



## **City Council Meeting**

October 16, 2017

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601

### **State of Michigan Flag Pledge**

***I pledge allegiance to the flag of Michigan, and to the state for which it stands,  
two beautiful peninsulas united by a bridge of steel, where equal opportunity  
and justice to all is our ideal.***

Written by Harold G. Coburn

Adopted in 1972



October 16, 2017 City Council Meeting Agenda  
6 p.m. at City Hall – 200 N. Lake St. – Cadillac, MI 49601

***We are all accountable***

CALL TO ORDER

PLEDGE OF ALLEGIANCE

STATE PLEDGE OF ALLEGIANCE

ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

It is requested that comment time be limited to three (3) minutes.

III. CONSENT AGENDA

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

A. Minutes from the regular meeting held on October 2, 2017.

Support Document III-A

B. Minutes from the closed session held on October 2, 2017.

IV. COMMUNICATIONS

A. Display of banner for Cadillac Band Boosters Craft Show.

Support Document IV-A

B. Street closure for Christmas in the Park Tree Lighting Ceremony.

Support Document IV-B

## **Cadillac City Council Agenda**

October 16, 2017

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### **V. ADOPTION OF ORDINANCES AND RESOLUTIONS**

A. Adopt Resolution for Designation of Street Administrator.

Support Document V-A

B. Adopt Resolution to Grant a Revocable License (Mitchell-Cobb Building).

Support Document V-B

### **VI. PUBLIC COMMENTS**

It is requested that comment time be limited to three (3) minutes.

### **VII. GOOD OF THE ORDER**

### **VIII. CLOSED SESSION**

Adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with pending litigation in *City of Cadillac v Haring Charter Township and Clam Lake Township*, Case No. 17-27610-CZ, and *Clam Lake and Haring Charter Township v City of Cadillac*, Case No. 14-25391-AA, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City and for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement.

### **IX. ADJOURNMENT**

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

*Respect*

*Integrity*

*Trust*

*Excellence*

#### ***Guiding Behaviors***

*We support each other in serving our community*

*We communicate openly, honestly, respectfully, and directly*

*We are fully present*

*We are all accountable*

*We trust and assume goodness in intentions*

*We are continuous learners*

## CITY COUNCIL MEETING MINUTES

6:00 PM – October 2, 2017  
Cadillac City Hall – 200 N. Lake St. - Cadillac, Michigan 49601

### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Filkins requested a moment of silence for the tragedy that occurred in Las Vegas.

### ROLL CALL

Council Present: Spoelman, Schippers, Meinhardt, Engels, Mayor Filkins  
Council Absent: None  
Staff Present: Peccia, Roberts, Dietlin, Eller, Homier, Wasson

### APPROVAL OF AGENDA

2017-201 Approve agenda as presented.

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

Motion unanimously approved.

### PUBLIC COMMENTS

There were no public comments.

### CONSENT AGENDA

2017-202 Approve consent agenda as presented.

Motion was made by Spoelman and supported by Meinhardt to approve the consent agenda as presented.

Motion unanimously approved.

### PUBLIC HEARINGS

- A. Public hearing regarding Amended Brownfield Plan, Metal Casters – Avon Protection/Western Concrete.

Peccia noted the Brownfield Redevelopment Authority recommended approval of the Brownfield Plan Amendment. He noted Mac McClelland, from Otwell Mawby, will provide a brief update regarding the fundamentals of a brownfield incentive, how it applies to this project, and an explanation of the project.

Mac McClelland, noted the public hearing is required by Act 381. He stated the Act also

requires that the Brownfield Authority approve the Brownfield Plan Amendment which occurred on September 5, 2017. He added the Act also requires notices to the taxing jurisdictions and approval by Council through a resolution.

McClelland explained that the Michigan Brownfield Redevelopment Financing Act, Act 381, was passed in 1996. He stated the primary purpose of the Act is to reimburse extraordinary costs related to redeveloping property. He noted the reimbursement occurs through tax capture from future private investment. He stated there is no upfront dollars spent by the local jurisdiction and it is based on private investment and increasing value of property to pay for the increasing costs that occur. He noted eligible property is not only contaminated property but can also include blighted, functionally obsolete, or historically designated property. He stated eligible activities include environmental and non-environmental activities.

McClelland stated the original plan was approved in 1997 for the former Metal Castings project, now the site of Avon Protection. He noted Avon Protection is acquiring the Western Concrete property for future expansion. He explained the purpose of this plan is to add the newly acquired property as eligible property to be able to conduct eligible activities on the site. He noted the Brownfield Plan also provides for capture into a local Brownfield Fund that can provide opportunities to assist other brownfield sites in the future.

Mike Hamner, Avon Protection, noted the nearly 5 acre property will expand the footprint with the intention of consolidating out-of-state research and development operations.

Peccia recommended Council consider approval of the Amended Brownfield Plan subsequent to the public hearing. He noted it will help ensure the stability and sustainability of Avon Protection in Cadillac by absorbing that property into their footprint and incentivizing further redevelopment.

Mayor Filkins opened the public hearing.

