

City Council Meeting

September 19, 2022 6:00 p.m.

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



September 19, 2022 City Council Meeting Agenda 6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We are all accountable

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

A. Minutes from the regular meeting held on September 6, 2022 Support Document III-A

IV. PUBLIC HEARINGS

A. Public hearing to consider adoption of Ordinance to Approve Granting of an Easement to Consumers Energy Company for an Electrical Substation.

Support Document IV-A

V. COMMUNICATIONS

A. Zion Lutheran Church Craft Show Support Document V-A

VI. APPOINTMENTS

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

Support Document VI-A

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

Support Document VI-B

- C. Recommendation regarding reappointment to the Zoning Board of Appeals. Support Document VI-C
- D. Recommendation regarding reappointment to the Downtown Development Authority. Support Document VI-D

VII. CITY MANAGER'S REPORT

- A. Consideration of site for Pickleball Courts. Support Document VII-A
- B. Trailhead at Cadillac Commons Update

VIII. ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt Resolution Amending General Appropriations Act for Fiscal Year 2023 (Regarding Lake Treatment).

<u>Support Document VIII-A</u>

IX. 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.

Cadillac City Council Agenda

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- X. GOOD OF THE ORDER
- XI. ADJOURNMENT

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

Respect
Integrity
Trust
Excellence

Guiding Behaviors

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

CITY COUNCIL MEETING MINUTES

September 6, 2022

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Schippers, Engels, Mayor Filkins

Council Absent: King

Staff Present: Peccia, Genovich (via Zoom), Wasson

APPROVAL OF AGENDA

2022-151 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

2022-152 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Friends of the Library

2022-153 Approve display of banner for Friends of the Library.

Motion was made by Elenbaas and supported by Schippers to approve the display of a banner from October 17-24, 2022 for Friends of the Library.

Motion unanimously approved.

B. Cadillac Garden Club

2022-154 Approve display of banner for Cadillac Garden Club.

Motion was made by Elenbaas and supported by Schippers to approve the display of a banner from November 7-14, 2022 for Cadillac Garden Club Holiday Home Tour.

Motion unanimously approved.

C. Cadillac Area Symphony Orchestra

2022-155 Approve display of banner for Cadillac Area Symphony Orchestra.

Motion was made by Schippers and supported by Elenbaas to approve the display of a banner from November 14-21, 2022 for the Cadillac Area Symphony Orchestra.

Motion unanimously approved.

D. Holiday Lighted Garland

2022-156 Approve display of Holiday Lighted Garland.

Motion was made by Elenbaas and supported by Engels to approve the display of the Holiday Lighted Garland from November 21, 2022 to January 2, 2023.

Motion unanimously approved.

E. CHS Homecoming Parade

2022-157 Approve CHS Homecoming Parade.

Motion was made by Schippers and supported by Elenbaas to approve the Cadillac High School Homecoming Parade to be held at 5:00 pm on October 14, 2022.

Motion unanimously approved.

APPOINTMENTS

A. Designate primary representative and alternate to attend the Michigan Municipal League Annual Convention.

Peccia stated, as customary, there needs to be the designation of a primary representative and an alternate to have voting rights at the annual meeting as part of the Michigan Municipal League Annual Convention.

Mayor Filkins stated she is willing to be the primary representative.

Schippers stated she is willing to be the alternate.

2022-158 Designate primary representative and alternate to attend the MML Annual Convention. Motion was made by Engels and supported by Elenbaas to designate Mayor Filkins as the primary representative and Mayor Pro-Tem Schippers as the alternate to attend the Michigan Municipal League Annual Convention.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Fall Household Hazardous Waste Event

Peccia stated the City and Wexford County have been collaborating on this activity since 2018. He noted 60% of the cost is covered by Wexford County and 40% of the cost is covered by the City. He stated we are requesting authorization to continue to utilize ERG Environmental Services in order to keep the fall collection date of September 24, 2022. He noted the City will release a bid in the near future for a new contract to begin in 2023. He stated ERG has agreed to hold their pricing the same for the fall event.

<u>2022-159</u> Waive competitive bidding for the Fall 2022 Household Hazardous Waste Collection. Motion was made by Engels and supported by Elenbaas to waive competitive bidding for the Fall 2022 Household Hazardous Waste Collection

Motion unanimously approved.

2022-160 Award one-time collection service.

Motion was made by Engels and supported by Elenbaas to award the one-time collection service to ERG Environmental Services.

Motion unanimously approved.

