



City Council Meeting

October 16, 2023

6:00 p.m.

Cadillac Municipal Complex

Council Chambers

200 N. Lake St.

Cadillac, MI 49601



October 16, 2023 City Council Meeting Agenda
6 p.m. at City Hall - 200 N. Lake St. – Cadillac, MI 49601

We trust and assume goodness in intentions

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. APPROVAL OF AGENDA

II. PUBLIC COMMENTS

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

III. 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, 2023

Support Document III-A

B. Minutes from the closed session held on October 2, 2023

IV. COMMUNITY SPOTLIGHT

A. Craft Beer Festival

Cadillac City Council Agenda

October 16, 2023

Page 2

V. APPOINTMENTS

- A. Recommendation regarding reappointment to the Planning Commission.
Support Document V-A

VI. CITY MANAGER’S REPORT

- A. Bids and recommendation regarding Building Demolition.
Support Document VI-A

VII. ADOPTION OF ORDINANCES AND RESOLUTIONS

- A. Adopt Resolution of Support for M-55 “Coast to Coast on MI 55” Recreational Heritage Route Designation.
Support Document VII-A

VIII. 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.

IX. GOOD OF THE ORDER

X. 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

October 2, 2023

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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Present: Elenbaas, Schippers, Engels, King, Mayor Filkins
Council Absent: None
Staff Present: Peccia, Roberts, Ottjepka, Homier, Wasson

APPROVAL OF AGENDA

2023-174 Approve agenda as presented.

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

Motion unanimously approved.

PUBLIC COMMENTS

Aaron Trisdale expressed concern about the overpopulation of stray cats. He asked if this is a subject that has previously been given attention and if there are steps being taken to address this issue.

CONSENT AGENDA

2023-175 Approve consent agenda as presented.

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

Motion unanimously approved.

COMMUNICATIONS

A. Cadillac Band Boosters

2023-176 Approve display of banner for Cadillac Band Boosters.

Motion was made by Schippers and supported by Elenbaas to approve the display of a banner from November 6-13, 2023 for the Cadillac Band Boosters Hobby & Craft Show.

Motion unanimously approved.

B. Cadillac Garden Club

2023-177 Approve display of banner for Cadillac Garden Club.

Motion was made by Elenbaas and supported by Engels to approve the display of a banner from November 13-20, 2023 for the Cadillac Garden Club's Holiday Home Tour.

Motion unanimously approved.

C. Zion Lutheran Church

2023-178 Approve signs for Zion Lutheran Church.

Motion was made by Schippers and supported by Elenbaas to approve the request from Zion Lutheran Church to place one sign at each of the locations listed on October 20th & 21st, 2023 for their Craft Show.

Motion unanimously approved.

D. Holiday Lighted Garland

2023-179 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 20, 2023 to January 2, 2024.

Motion unanimously approved.

APPOINTMENTS

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

2023-180 Approve appointment to the Cadillac West Corridor Improvement Authority.

Motion was made by Elenbaas and supported by Engels to approve the appointment of Kacy Wickenhauser to the Cadillac West Corridor Improvement Authority for a 4-year term to expire on October 2, 2027.

Motion unanimously approved.

CITY MANAGER'S REPORT

A. Cadillac Area Chamber of Commerce Leadership Project Proposal 2023/2024.

Peccia stated the Leadership Class is accepting proposals for community projects. He noted staff identified two projects that fit the criteria. He stated one project idea is to replace the wood treads on the footbridge on the Keith McKellop Walkway with synthetic wood. He noted the other project idea is to paint the existing playground and install concrete tee pads on the 9-hole disc golf course in Kenwood Park.

Mayor Filkins stated she believes the footbridge project is a safety issue.

King stated he has received numerous calls this year regarding the footbridge. He noted this project would increase the safety of both young and old.

Peccia stated the footbridge project will be submitted to the Leadership Class.

B. Recommendation regarding ADA Detector Plate Replacement Project.

Peccia stated this program is funded by MDOT. He noted this project is to replace the ADA-compliant detector plates at nine intersections along US131 from River Street to 13th Street. He stated one (1) bid was received from Greater North Services in the amount of \$26,226.

Owen Roberts, Director of Finance, stated the State has already purchased the plates and the City will facilitate removing the concrete crosswalk area and existing plates, replacing and installing the new plates.

2023-181 Award ADA Detector Plate Replacement Project.

Motion was made by Schippers and supported by Elenbaas to award the ADA Detector Plate Replacement Project to Greater North Services for the bid amount of \$26,226.