David Miller, Chamber of Commerce, encouraged the City to help a local manufacturer to continue to grow and expand in this area. He noted the brownfield tool not only captures city taxes but all of the local taxes and in some cases state taxes to help offset the costs.

Mayor Filkins closed the public hearing.

Spoelman asked if the only taxes being captured are those paid by the owner of the site.

McClelland stated the tax capture is specific to the Avon Protection and Western Concrete properties.

Spoelman asked if money will be placed into a fund for future projects.

McClelland stated that after the eligible activities are paid off, there is an opportunity to capture local taxes for an additional 4-years. He added state taxes can also be captured in an equivalent amount to the original environmental expenses.

Owen Roberts, Director of Finance, stated the capture is on the growth of the value of the property.

Spoelman requested the names of the individuals serving on the Brownfield Redevelopment Authority.

Peccia noted the current members include:

- Mayor Filkins
- Regan O'Neill
- Mike Figliomeni
- Brian Warner
- Marcus Peccia (Chairperson)

2017-203 Approve Brownfield Plan Amendment.

Motion was made by Schippers and supported by Meinhardt to adopt the Resolution Approving Brownfield Plan Amendment; Metal Casters – Avon Protection/Western Concrete.

Motion unanimously approved.

COMMUNITY SPOTLIGHT

A. Cadillac/Wexford Transit Authority (CWTA) Update.

Carrie Thompson, Executive Director CWTA, provided an update on the following topics:

- Benefits of new software
- Ridership has increased 17,000 rides
- Operating costs are down approximately \$0.56 per hour
- 93% - 95% on-time performance
- Volunteer driver program that focuses on mobility for seniors and individuals with disabilities – New Freedom Grant
- Job Access Reverse Commute program
- New graphics and logo
- New buses

COMMUNICATIONS

A. Sign request for First Church of the Nazarene Craft Show/Bake Sale.

2017-204 Approve sign request for First Church of the Nazarene Craft Show/Bake Sale.

Motion was made by Spoelman and supported by Schippers to approve the request from the First Church of the Nazarene to place one sign at the intersection of Mitchell St. and Cass St. on November 3-4, 2017 during the hours of operation and place additional signs in the right-of-way in front of the church from October 27, 2017 to November 4, 2017 for the Craft Show/Bake Sale.

Motion unanimously approved.

B. Display of banner for Holiday Home Tour.

2017-205 Approve banner for Holiday Home Tour.

Motion was made by Schippers and supported by Meinhardt to approve the display of a banner from November 27, 2017 to December 4, 2017 for the Holiday Home Tour.

Motion unanimously approved.

C. Street closure for Toy Trot 5k.

2017-206 Approve street closure for Toy Trot 5k.

Motion was made by Meinhardt and supported by Engels to approve the closure of Lake St. between Cass St. and Harris St. from 7:00 am to 11:00 am on November 25, 2017 for the Toy Trot 5k.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Recommendation regarding Well Field Phase II Engineering Services.

Peccia stated the City is moving into the construction phase of the new well field. He noted the City released a Request for Qualifications/Proposals (RFQ/P) in early September 2017. He stated responses were received from:

- C2AE
- Fleis & Vandenbrink
- Fishbeck, Thompson, Carr & Huber, Inc.
- Prein & Newhof

Peccia noted the selection committee was comprised of the Director of Utilities, Assistant to the Director of Utilities, and the Director of Finance. He stated C2AE was the firm that received the contract and performed the engineering services for the first phase of the well field relocation process. He noted C2AE has developed a strong working relationship with City staff during phase one of the project. He stated C2AE has a strong background in municipal water supply projects including direct experience with the USDA-RD funding model.

Peccia noted estimated engineering fees were provided as part of the request. He stated the estimated fees were as follows:

- C2AE - \$420,000
- Fleis & Vandenbrink - \$390,000
- Fishbeck, Thompson, Carr & Huber, Inc. - \$479,250
- Prein & Newhof - \$429,000

Peccia stated that based upon the review and the scoring of the proposals, it is being recommended the contract for Well Field Development, Transmission Main Installation, and Well Field Decommissioning Engineering Services be awarded to C2AE of Gaylord, MI in accordance with their proposal.

Spoelman noted it is important that the firm has experience working with Rural Development.

Spoelman asked for clarification on the scoring process.

Peccia noted there was an RFQ and sealed price proposals. He stated the price proposals were not opened until after scoring based on a qualifications-based methodology was completed.

Owen Roberts, Director of Finance, stated it was based on each firm demonstrating their understanding of the project and their capability to complete the project. He added that estimated engineering fees were submitted separately in sealed envelopes. He briefly described the scoring process.

Engels asked how long the City has been working with C2AE.

Roberts noted the other well field was done in 2011. He stated C2AE handled the design, construction, and on-boarding of the new system.

Spoelman asked if the decommissioning part of the project is to decommission the well field in the Industrial Park.

Roberts confirmed that is correct. He noted the plan is to award several different construction-type contracts based on the timing of the project.

#### 2017-207 Award contract regarding Well Field Phase II Engineering Services.

Motion was made by Spoelman and supported by Schippers to award the contract for Well Field Development, Transmission Main Installation, and Well Field Decommissioning Engineering Services to C2AE of Gaylord, MI in accordance with their proposal.