ADOPTION OF ORDINANCES AND RESOLUTIONS

A. Adopt resolution regarding Local Government Approval for a New On-Premises Tasting Room Permit.

Peccia noted the building recently vacated by Long Road Distillers will be occupied by the Cadillac Brewing Company which will be under the ownership of the Reed City Brewing Company.

Courtney Murphy stated Reed City Brewing Company is a family-owned business. She noted they built a small-town establishment in Reed City and would like to expand into the Cadillac area. She stated they have over 240 "mug club" members and about a quarter of them are from the Cadillac area. She noted they opened the Reed City Brewing Company in 2017 and are all about small-town community. She stated they will be offering food and several types of beverages. She noted they will also have live music weekly and special events throughout the year.

Mayor Filkins asked if there will be a food truck.

Courtney Murphy stated they are planning to install a full kitchen and will be serving lunch and dinner.

Rob Munger thanked everyone for their leadership in helping to make these types of projects happen.

2022-161 Adopt resolution regarding Local Government Approval for a New On-Premises Tasting Room Permit.

Motion was made by Schippers and supported by Elenbaas to adopt the resolution regarding Local Government Approval for a New On-Premises Tasting Room Permit for Red Tail Brewing Company, LLC.

Motion unanimously approved.

MINUTES AND REPORTS OF BOARDS AND COMMISSION

A. Zoning Board of Appeals

Engels noted the minutes indicated that Nancy Vollmar received approval to construct new cabins in Cadillac West which is what we want for that area.

Mayor Filkins noted at the last Planning Commission meeting there was discussion with another business owner in Cadillac West regarding that same concept. She stated Mitchell State Park is always packed so there is a need in Cadillac West for cabins and camping facilities.

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

Schippers noted we are recruiting high school aged youth for the Cadillac Mayor's Youth Council. She stated a vast majority of the group graduated this year. She noted an application is available on the City's website or can be picked up in person.

Peccia stated a ribbon cutting ceremony for the White Pine Trailhead is planned for September 30, 2022.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra L. Wasson, City Clerk

City Council

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

PRESENT.

real property (MCL 117.4e); and



Mayor Carla J. Filkins

Mayor Pro-Tem Tiyi Schippers

Councilmembers Stephen King Robert J. Engels Bryan Elenbaas

RESOLUTION NO. 2022-____

RESOLUTION TO ADOPT ORDINANCE NO. 2022-___. ORDINANCE TO APPROVE GRANTING OF AN EASEMENT TO CONSUMERS ENERGY COMPANY FOR AN ELECTRICAL SUBSTATION

At a meeting of the City Council of the City of Cadillac, Wexford County, Michigan, on the 19TH day of September, 2022, at 6:00 p.m. at the Cadillac Municipal Complex, 200 N. Lake Street, Cadillac, Michigan 49601.

ABSENT:	
The following preamble and resolution was offered by	and
seconded by	
WHEREAS, the City of Cadillac ("City") is authorized by statute to buy, own	and sell

WHEREAS, the Charter of the City provides that the City may, by ordinance and upon the affirmative vote of four or more members of the Council, sell any real estate or an interest therein (Charter Sec. 5.6); and

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

WHEREAS, the City wishes to adopt an ordinance that approves the granting of an easement (the "Easement") to Consumers Energy Company on a portion of property owned by the City described as a parcel of land in the Northwest 1/4, Section 33, Town 22 North, Range 9 West, described as Lots 1, 2, and 3, Block 187 (the "Owner's Land"), Improvement Board's Addition to the City of Cadillac, according to the recorded plat thereof, Wexford County Records, as provided in the Ordinance, between the City and Consumer's Energy Company; and

WHEREAS, the City Clerk twice published a summary of the Ordinance in a newspaper of general circulation in the City of Cadillac, together with a notice setting the time and place for a public hearing on the Ordinance, in accordance with the Charter. A copy of the Ordinance was and is available for examination at the office of the City Clerk, and copies may be provided for a reasonable charge; and

WHEREAS, a public hearing regarding the Ordinance was held on the $19^{\rm th}$ day of September, 2022, at 6:00 p.m.; and

WHEREAS, the granting of the Easement as described in the Ordinance is in the public interest, and a copy of the proposed Easement Agreement is attached to the Ordinance.

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

City of Cadillac Resolution No. 2022-___ Page 3 of 3

1. Pursuant to Section 5.2 and 5.6 of the City Charter, the City adopts Ordinance No. 2022-____, Ordinance to Approve Granting of an Easement to Consumers Energy Company for an Electrical Substation (located at the Owner's Land).