Motion unanimously approved.

C. Recommendation regarding Maple Hill Cemetery Tree Removal.

Peccia stated this project is regarding tree removal. He noted he wants to point out that the City received a tree planting grant through DTE Energy and the tree planting will take place on October 13, 2023. He stated we are looking to have volunteers work with City employees to plant about twenty (20) trees in Maple Hill Cemetery.

Peccia noted although the low bidder for tree removal was Burman's Tree Services the recommendation is to award the project to Joe's Tree Service. He stated Burman's Tree Services is located several hours away, they did not visit the site, and they have no knowledge of Maple Hill Cemetery.

Owen Roberts, Director of Finance, stated the City spoke with several references for the lowest bidder and they checked out fine, but the company did not visit the site to understand the challenges that may be present with the trees that are slated for removal. He noted Joe's Tree Service visited the site to evaluate the project and has performed work in the past on an as-needed basis. He stated there have never been any issues with their work and they respect the cemetery as much as we do.

2023-182 Award Maple Hill Cemetery Tree Removal Project.

Motion was made by Engels and supported by Schippers to award the Maple Hill Cemetery Tree Removal Project to Joe's Tree Service for the bid amount of \$19,061.

Motion unanimously approved.

D. Recommendation regarding Banking Services.

Roberts stated the City has been with its current banking services for many years. He noted we have been approached by local banks interested in looking at our business. He stated we believed the most equitable way was to issue a comprehensive Request for Proposals. He noted that one of the core requirements for the proposal was a local presence, as the City needs to have access to a local branch to make cash deposits, etc. He stated the following three (3) banks responded: Huntington Bank (current service provider), Horizon Bank, and Mercantile Bank. He noted these banks were invited to make in-person presentations to the Financial Services team and all made great presentations. He stated they all have local representation that could service the needs of the City.

He noted that after much evaluation and discussion, the Financial Services team is recommending that Mercantile Bank be approved as the City's long-term banking partner.

2023-183 Approve recommendation regarding Banking Services.

Motion was made by Schippers and supported by Elenbaas to approve Mercantile Bank as the City's new banking partner, authorize the City Manager and the Director of Finance to execute all relevant agreements required to establish the relationship, and to authorize the City Manager and Director of Finance as signers on all City banking accounts established as part of the new relationship.

Motion unanimously approved.

PUBLIC COMMENTS

There were no public comments.

GOOD OF THE ORDER

King asked members of the public to review the proposed new zoning ordinance on the City's website. He noted the proposed ordinance is basically a proforma ordinance that looks like it's been used with the bigger cities like Detroit and Flint. He stated the new designations are actually designed to increase per-capita density by allowing a number of different uses in residential areas. He noted he doesn't think that is what Cadillac is looking for and he thinks it would change the nature of our community. He stated he is concerned about the possibility of short-term rentals being allowed in residential areas by right and only require a special use permit if someone lost their permit in that area and reapplied for it.

King stated now is the time for everyone to read, understand, and ask questions about the proposed new zoning ordinance. He noted according to the Redevelopment Ready website it is not required that we follow their standard guidelines. He stated it is required that we look at our designations, update them, and figure out where development would be appropriate in our community.

King noted Grand Rapids is currently having some problems with some of the updates they have done to zoning. He stated there is an argument going on regarding developers wanting to tear down some of those big houses in the historic district and replace them with apartment-style housing. He noted he wants to make sure we avoid that law of unintended consequences.

Schippers stated October is Domestic Violence Awareness Month. She noted that on Wednesday, October 4th at 6:00 pm there will be a candlelight vigil in the City Park. She encouraged everyone to attend and show support for victims of domestic violence. She noted there are purple lights on the light poles downtown and many of the merchants have placed purple lights in their windows for Domestic Violence Awareness Month.

Engels asked the City Manager to talk to about County Animal Control and neighbors feeding stray cats.

Peccia stated there is refence in the City Code about dogs, cats, and nuisances. He noted there is an Animal Control Division of Wexford County. He stated he doesn't believe Animal Control will do anything in terms of dealing with stray cats. He noted our current ordinance is a little archaic and a little vague in terms of dealing specifically with stray cats. He stated it addresses animals, cats or dogs, that are owned or being harbored by someone. He noted if we are out on a call regarding an animal and somebody says it's not my animal then we are caught in a position where there's not much we can do. He stated this is something we will look into to see what we can do.

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 Casity Kao*, Case No. 23-0030949, and *City of Cadillac v Neil & Jo Almond*, Case No. 23-0030948, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City and to discuss a written confidential legal opinion with the City Attorney.

