CITY COUNCIL
MEETING AGENDA
June 7, 2018

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro Tem
Ralph B. Blasier, Council Member
Michael R. Satter, Council Member
Peggy O. Schumann, Council Member

Patrick S. Jordan, City Manager
Lisa M. Glish, City Clerk
Ralph B. K. Peterson, City Attorney

City Council Chambers located at: City Hall – 410 Ludington Street – Room C101 – Escanaba MI 49829

The Council has adopted a policy to use a Consent Agenda, where appropriate. All items with an asterisk (*) are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the item will be removed from the General Order of Business and considered in its normal sequence on the Agenda.

Regular Meeting
Thursday, June 7, 2018, at 8:00 p.m.

CALL TO ORDER
ROLL CALL
INVOCATION/PLEDGE OF ALLEGIANCE – Pastor Chris Johnson of Christ the King Lutheran Church
APPROVAL/CORRECTION(S) TO MINUTES – Regular Meeting – May 17, 2018; Special Meeting – May 23, 2018
APPROVAL/ADJUSTMENTS TO THE AGENDA
CONFLICT OF INTEREST DECLARATION(S)
BRIEF PUBLIC COMMENT(S)
PUBLIC HEARINGS

1. Close-Out Public Hearing - Community Development Block Grant (CDBG) – Northern Machining #1
   Explanation: The Michigan Economic Development Corporation (MEDC) provided CDBG funding towards the now completed Northern Machining #1 project. With the construction phase of the project completed, the City needs to undertake close-out activities associated with the CDBG funding. One of the requirements is for the City to conduct a “close-out public hearing”.

2. Public Hearing – CDBG Resolution – Northern Initiatives Revolving Loan Fund – Kobasic Creations, LLC.
   Explanation: A public hearing will be conducted on a proposed CDBG resolution which supports the approval of a $60,000 loan from Northern Initiatives to Kobasic Creations, LLC of Escanaba, MI. The funds from the loan will be used to purchase new equipment and working capital purchases. The project will result in the hiring of two (2) new employees, 51% low to moderate income persons, the project meets zoning requirements, and is consistent with the City of Escanaba’s Comprehensive Plan.

UNFINISHED BUSINESS – None

NEW BUSINESS

1. Approval – Resolution Authorizing The Waterways Grant Agreement – Marina.
   Explanation: Administration is seeking Council approval of a resolution authorizing the Waterways Grant.

   Explanation: Administration is seeking Council approval to accept the Fire Hydrant Painting bid received from Bok Corporation of Escanaba, MI to paint ninety (90) fire hydrants as written in the Fire Hydrant Bid Package, at a cost not to exceed $45,000. Money is budgeted in the 2018/2019 FY Budget.
3. Approval – Lead Service Line (LSL) Replacement Grant Work – Water Department.
   Explanation: Administration is seeking Council approval to retain Oberstar, Inc. of Marquette, MI to conduct the work as written in the LSL Replacement bid, to utilize all available money ($295,000) allotted for the construction aspect of this Grant (*contingent upon receiving the LSL Grant from the State). In addition, Administration is requesting Council approval to have the ability to utilize up to $5,000 to cover any overages occurred during the final billing. Money is not budgeted for this type of work, but can be made available if needed.

4. Discussion and Possible Direction – Use of Ludington Street Sidewalks.
   Explanation: Administration is seeking a discussion to take place concerning the use of bicycle and merchandise displays on Ludington Street sidewalks.

5. Closed Session – Consult with Legal Counsel
   Explanation: Administration is seeking to go into Closed Session to consult with Legal Counsel.

APPOINTMENTS
BOARD, COMMISSION, AND COMMITTEE REPORTS
GENERAL PUBLIC COMMENT
ANNOUNCEMENTS
ADJOURNMENT

Respectfully Submitted

Patrick S. Jordan
City Manager
NOTICE OF CITY COUNCIL
CHANGE of MEETING TIME

PLEASE TAKE NOTICE that a regular meeting will be conducted by the Escanaba City Council on Thursday, June 7, 2018, at 8:00 p.m., City Hall, Room C101, 410 Ludington Street, Escanaba, Michigan. The time change is to accommodate members of City Council.

Thursday, June 7, 2018 at 8:00 p.m., City Hall, Room C101

This notice is given in accordance with Act 267 of the 1976 Public Acts of State of Michigan and Chapter II, Section 5, of the Escanaba City Charter. The City of Escanaba will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon five (5) days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba by writing or calling the below named City Clerk. Public notice will be given regarding any changes of the above meeting.

Patrick S. Jordan, City Manager
(906) 786-9402

or

Lisa M. Glish, City Clerk
(906) 786-1194

LMG/bms

Posted 6/1/2018 8:52 AM
The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Peggy O. Schumann, Ronald J. Beauchamp, Ralph B. Blasier, and Michael R. Sattem.