Motion unanimously approved.

Peccia noted the project is estimated to take approximately one and a half years to complete.

#### ADOPTION OF ORDINANCES AND RESOLUTIONS

##### A. Adopt resolution regarding Grant Application for new voting equipment.

Peccia stated the resolution is required in order to apply for a grant for new voting equipment.

2017-208 Adopt resolution regarding Grant Application for new voting equipment.

Motion was made by Schippers and supported by Meinhardt to adopt the resolution authorizing the City Clerk to submit the Grant Application for the purchase of new voting equipment on behalf of the City of Cadillac.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARDS AND COMMISSIONS

A. Dog Park Advisory Committee

Mayor Filkins noted the Dog Park Advisory Committee will no longer be meeting due to the completion of their project. She thanked everyone involved in the project.

Spoelman noted it was a citizen-led group that developed a project which is enjoyed by many residents.

Meinhardt stated the Dog Park is appreciated by everyone that utilizes it.

Engels stated it would be nice to make it easier for visitors to locate the Dog Park.

Mayor Filkins stated the Visitor's Bureau may be able to assist in that effort.

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

Peccia mentioned the retirement of Brian Cardinal and thanked him for thirty-five (35) years of service to the City of Cadillac.

Peccia thanked Pat Goggin, United Way, for the Day of Caring event. He noted volunteers from Munson worked to clean-up the area near the Clam River Greenway. He added volunteers from Meijer built a brick garden area around the Skate Park sign with new plantings.

Schippers noted the Mayor's Youth Council participated in "Project Sticker Shock" in preparation for Homecoming. She thanked Officer Rork and Deputy Liper for their participation in this project. She added stickers are placed on multi-pack alcoholic beverages reminding adults it is illegal and dangerous to provide alcohol to minors.

Spoelman asked for an update on the pickleball courts. She stated that she noticed there are lines on the court but there were no nets installed.

Mayor Filkins stated the nets will be installed when the courts are in use. She noted Tim Elenbaas is the contact person.

## CLOSED SESSION

Adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with *Clam Lake Township and Haring Charter Township v State Boundary Commission, TeriDee LLC, and the City of Cadillac*, Supreme Court Docket No. 151800.

### 2017-209 Adjourn to closed session.

Motion was made by Engels and supported by Meinhardt to adjourn to closed session to consult with the City Attorney regarding trial or settlement strategy in connection with *Clam Lake Township and Haring Charter Township v State Boundary Commission, TeriDee LLC, and the City of Cadillac*, Supreme Court Docket No. 151800; invite Jeff Dietlin, Director of Utilities.

Motion unanimously approved.

### 2017-210 Return to open session.

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

Motion unanimously approved.

Peccia stated it would be appropriate to consider a motion to accept the recommendation of the City Attorney as discussed in closed session.

### 2017-211 Accept recommendation of City Attorney as discussed in closed session.

Motion was made by Engels and supported by Meinhardt to accept the recommendation of the City Attorney as discussed in closed session regarding the *Clam Lake Township and Haring Charter Township v State Boundary Commission, TeriDee LLC, and the City of Cadillac* case.

Ayes: Meinhardt, Schippers, Engels, Mayor Filkins  
Nays: Spoelman

Motion carried.

## ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

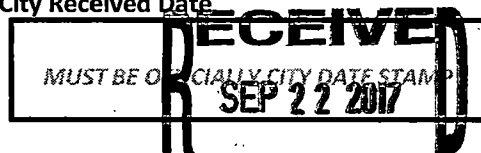
Sandra L. Wasson, City Clerk



200 N. Lake Street  
Cadillac MI 49601  
Phone (231) 775-0181  
[www.cadillac-mi.net](http://www.cadillac-mi.net)

Today's Date 9/20/17

City Received Date



### Banner Request Form

By: \_\_\_\_\_

Monday Banner Start Date 10/30/17

Monday Banner End Date 11/13/17

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

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

Reason for Banner

Organization

Contact Phone

Contact Email

Cadillac Band Booster Craft Show

Cadillac Band Boosters

Contact Person

Christine Nelson

### City of Cadillac & State of Michigan Guidelines:

- ☐ Banner requested date is a minimum of 2 months prior to display date requested.
- ☐ Banner picture or a design proof is attached with this request form or it will not be approved.
- ☐ The City reserves the right to determine when the banner is hung during inclement weather.
- ☐ The City is not responsible for any damages to the banner.
- ☐ Banner requested is for a reasonable and public purpose.
- ☐ Banner does not display any legend or symbol which may be construed to advertise, promote the sale of, or publicize any merchandise or commodity, or be political in nature.
- ☐ The legend may contain the name of the sponsor paying for the banner if such is not an obvious advertising and promotion of the sale of the sponsor's goods or services.
- ☐ The lettering of the sponsor's name or a logo does not exceed three inches if on a single line or two-inches if on more than one line.
- ☐ Banner does not contain an address or directions to location.
- ☐ Banner meets all the design specifications on the back of this form.
- ☐ The banner will be delivered to City Garage a minimum of 1 week before banner is to be displayed.
- ☐ City Garage is located at 1001 6<sup>th</sup> Street and hours. Call Street Supervisor at (231)920 -7800 to schedule time.
- ☐ Banner will be picked up within 1 week after being displayed; if it is not picked up, the banner will be disposed of.