2. The Mayor and the City Clerk are authorized to execute any and all documents, and to take any and all actions, as may be necessary or appropriate to execute the Easement Agreement and any and all documents related thereto and to make such minor changes to the Easement Agreement as may be necessary or appropriate.

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

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

YEAS:		
NAYS:		
STATE OF MICHIGAN)	
COUNTY OF WEXFORD)	

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2022-___, duly adopted at a meeting of the City Council held on the 19th day of September, 2022.

Sandra Wasson City Clerk

ORDINANCE NO. 2022-____

ORDINANCE TO APPROVE GRANTING OF AN EASEMENT TO CONSUMER'S ENERGY COMPANY FOR AN ELECTRICAL SUBSTATION

THE CITY OF CADILLAC ORDAINS:

Section 1.

Pursuant to MCL 117.4e, the Charter of the City of Cadillac and other applicable authority, the City hereby approves the granting of an easement (the "Easement") to Consumers Energy Company for an electrical substation on a portion of real property owned by the City located and described as, a parcel of land in the Northwest 1/4, Section 33, Town 22 North, Range 9 West, described as Lots 1,2, and 3, Block 187, Improvement Board's Addition to the City of Cadillac, according to the recorded plat thereof, Wexford County records (hereinafter "Owner's Land"), of Cadillac, Wexford County, Michigan, in accordance with the terms of the attached Easement Agreement between Consumers Energy Company and the City.

Section 2.

The Mayor and City Clerk are hereby authorized to execute the Easement Agreement (in substantially the form attached) and any and all documents related thereto, and to make such minor changes as may be necessary or appropriate.

Section 3.

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

Section 4.

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

Section 5.

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

City of Cadillac Ordinance No. 2022 Page 2 of 7		
Approved this day of September	, 2022.	
Sandra Wasson, City Clerk	Carla J. Filkins, Mayo	or
I, Sandra Wasson, City Clerk of the summary of Ordinance No. 2022 of, 2022.	-	
	Sandra Wasson,	City Clerk
STATE OF MICHIGAN)) ss. COUNTY OF WEXFORD)		
On this day ofsaid County, personally appeared Cabehalf of the City of Cadillac, who exthey have executed it on behalf of th Clerk, respectively.	ecuted the foregoing Ordinand	lra Wasson, City Clerk, on ce and acknowledged that
		, Notary Public
	County of	, State of Michigan
	My commission 6	expires:

Prepared By and Return To: Scott H. Hogan (P41921) FOSTER, SWIFT, COLLINS & SMITH, PC 1700 E. Beltline Avenue NE, Suite 200 Grand Rapids, MI 49525

City of Cadillac Ordinance No. 2022-___ Page 3 of 7

SUBSTATION EASEMENT

Haring Substation

SAP# 30286897 Master Tract# TRN000916040043 Agreement# MI00000061376

CITY OF CADILLAC, a Michigan municipal corporation, 200 N. Lake Street, Cadillac, Michigan 49601 (hereinafter "Owner")

for \$20,000 [exempt from real estate transfer tax pursuant to MCLA 207.505(h)(i) and from State real estate transfer tax pursuant to MCLA 207.526(h)(i)] grants and warrants to:

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Cadillac, County of Wexford, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect an electric substation with associated lines and equipment in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Substation Easement Area") described in the attached Exhibit B. together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus, including fencing, and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, necessary, useful, convenient, or incidental to or for the operation or protection thereof as determined by Consumers for the purpose of transmitting, transforming, and distributing electricity and to, from time to time hereafter, trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Substation Easement Area; and to, from time to time hereafter, enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, or other vegetation within a portion of Owner's Land (hereinafter "Protection Easement Area") described in the attached Exhibit C, which Consumers, in its sole discretion, determines both are of a species capable of obtaining a height of 35 feet or taller and which may endanger Consumers' facilities. Notwithstanding anything to the contrary contained herein, the Substation Easement Area shall be an exclusive easement and Consumers shall have the permanent and exclusive right to restrict, control, and deny access to and use of the Substation Easement Area against all others including Owner, except as necessary by Owner in its governmental capacity.

Additional Work Space: In addition to the easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said substation. Said temporary work space shall abut the Substation Easement Area as required by construction and shall be restored as nearly as reasonably possible to the condition existing prior to such use.

<u>Trees and Other Vegetation</u>: Owner shall not plant any trees within the Substation Easement Area.

