[redacted]

JAM AND BREAD
C/O DAVID B DALTON
[redacted]

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

MICHIGAN LOTTERY
Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103a(i)(*ii*))

At a _____ meeting of the _____
REGULAR OR SPECIAL — TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION — CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL		DISAPPROVAL	
Yeas:	_____	Yeas:	_____
Nays:	_____	Nays:	_____
Absent:	_____	Absent:	_____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD — REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

_____
PRINTED NAME AND TITLE

_____
ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.