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

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

Print Name

Christine Nelson

Signature

Christine Nelson

Date

9/29/17

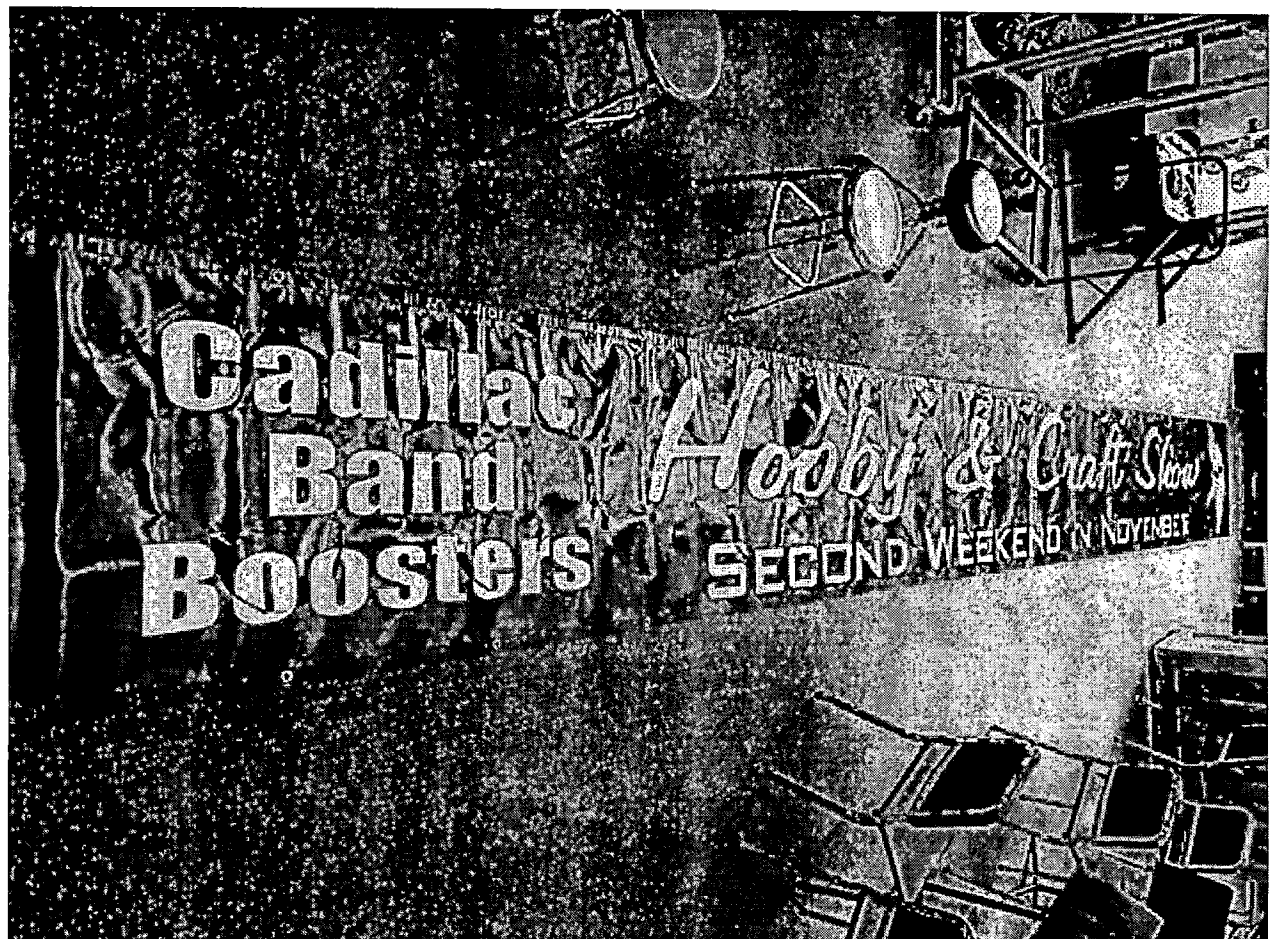
Request will be reviewed & you will be notified if additional information is needed and/or if request is approved or denied.