2023-184 Adjourn to closed session.

Motion was made by Elenbaas and supported by Engels to 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 Casity Kao*, Case No. 23-0030949, and *City of Cadillac v Neil & Jo Almond*, Case No. 23-0030948, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City and to discuss a written confidential legal opinion with the City Attorney; invite Adam Ottjepka, Director of Public Safety.

Motion unanimously approved.

2023-185 Return to open session.

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

Motion unanimously approved.

ADJOURNMENT

Respectfully submitted,

Carla J. Filkins, Mayor

Sandra Wasson, City Clerk

October 16, 2023

COUNCIL COMMUNICATION

Re: Reappointment of Greg Bosscher to a Three-Year Term on the Planning Commission representing Ward 1.

Greg Bosscher has expressed his interest in being reappointed to serve as a member on the Planning Commission, representing Ward 1.

Requested Council Action:

Motion to reappoint Greg Bosscher to a three-year term on the Planning Commission representing Ward 1, term will end on 10/16/2026.

October 16, 2023

Council Communication

Re: Building Demolition - Former Water Headquarters Building

The City of Cadillac was awarded a State Land Bank Authority (SLBA) Blight Elimination Program Grant in the amount of \$33,390 to demolish the old water department headquarters. Competitive bids were sought for this project and the following bids were received:

Vendor	Bid
Dunbar Excavating, Inc. Cadillac, MI 49601	\$19,500
Geeseman Excavating Cadillac, MI 49601	\$29,500
CJ'S Excavating, Inc. Cadillac, MI 49601	\$30,000
Pitsch Companies Grand Rapids, MI 49504	\$33,760
Alpine Contracting, LLC Newaygo, MI 49337	\$39,500
Dore & Associates, Inc. Bay City, MI 48707	\$51,600
Midwest Demolition & Excavation Big Rapids, MI 49307	\$55,312
Smalley Construction Inc. Jackson, MI 49203	\$57,250
Bierlein Midland, MI 48642	\$92,700

The City has incurred some additional costs for an asbestos inspection and report, and will have some additional expenses to safely abate the presence of a small amount of asbestos, but all incurred and expected costs are included in the grant funding and will be within the total awarded amount.

Recommended Action

It is recommended that the building demolition services project for the former water department headquarters building be awarded to Dunbar Excavating, Inc for \$19,500. Funds for this project are available from the SLBA Blight Elimination Program Grant that was awarded to the City of Cadillac.

October 16, 2023

Council Communication

Re: "Coast to Coast MI 55" Recreational Heritage Route Designation

Included is information provided by Kathy Morin, Executive Director Cadillac Area Visitors Bureau, regarding a Recreational Heritage Route initiative the Visitors Bureaus along the M-55 corridor are pursuing followed by a Resolution of Support for consideration.

Recommended Action

It is recommended that City Council adopt the Resolution of Support for M-55 "Coast to Coast on MI 55" Recreational Heritage Route Designation.



Date: October 4, 2023

To: Cadillac area municipalities on the M-55 corridor:

Please review the document below supplied by MDOT for a Recreational Heritage Route initiative the Visitors Bureaus along the M-55 corridor are pursuing.

I've also attached the sample resolution to use. Please feel free to contact me at 231-775-0657 or kmorin@cadillacmichigan.com if you have any questions.

Thanks!

Kathy Morin, Executive Director
Cadillac Area Visitors Bureau

To: Local municipalities on the M-55 corridor

From: The Marketing Partner Members of M-55 Recreational Heritage Route (Manistee Area Tourism Authority, Cadillac Area Visitors Bureau, Missaukee Area Chamber, Houghton Lake Area Tourism Bureau, West Branch Visitors Bureau, and Tawas Bay Tourist & Convention Bureau)

Re: "Coast to Coast MI 55" Recreational Heritage Route

Introduction:

We are reaching out to you today to gain your community's support for a new Recreational Byway, also known as a Recreational Heritage Route, along the entire length of M-55 from Manistee to Tawas City/East Tawas, to be called "Coast to Coast on MI 55." This Byway designation will allow communities along M-55 to collectively market the recreational opportunities in our communities and provide additional resources for supporting increasing awareness of M-55 and all we have to offer. To be designated as a Recreational Byway, we must gain support from all the cities, villages, and townships that exist along this state trunkline between Manistee and Iosco County through a resolution of support. ***This designation is at no cost to the communities it serves and does not require staff time***, but involvement in the new Byways group is encouraged.