<u>Buildings/Structures</u>: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure, whether temporary or permanent, natural or manmade, over, under, or on the Substation Easement Area, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

<u>Ground Elevation</u>: Owner shall not alter the ground elevation within the Substation Easement Area, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

City of Cadillac
Ordinance No. 2022
Page 4 of 7

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

<u>Successors</u>: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

<u>Counterparts</u>: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date:corporation	Owner: CITY	Y OF CADILLAC,	a Michigan municip	oal
	Signature By: Print nan Its: Print title	me		
Acknowled	Print title	me		
The foregoing instrument was acknowledged before me in .		County	on	
by of Name(s) and Title(s) behalf of the corporation.				Date
·				Notary Public
	Print Name		County,	
			County	

Prepared By: Cheryl A. Gillman, P24-720, 3/10/2022 Revised: 7/20/2022

Consumers Energy Company 1945 W. Parnall Road Jackson, MI 49201

Project Manager: Jesse Thomas

After recording return to: Carrie Main, P24-720 Consumers Energy Company 1945 W. Parnall Road Jackson, MI 49201 City of Cadillac Ordinance No. 2022-___ Page 5 of 7

EXHIBIT A

Owner's Land

Land situated in the City of Cadillac, County of Wexford, State of Michigan:

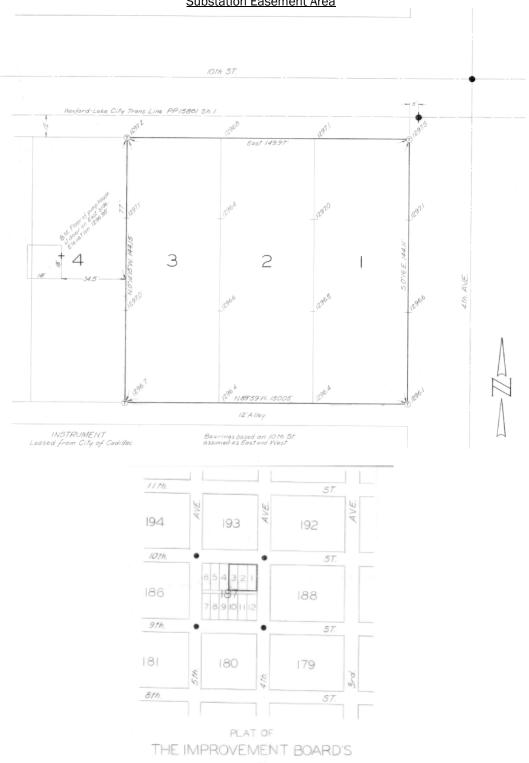
A parcel of land in the Northwest 1/4, Section 33, Town 22 North, Range 9 West, described as:

Lots 1, 2 and 3, Block 187, Improvement Board's Addition to the City of Cadillac, according to the recorded plat thereof, Wexford County Records.

Parcel ID: 10-068-00-085-00

EXHIBIT B

Substation Easement Area



ADDITION TO THE CITY OF CADILLAC

City of Cadillac	
Ordinance No. 2022	
Page 7 of 7	

EXHIBIT C

Protection Easement Area

A 45 foot wide strip of land, being 45 feet abutting the perimeter of the Substation Easement Area.

Date: September 19, 2022

Council Communication

Re: Zion Lutheran Church Craft Show

Introduction

Zion Lutheran Church is asking to place two yard-type signs with dimensions of three feet by three feet square in the City Right-Of-Way for four days advertising their Craft Show on October 12th through the 15th. The Craft Show benefits the work they do with Project Christmas.

The locations they are requesting are;

- 1. On South Mitchell Street across from Pearl Street on the east side near Maple Hill Cemetery.
- 2. At Sunnyside Drive and Pearl Street intersection.

The sign copy will read;

ZION LUTHERAN CHURCH FALL CRAFT SHOW THIS SATURDAY

Staff Comments

This request is nearly identical to the temporary sign request council received in 2021 from Zion Lutheran Church.

Requested Council Action

Consider granting permission for the Zion Lutheran Church to place one sign at each of the locations listed above from October 12th through October 15th. The signs can be put up on the morning of October 12, and removed immediately after the craft show ends on the 15th.