For Office Use Only

Streets \_\_\_\_\_  
City Manager \_\_\_\_\_  
State of Michigan \_\_\_\_\_  
City Council \_\_\_\_\_

Date Approved \_\_\_\_\_  
Date Approved \_\_\_\_\_  
Date Approved \_\_\_\_\_  
Date Approved \_\_\_\_\_

Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_

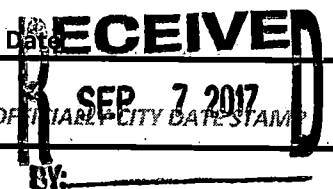




200 N. Lake Street  
Cadillac MI 49601  
Phone (231) 775-0181  
[www.cadillac-mi.net](http://www.cadillac-mi.net)

Today's Date \_\_\_\_\_

City Received Date \_\_\_\_\_



## Request Planning Guide

*This form must be completed and return to the City 30 days before an event. Any requests that are longer than a single day will require more planning therefore forms and documents must be received 45 days before the 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 120 if you have questions.*

Applicant Name (Print) JONATHAN McMAHON Contact Person(s) SAME

Contact Phone(s) \_\_\_\_\_ Contact Email \_\_\_\_\_

Sponsoring Organization FIRST BAPTIST CHURCH ☐ Private ☒ Non-Profit Exemption \_\_\_\_\_

Purpose(s) & Benefit(s) to Community COMMUNITY TREE LIGHTING CEREMONY

Beginning Date: 11/24/17 Ending Date: 11/24/17

Reoccurring: YES ☒ NO ☐

1st Day \_\_\_\_\_ Set-up \_\_\_\_\_ AM/PM Start \_\_\_\_\_ AM/PM End \_\_\_\_\_ AM/PM Tear-down \_\_\_\_\_ AM/PM

2nd Day \_\_\_\_\_ Set-up \_\_\_\_\_ AM/PM Start \_\_\_\_\_ AM/PM End \_\_\_\_\_ AM/PM Tear-down \_\_\_\_\_ AM/PM

3rd Day \_\_\_\_\_ Set-up \_\_\_\_\_ AM/PM Start \_\_\_\_\_ AM/PM End \_\_\_\_\_ AM/PM Tear-down \_\_\_\_\_ AM/PM

4th Day \_\_\_\_\_ Set-up \_\_\_\_\_ AM/PM Start \_\_\_\_\_ AM/PM End \_\_\_\_\_ AM/PM Tear-down \_\_\_\_\_ AM/PM

5th Day \_\_\_\_\_ Set-up \_\_\_\_\_ AM/PM Start \_\_\_\_\_ AM/PM End \_\_\_\_\_ AM/PM Tear-down \_\_\_\_\_ AM/PM

YES ☒ NO \_\_\_\_\_ Will you be requesting permission to close any streets or parking lots? (Form 1)

YES \_\_\_\_\_ NO ☒ Will you be requesting permission to display any off site signage? (Form 2)

YES \_\_\_\_\_ NO ☒ Will you be requesting permission to display a banner over Mitchell Street? (Form 3)

YES \_\_\_\_\_ NO ☒ Will you be requesting permission to hold Farmer's Markets? (Form 4)

YES ☒ NO \_\_\_\_\_ Will you be requesting permission to reserve the Rotary Pavilion? (Form 5)

YES ☒ NO \_\_\_\_\_ Will you be requesting permission to use any City Parks? (Form 6) COMMON S

YES \_\_\_\_\_ NO ☒ Will you be requesting permission to have a parade? (Form 7)

YES \_\_\_\_\_ NO ☒ Will you be requesting permission to hold any races? (Form 8)

YES \_\_\_\_\_ NO ☒ Will you be requesting permission to serve alcoholic beverages? (Form 9)

YES \_\_\_\_\_ NO ☒ Will your event include a craft show, trade show, fair, carnival, fireworks display, tent/membrane structure, or other large assembly functions? (Form 10)

*If you answered YES to any of the above questions, additional form(s) must be completed for each one. All forms must be completely filled out and all information provided before requests will be brought to City Council for approval. No additional requests other than those requested on these forms will be approved.*

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

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

Print Name Jonathan McMahon Signature [Signature] Date 9/5/17



200 N. Lake Street  
Cadillac MI 49601  
Phone (231) 775-0181  
[www.cadillac-mi.net](http://www.cadillac-mi.net)

Today's Date \_\_\_\_\_

City Received Date \_\_\_\_\_

MUST BE OFFICIALLY CITY DATE STAMP

### Street & Parking Lot Closure Request Form

Please fill out a separate form for each date

Reason for Request ANNUAL CHRISTMAS IN THE PARK-TREE LIGHTING CEREMONY  
Contact Person JONATHAN Mc MAHON  
Contact Phone \_\_\_\_\_ Contact Email \_\_\_\_\_

| Date: <u>11/24/17</u>      |                                    | Street Closures                     |  |
|----------------------------|------------------------------------|-------------------------------------|--|
| Street Name <u>LAKE ST</u> | Beginning Location <u>WCASS ST</u> | Ending Location <u>W. HARRIS ST</u> |  |
|                            | Beginning Time <u>4:00 AM</u>      | Ending Time <u>8:00 AM</u>          |  |
| Street Name _____          | Beginning Location _____           | Ending Location _____               |  |
|                            | Beginning Time ____:____ AM/PM     | Ending Time ____:____ AM/PM         |  |
| Street Name _____          | Beginning Location _____           | Ending Location _____               |  |
|                            | Beginning Time ____:____ AM/PM     | Ending Time ____:____ AM/PM         |  |
| Street Name _____          | Beginning Location _____           | Ending Location _____               |  |
|                            | Beginning Time ____:____ AM/PM     | Ending Time ____:____ AM/PM         |  |

| Date ____/____/____ |                                | Parking Lot Closures        |  |
|---------------------|--------------------------------|-----------------------------|--|
| Lot Location _____  | Street _____                   | Nearest Cross Street _____  |  |
|                     | Beginning Time ____:____ AM/PM | Ending Time ____:____ AM/PM |  |
| Lot Location _____  | Street _____                   | Nearest Cross Street _____  |  |
|                     | Beginning Time ____:____ AM/PM | Ending Time ____:____ AM/PM |  |
| Lot Location _____  | Street _____                   | Nearest Cross Street _____  |  |
|                     | Beginning Time ____:____ AM/PM | Ending Time ____:____ AM/PM |  |