The Houghton Lake Area Tourism Bureau originated the idea for an M-55 Recreational Heritage Route which included various recreational points of interest along the entirety of M-55. Their intention with aid from MDOT is to create a byway to cross the State of Michigan, one of only three roads that cross Michigan's lower peninsula. M-55 is historically significant and passes bayous, deep woods, National and State Forest land, ravines, rollways, rivers, meadows, farmland, stone houses, barns, and sparkling lakes that provide visitors access to many roadside parks and diverse recreational opportunities. It begins at Manistee County crossing a total of six counties which include Wexford, Missaukee, Roscommon, Ogemaw, and Iosco where the trunkline ends at Lake Huron.

Benefits:

The benefits of this designation will protect regional attributes, like its views, and scenic characteristics that include pastoral land use. Some of this beauty and history can be ignored or missed, but this byway designation will encourage

exploration and economic growth from visitors looking for a relaxing vacation with many attractions to choose from. This designation will provide funding opportunities for improvements for new and existing infrastructure in addition to protection of special assets. It will also provide marketing opportunities for improved economic health along the corridor.

Commitments to Committee:

The Federal Highway Administration (FHWA) Byways program recognizes unique highways throughout the country for their historic, cultural, scenic, and agricultural characteristics. Once a state highway has been recognized for its characteristics, a governing committee and management plan are created to establish shared goals and objectives. These formalized procedures allow a byway to qualify for Federal assistance for projects.

To be formally recognized as a Recreational Byway, we will need every township, village, and city within these six counties to pass a resolution in support of the designation of this road as a Recreational Byway. A Coast to Coast on MI 55 Recreational Byways Committee will be formed to develop the Byways application and once designated to develop a M-55 corridor management plan. This plan gives the vision for the byway and helps the committee and MDOT know what ways they can help support the vision. The Byways Committee will meet and develop the corridor management plan and work to implement the plan. Grant funding is available for Byways through MDOT to help implement the corridor management plan and staff support to coordinate the group is provided for through the Regional Planning Agencies (e.g. Networks Northwest) that support communities along M-55. Other than your time, which is optional, there is no additional financial commitment required from your community.

Thank you for your interest in providing more tools for economic development and increasing tourism in the communities along M-55 by supporting the M-55 Recreational Byway. We hope that you will support and share your interest in this designation of M-55 as the Coast to Coast on MI 55 Byway. We will need resolutions of support from all local agencies that exist along this state trunkline and hope that we can count on you to provide one. We would like to collect these by December for our Byways application.

Please let us know if you need further information. We are willing to come to a meeting of your community to talk more about this and answer any questions you may have, or you may reach out to your local Visitors Bureau representative.

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. 2023-xxxx

Resolution of Support

M-55 “Coast to Coast on MI 55” Recreational Heritage Route Designation

Manistee, Wexford, Missaukee, Roscommon, Ogemaw, and Iosco Counties. Cities of Manistee, Cadillac, Lake City, Houghton Lake, Prudenville, West Branch, Tawas City and East Tawas.

WHEREAS the Michigan Department of Transportation (MDOT) Pure Michigan Byways Program, pursuant P.A. 69 of 1993 and P.A. 445 of 2014 amendment, is empowered to designate scenic, recreational, and historic highways in the state, and

WHEREAS the public highway known as M-55 extending from the east to west boundaries of Wexford County within the City of Cadillac exhibits exceptional scenic/recreational/historic quality and passes through an area of significant regional importance, and

WHEREAS a study has been undertaken by local partners which assesses the quality of and documents the character and features of the M-55 highway corridor, and

WHEREAS it is intended that the study be forwarded to MDOT to nominate M-55 as a Pure Michigan Byway,

NOW, THEREFORE, BE IT RESOLVED that the City Council enthusiastically supports the nomination of M-55 as a Pure Michigan Byway and authorizes including this resolution with the nomination documents, and

BE IT FURTHER RESOLVED that the City Council hereby requests and encourages the MDOT to quickly designate M-55 a Pure Michigan Byway.

BE IT FURTHER RESOLVED that the City Council hereby commits itself to support within its jurisdiction the management plan part of this nomination.

On the motion to adopt by Council Member _____, seconded by Council Member _____, and a vote of ___ ayes and ___ nays, the motion carried.

I, Sandra Wasson, City Clerk of the City of Cadillac, hereby certify this to be a true and complete copy of Resolution No. 2023-xxxx, duly adopted at a regular meeting of the City Council held on the 16th day of October, 2023.

Sandra Wasson
City Clerk