200 Lake Street Cadillac, MI 49601 Phone (231) 775-0181

SIGN PERMIT APPLICATION/PERMIT

SIGN PERMIT APPLICATION/PERMIT
Permit # (5/3-22 Date 9-6-2020 Zoning District 72-2 Fee: Permanent \$20.00 OR Temporary \$10.00 Approved By:
Applicant's Name Zion Lutheran Operatione 231-775-9821 Address 3t6 Pearl St Site Address Same Business Name Zion Festive Fall Zion Festive Fall Craft Show Octis, 2022 Address Pearl + Sunny side (northside) Pearl + Mitchelleast Sign Type (W, Po, Pr, R, M) Perm Temp / Days 4 (cerncter y side) Purpose (I, B, D) Promote Value Height 4' October Setback(s)
For Wall Signs: Building Height Width 2022
SHOW SIGN COPY SKETCH 30' 26' 22' This saturday H E 18' I G 14' H T 10' 6' 2' TOTAL DISPLAY AREA
I hereby certify that the proposed work is authorized by the property owner and will comply with all local and state laws. This permit will become null and void if work is not started within six months from date of permit. APPLICANT'S SIGNATURE ROUNDATE TOURS DATE AUGUST 30, 2022
Chairperson - Outreach Committee

Re: Reappointment of Jerry Adams to a Three-Year Term on the City of Cadillac/Clam Lake Joint Planning Commission.

Jerry Adams has expressed his interest in continuing to serve on the City of Cadillac/Clam Lake Joint Planning Commission for a three-year term.

Recommended Council Action:

Motion to reappoint Jerry Adams to a 3-year term on the City of Cadillac/Clam Lake Joint Planning Commission, expiring on 10/07/2025.

Re: Reappointment of Joseph Baumann to a Three-Year Term on the City of Cadillac/Clam Lake Joint Planning Commission.

Joseph Baumann has expressed his interest in continuing to serve on the City of Cadillac/Clam Lake Joint Planning Commission for a three-year term.

Recommended Council Action:

Motion to reappoint Joseph Baumann to a 3-year term on the City of Cadillac/Clam Lake Joint Planning Commission, expiring on 10/07/2025.

Re: Reappointment to Zoning Board of Appeals – Leo Paveglio

Leo Paveglio has indicated his interest in being reappointed to serve on the Zoning Board of Appeals. He has served on the Zoning Board of Appeals since 2013.

Recommended Council Action

Motion to reappoint Leo Paveglio to a 3-year term on the Zoning Board of Appeals, expiring on 10/21/2025.

Re: Reappointment of Chris Crawley to a Four-Year Term on the Downtown Development Authority (DDA)

Chris Crawley has expressed his interest in continuing his service on the Downtown Development Authority (DDA) for another four-year term. He was originally appointed in 2016.

Recommended Council Action:

Motion to reappoint Chris Crawley to a 4-year term on the Downtown Development Authority (DDA), expiring on 10/05/2026.

Council Communication

Re: Approval of proposed location for two pickleball courts adjacent to the Community Center

Community Development staff has been working with Cliff and Steve Sjogren regarding a proposed donation of \$100,000 for the construction of two pickleball courts in the park along the McKellop Walkway adjacent to the Community Center (See location map and conceptual drawing below).





Conceptual Drawing

Proposed Site

Cliff Sjogren is a long-standing resident of the city and one of the city's historians. He is now 94 years old and is considering his legacy and wishes to invest a portion of his financial resources into the local community. He has a special affinity for the Keith McKellop Walkway having walked it for many years. For these reasons Cliff would like to donate \$100,000 for the construction of two pickleball courts. Steve Sjogren is Cliff's son and currently has power of attorney regarding his father's business matters.

A meeting was held on August 23, 2022 with John Wallace, Cliff and Steve Sjogren, Ken Payne, and the city engineer and it was the consensus of this group that the proposed site is a viable location for the two pickleball courts. The proposed site offers convenient parking and additional recreational opportunity for the community. The City engineer prepared a cost estimate for the two pickleball courts which is approximately \$129,000.

A meeting was also held earlier this month with Doreen Lanc from the Community Foundation to determine if the donation could be passed through the Community Foundation. Doreen confirmed that this would be possible and thought there may be additional funding available through the Foundation to help contribute to the required matching funds.

To take advantage of this generous proposed donation the city will have to identify local match money so that this project can move forward. It is possible that some portion of the match might come from another outside source, such as the Community Foundation. Local sources for the balance could be split between available ARPA funds and General Fund surplus.

September 19, 2022 **Council Communication – Pickleball Courts 2022** Page 2

The Sjogren's have requested that the City Council approve the proposed site, since doing so would allow for both the family and city to continue moving forward in getting the project designed, bid, and builtas soon as possible.

Recommended Action

It is recommended that City Council approve the proposed location for pickleball courts along the east side of the Community Center, adjacent to the McKellop Walkway as depicted in the conceptual rendering.