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

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

Print Name Jonathan McMahon Signature [Signature] Date 11/5/17

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

For Office Use Only

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



200 N. Lake Street  
Cadillac MI 49601  
Phone (231) 775-0181  
[www.cadillac-mi.net](http://www.cadillac-mi.net)

Today's Date \_\_\_\_\_

City Received Date

## Cadillac Rotary Performing Arts Pavilion Reservation Request Form

Please Submit 30-days Prior to Event Date

JONATHAN McMAHON

Event CHRISTMAS IN THE PARK-TREE LIGHTING CEREMONY

Organization FIRST BAPTIST CHURCH

Contact Number [REDACTED]

Date of Event: 11/24/17 Set-up Time: 4 AM ☒ PM Starting Time: 6 AM ☒ PM Ending Time: 8 AM ☒ PM

### Special Requests: Please Circle

☒ Electricity

☐ Water

☒ Wind Screens

☐ Sound System ?

☐ Movie Screen/Projector System

### Usage Rules

1. Profanity and offensive language is strictly prohibited.
2. Noise must be limited to levels that do not disturb the peace, and must be lowered at the City's request.
3. No decorations, props, or appurtenances shall be used or placed in a manner that will cause damage to the Pavilion, grounds (including trees), or surrounding areas. The use of nails, tacks, staples, etc. is strictly prohibited, along with the use of stakes in the ground.
4. Movies/programs shown at the Pavilion are at the discretion of the City, and proper licensing to show copyrighted material is required. One potential resource is [www.swank.com](http://www.swank.com). MPAA ratings of G and PG are appropriate.
5. Any signage or decorations must be removed immediately following any event.
6. No vehicles are permitted on sidewalks or grass. However, the sidewalk immediately south of the pavilion can be utilized for temporary parking for the purpose of drop-off and/or pick-up of equipment only. Parking is prohibited on Lake Street, even if it has been closed for the event.
7. The sale of food and non-alcoholic beverages may require an additional license. (Code of Ordinances-Chapter 28)
8. The consumption or sale of alcoholic beverages requires approval of City Council. (Code of Ordinances-Chapter 26)
9. Fees - A \$35 non-refundable deposit is required to reserve the date and time of the event, which will be applied to the first hour. After the first hour, rental fees are \$30 per hour and are due 30-days prior to the event date.

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 [Signature]

Form must be mailed or delivered to Cadillac City Hall, Attention Public Works Department-Events at  
200 N. Lake Street in Cadillac, MI 49601 (Faxes will not be accepted)

Print Name Jonathan McMahon Total Fees Required: \_\_\_\_\_ Total Fees Paid: \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

**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

Parks \_\_\_\_\_  
Streets \_\_\_\_\_  
Community \_\_\_\_\_ Dev.  
City \_\_\_\_\_ Police  
City Fire \_\_\_\_\_

Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_

Date \_\_\_\_\_ Approved  
Date \_\_\_\_\_ Approved  
Date \_\_\_\_\_ Approved  
Date \_\_\_\_\_ Approved  
Date Approved \_\_\_\_\_



## Non-Profit Rotary Sign Request Form

FIRST BAPTIST CHURCH 9-5-17  
Name of Non-profit Organization Today's Date  
JONATHAN McMAHON [REDACTED]  
Contact Person Telephone Number

Please fill in the boxes below with the requested message.  
Make sure to leave an empty box for any spaces.

|  |   |   |   |   |   |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|
|  | L | C | A | R | I | S | T | M | A | S |   | I | N |
|  |   |   |   | T | H | E |   | P | A | R | K |   |   |
|  |   | N | O | V |   | 2 | 4 |   | 6 | P | M |   |   |

\*Please note that priority will be given to events taking place at the Rotary Pavilion or in City Park, your message may be removed prior to your Display End Date accordingly, and the City of Cadillac has the right to deny or modify requests at any time. Requests must be submitted 15 days prior to the display date requested.

Nov 20, 2017 Nov. 25, 2017  
Display Start Date Display End Date  
[Signature] 9-5-17  
Requestor Signature Date

For city use only

Approved \_\_\_\_\_

Denied \_\_\_\_\_

Modified \_\_\_\_\_

Parks Supervisor Signature

Date



200 N. Lake Street  
Cadillac MI 49601  
Phone (231) 775-0181  
[www.cadillac-mi.net](http://www.cadillac-mi.net)

Today's Date 9-23-17

City Received Date

## City Park (Fountain) Request Form

Reason for Request Christmas in the Park

Organization Jon McMahon

Contact Person Jon McMahon

Contact Phone [REDACTED]

Contact Email [REDACTED]

### City of Cadillac Guidelines:

Please read the following and initial to acknowledge your understanding

JM The Park is for public use

JM The City does not provide any tents, tables, chairs, rugs, extension cords etc

JM The fountain may not be operating due to equipment break downs or weather conditions such as wind

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

### Special Requests:

Electricity

Picnic Tables

Use of private tent

Use of private chairs

Form must be mailed or brought to: (Email or Fax will not be accepted)

Cadillac City Hall  
Attn: Public Works Department-Events  
200 N. Lake Street  
Cadillac, MI 49601

Print Name Jon McMahon

Signature

Date 9 / 28 / 17

Public Works \_\_\_\_\_  
City Clerk \_\_\_\_\_  
City Manager \_\_\_\_\_  
City Council \_\_\_\_\_

Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_  
Comments \_\_\_\_\_

Date Approved \_\_\_\_\_  
Date Approved \_\_\_\_\_  
Date Approved \_\_\_\_\_  
Date Approved \_\_\_\_\_

## RESOLUTION FOR DESIGNATION OF STREET ADMINISTRATOR

*This information is required by Act 51, P.A. 1951 as amended. Failure  
to supply this information will result in funds being withheld.*

**MAIL TO:** Michigan Department of Transportation, Financial Operations  
Division, P.O. Box 30050, Lansing, MI 48909.  
or Fax to: 517-373-6266

**NOTE:** Indicate, if possible, where Street Administrator can usually be reached during normal working hours, if different than City or Village Office. List any other office held by the Administrator.

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Councilperson or Commissioner \_\_\_\_\_  
offered the following resolution and moved its adoption:

Whereas, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

Therefore, be it resolved, that this Honorable Body designate \_\_\_\_\_  
\_\_\_\_\_ as the single Street Administrator for the City or Village of  
\_\_\_\_\_ in all transactions with the State Transportation Department  
as provided in Section 13 of the Act.

Supported by the Councilperson or Commissioner \_\_\_\_\_

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

I hereby certify that the foregoing is a true and correct copy of a resolution made and adopted at a regular meeting  
of the governing body of this municipality on the \_\_\_\_\_ day of  
\_\_\_\_\_

|                                   |               |              |
|-----------------------------------|---------------|--------------|
| CITY OR VILLAGE CLERK (SIGNATURE) | EMAIL ADDRESS | DATE         |
| STREET ADMINISTRATOR (SIGNATURE)  | EMAIL ADDRESS | DATE         |
| ADDRESS OF CITY OR VILLAGE OFFICE |               | P.O.BOX      |
| CITY OR VILLAGE                   | ZIP CODE      | PHONE NUMBER |

**City Council**

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



**Mayor**  
Carla J. Filkins

**Mayor Pro-Tem**  
Shari Spoelman

**Councilmembers**  
Robert J. Engels  
John P. Meinhardt  
Tiyi Schippers

**RESOLUTION NO. 2017 - \_\_\_\_**

**RESOLUTION TO GRANT A REVOCABLE LICENSE  
(MITCHELL-COBB BUILDING)**

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the \_\_\_\_ day of \_\_\_\_\_, 2017, at 7:00 p.m.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

WHEREAS, the City, pursuant to Article 7, Section 29, of the Michigan Constitution of 1963 and Article 15 of its Charter, has control of the public streets, highways, alleys and places located in the City; and

WHEREAS, the City has control over and maintains an alley Northeast of Mitchell Street, between East Chapin Street and East Stimson Street (the "Alley") located in the City; and

WHEREAS, Grantee wishes to close a portion (the "License Area") of the Alley from East Chapin Street to near the Southeast corner of the Cobbs and Mitchell Building at 100 East Chapin Street; and

WHEREAS, Grantee owns real property adjacent to the License Area; and

WHEREAS, Grantee has requested that the City grant to Grantee a revocable license to use the License Area and to allow Grantee to close and landscape the License Area.

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

1. Pursuant to Section 5.2 and 15.1 of the City Charter, the City grants the Revocable License (the "Revocable License") attached hereto as Exhibit A. The Mayor is authorized to sign the Revocable License on behalf of the City.
2. The Revocable License shall be filed with the City Clerk.
3. 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. 2017 - \_\_\_\_, duly adopted at a meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2017.

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Sandra Wasson  
Cadillac City Clerk

**Exhibit A**  
**(Revocable License)**

## **REVOCABLE LICENSE**

This Revocable License (the "License") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the City of Cadillac, a Michigan municipal corporation, whose address is 200 North Lake Street, Cadillac, Michigan 49601 ("City") and Mitchell-Cobb Building, LLC, a Michigan limited liability company, whose address is 100 East Chapin Street, Cadillac, Michigan 49601 ("Grantee").