Council Communication

Re: Lake Treatment for Invasive Species

On August 9, 2022, biologists from Restorative Lake Sciences (RLS) completed a routine survey of aquatic vegetation in Lake Cadillac and the findings were highly unexpected. According to Dr. Jennifer L. Jermalowicz-Jones, Water Resources Director for RLS, it is probable that the current infestation (see attached map) is the result of a seed bank reemergence. This can occur at any time and on any lake that at one time had a large infestation of Eurasian Watermilfoil. This is because the original seeds were likely deposited into the lake sediment and these seeds can lay dormant for quite some time. Some lakes experience re-emergences years after large infestations are successfully treated. The responsible management action to pursue in these cases is urgent and potent treatment. Thus, RLS recommends that we treat approximately 150 acres of Lake Cadillac as soon as possible.



Treatment costs for the entire area could be as high as \$90,000. The approved budget for FY2023 only includes appropriations for approximately \$16,000 in costs, therefore a budget amendment to appropriate the funds will be necessary for this unanticipated biological issue. Funds could be allocated from our General Fund, ARPA or other available sources.

Recommended Action

In order to prepare to spray quickly when final determinations are made on the treatment requirements, it is recommended that City Council approve the resolution for a budget amendment to transfer additional funds to the Lake Treatment Fund and appropriate additional funds to cover potential treatment costs of up to \$90,000. Once final costs are known, the transfer will be adjusted to only fund the required costs of the year.

City Council

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



Mayor Carla J. Filkins

Mayor Pro-Tem Tiyi Schippers

Councilmembers Stephen King Robert J. Engels Bryan Elenbaas

RESOLUTION NO. 2022-___

RESOLUTION AMENDING GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2023

At a regular meeting of the City Council of the City of Cadillac, Wexford County, Michigan, held in the Council Chambers, Cadillac Municipal Complex, 200 North Lake Street, Cadillac, Michigan, on the 19th day of September, 2022, at 6:00 p.m.

PRESENT:	_
ABSENT:	_
The following preamble and resolution was offered bya seconded bya	nd

WHEREAS, the City adopted Ordinance No. 2022-09, Ordinance Adopting General Appropriations Act for Fiscal Year 2023 ("General Appropriations Ordinance") on May 16, 2022, which approved a general appropriations act for the 2023 fiscal year; and

WHEREAS, Section 10.5 of the City Charter provides that the City Council may make additional appropriations during the fiscal year for unanticipated expenditures required of the City; and

WHEREAS, Section 9 of the General Appropriations Ordinance authorizes the City Council to make such additional appropriations by resolution; and

WHEREAS, the City Council has determined that additional appropriations are required due to unanticipated expenditures;

City of Cadillac Resolution No. Page 2 of 2	
NOW,	THEREFORE, the City Council of the City of Cadillac, Wexford County,
Michigan, reso	olves as follows:
1.	The general appropriations act for the 2023 fiscal year is hereby amended in
the manner se	et forth in the attached Exhibit A, which is incorporated by reference.
2.	Any and all resolutions that are in conflict with this Resolution are hereby
repealed to th	e extent necessary to give this Resolution full force and effect.
YEAS:	
NAYS:	
STATE OF MIC	CHIGAN)
COUNTY OF V	VEXFORD)
complete cop	sson, City Clerk of the City of Cadillac, hereby certify this to be a true and y of Resolution No, duly adopted at a regular meeting of the eld on the 19th day of September, 2022.

Sandra Wasson Cadillac City Clerk City of Cadillac EXHIBIT A

Financial Services Department FY2023 Budget Amendment #1 September 19, 2022

Current	Amended	Increase
Budget	Budget	(Decrease)

General Fund

Department: Transfers Out	\$170,000	\$245,000	\$75,000
Amended Line Items Detail			
Lake Treatment Fund	30,000	105,000	75,000

Purpose: Appropriate additional funds to transfer to the Lake Treatment Fund to cover unanticipated treatment costs based on recent lake survey.

Lake Treatment Fund

Department: Revenue	\$30,000	\$105,000	\$75,000
Amended Line Items Detail			
Transfer In	30,000	105,000	75,000

Purpose: To recognize additional transfer in to fund current year treatment costs.

Department: Expenditures	\$30,000	\$105,000	\$75,000
Amended Line Items Detail			
Contractual Services	30,000	105,000	75,000

Purpose: Appropriate additional funds for unexpected treatment requirements based on a recent lake survey.