### **RECITALS**

WHEREAS, the City, pursuant to Article 7, Section 29, of the Michigan Constitution of 1963 and Article 15 of its Charter, has control of the public streets, highways, alleys and places located in the City; and

WHEREAS, the City has control over and maintains an alley Northeast of Mitchell Street, between East Chapin Street and East Stimson Street (the "Alley") located in the City; and

WHEREAS, Grantee wishes to close a portion of the Alley from East Chapin Street to near the Southeast corner of the Cobbs and Mitchell Building at 100 East Chapin, as shown on Exhibit 1 (the "License Area"); and

WHEREAS, Grantee owns real property (described on Exhibit 2) adjacent to the License Area; and

WHEREAS, Grantee has requested that the City grant to Grantee a revocable license to use the License Area and allow Grantee to close and landscape the License Area.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

### **PROVISIONS**

1. The City grants a revocable license to Grantee to close and landscape the License Area in the Alley, subject to revocation and to the restrictions provided in this License.
2. Grantee shall be responsible for all costs and expenses relating to the construction and use of the License Area. Grantee shall also, at its own expense, keep and maintain in good repair and condition all items constructed, placed, operated or maintained in the License Area by Grantee.

3. The City may enter the License Area to repair, install, maintain or replace utility lines, including storm sewers, as the City deems necessary. If the City does such work, the City shall reestablish the grade of the License Area, and Grantee shall, at Grantee's cost, reestablish the lawn and landscaping in the License Area. The License Area shall not block the entrance/driveway from the Alley into the driveways and parking areas of the First Baptist Church of Cadillac.
4. Grantee shall defend, indemnify and hold the City harmless from any and all claims for damages relating to or resulting from the construction, placement, use or existence of the License Area. Grantee shall maintain public liability insurance covering the License Area in amounts reasonably acceptable to the City and naming the City as an additional insured. The City does not have any responsibility for the design, construction or use of the License Area, and its consent to the use thereof shall not impose any liability upon the City.
5. This License may be revoked by the City at any time and for any reason at the option and in the sole discretion of the City.
6. Upon revocation or termination of this License, Grantee, at its sole cost and expense, shall promptly remove all items located in the License Area and return the License Area to a pavement-ready condition (install appropriate alley base materials per city standard) and install a new concrete alley approach off of E.Chapin Street. If Grantee fails to take such action, then the City may at its option return the License Area to a pavement-ready condition and install a new concrete approach from Chapin Street. Grantee agrees that any expenses incurred by the City in removing any items in the License Area, and restoring the License Area to a pavement-ready condition or in installing a new concrete alley approach off of E. Chapin Street, may be placed on the tax roll and collected in the same manner as any other tax or special assessment, and Grantee agrees to pay such costs and expenses, including any attorney fees and other costs relating thereto.
7. In connection with the use of the License Area, Grantee may close the curb cut for entry from Chapin Street into the Alley. Upon revocation or termination of this License, Grantee, at its expense, shall take all actions necessary to re-establish that curb cut.
8. This License shall not be transferable to any successor or assign of Grantee without the express written consent of the City. Any such permitted assignment or transfer shall be binding upon Grantee's successors or assigns as if they were Grantee, and all obligations and liabilities of Grantee hereunder shall be the obligations and liabilities of such successor or assign.

IN WITNESS WHEREOF, the parties have executed this License as of the date first written above.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURES ON FOLLOWING PAGE]

**CITY OF CADILLAC**

By: \_\_\_\_\_  
Carla J. Filkins  
Its: Mayor

STATE OF MICHIGAN     )  
                                          ) ss  
COUNTY OF WEXFORD    )

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, a Notary Public, in and for said County, personally appeared Carla J. Filkins, Mayor, on behalf of the City of Cadillac, who executed the License and acknowledged that she has executed it on behalf of the City of Cadillac in her capacity as its Mayor.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
County of \_\_\_\_\_, State of Michigan  
My commission expires: \_\_\_\_\_

**MITCHELL-COBB BUILDING, LLC**

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MICHIGAN     )  
                                          )ss  
COUNTY OF WEXFORD    )

On this \_\_\_\_ day of \_\_\_\_\_, 2017, before me, a Notary Public, in and for said County, personally appeared \_\_\_\_\_[name], \_\_\_\_\_[title], on behalf of Mitchell-Cobb Building, LLC, who executed the License and acknowledged that he/she has executed it on behalf of Mitchell-Cobb Building, LLC in his/her capacity as its \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
County of \_\_\_\_\_, State of Michigan  
My commission expires: \_\_\_\_\_

Prepared by/Return to:  
Scott H. Hogan (P41921)  
Foster, Swift, Collins & Smith, PC  
1700 E. Beltline Avenue NE, Suite 200  
Grand Rapids, MI 49525  
(616) 726-2200

**EXHIBIT 1**  
**(License Area)**



**EXHIBIT 2**  
**(Property Adjacent to License Area)**

Real property located at 100 East Chapin Street, Cadillac, Michigan 49601, known as the Cobbs and Mitchell Building, Parcel No. 10-086-00-212-00. The legal description is as follows:

LOTS 2,3,4,5 & 6 BLK. 8 MITCHELLS REVISED PLAT OF THE VILLAGE  
OF CLAM LAKE, CITY OF CADILLAC, WEXFORD COUNTY, MICHIGAN.

26499:00005:3314406-1