Absent: None

Also Present: City Manager Patrick S. Jordan, City Department Heads, media, and members of the public.

Clerk Richards led Council in the Pledge of Allegiance.

Sattem moved, Blasier seconded, CARRIED UNANIMOUSLY, to approve Regular Meeting minutes from May 3, 2018, and special minutes from May 1, 2018, as submitted.

ADJUSTMENTS TO THE AGENDA

Beauchamp moved, Schumann seconded, CARRIED UNANIMOUSLY, to approve the agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT

City resident Frances Balcerak commented on the Daily Press editorial on the recent School Millage, and the increase in utilities which she believed was too high. Senior citizens could not afford increases in utility rates.

Daniel Phalen commented on the communication tower at Ness Field. He asked for more information regarding the project.

PUBLIC HEARINGS

Public Hearing and Adoption – FY2018-19 Operating Budget.

The Council has conducted four (4) public hearings and two (2) budget work sessions to set a proposed FY2018-19 operating budget. This was the final public hearing on the FY2018-19 City operating budget and established a City millage rate of 17.00 mills. Administration recommended Council approval of the FY2018-19 Operating Budget and approval of the FY2018-19 Master Fee Schedule.

This being a public hearing, Mayor Tall asked if there was any public comment.
Hearing no further public comment, Mayor Tall closed the public hearing.

**PH-1a** Sattem moved, Schumann seconded, to establish the City millage rate at 17.00 mills for 2018-2019 Budget Year and to adopt the 2018-2019 City Budget as published.

Upon a call of the roll, the vote was as follows:

Ayes: Sattem, Schumann, Beauchamp, Blasier, Tall
Nays: None

**MOTION CARRIED.**

This being a public hearing, Mayor Tall asked if there was any public comment regarding the Master Fee Schedule.

Hearing no further public comment, Mayor Tall closed the public hearing.

**PH-1b** Schumann moved, Beauchamp seconded, to establish approval of the FY 2018-19 Master Fee Schedule.

Upon a call of the roll, the vote was as follows:

Ayes: Schumann, Beauchamp, Sattem, Blasier, Tall
Nays: None

**MOTION CARRIED.**

**Public Hearing - Notice of Special Assessment - 21st Avenue South from Lakeshore Drive to the west right-of-way line of South 18th Street.**

The City of Escanaba received a petition for the construction of a 22 foot wide chip-seal paved street without curb and gutter for 21st Avenue South from Lakeshore Drive to the west right-of-way line of South 18th Street. On May 3, 2018, the City of Escanaba held a public hearing on the proposed improvement. The City of Escanaba is now holding public hearing on the proposed special assessment roll.

This being a public hearing, Mayor Tall asked if there was any public comment.

Hearing no further public comment, Mayor Tall closed the public hearing.

**PH-2** Schumann moved, Blasier seconded, to approve the special assessment for the construction of a 22 foot wide chip-seal paved street without curb and gutter for 21st Avenue South from Lakeshore Drive to the west right-of-way line of South 18th Street.

Upon a call of the roll, the vote was as follows:
Motion Carried.

Unfinished Business – None

New Business

First Reading of Ordinance No. 1192, the Appropriations Ordinance, Including the Millage Rate of 17.00 Mills and Setting the Date of Wednesday, May 23, 2018, for the Second Reading, Public Hearing, and Adoption.

Once the City Council approves the budget, the Council must approve a tax levy and authorize appropriations to implement the budget. Administration recommended a special meeting of the Council for Wednesday, May 23, 2018, at 9:00 a.m. be scheduled for the second reading, public hearing, and adoption of Appropriations Ordinance No. 1192.

NB-1 Beauchamp moved, Sattem seconded, CARRIED UNANIMOUSLY, to set the date of May 23, 2018, at 9:00 a.m. for the second reading, public hearing, and adoption of the Appropriations Ordinance No. 1192 and millage rate of 17 mills.

First Reading of Ordinance No. 1193, the Tax Levy Ordinance, and Setting the Date of Wednesday, May 23, 2018, for the Second Reading, Public Hearing and Adoption.

Section 9, Chapter VIII, of the City Charter requires the City, by Ordinance, to levy taxes that may be necessary to meet the appropriations’ needs for the upcoming fiscal year budget. Administration recommended a special meeting of the Council for Wednesday, May 23, 2018, at 9:00 a.m. be scheduled for the second reading, public hearing, and adoption of Tax Levy Ordinance No. 1193.

NB-2 Sattem moved, Schumann seconded, CARRIED UNANIMOUSLY, to set the date of May 23, 2018, at 9:00 a.m. for the second reading, public hearing, and adoption of Tax Levy Ordinance No. 1193.

First Reading of Ordinance No. 1194, the Electric Rate Ordinance, and Setting the Date of Monday, June 4, 2018, for Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets electric utility rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1194 and to schedule the second reading and public hearing for June 4, 2018, at 9:00 a.m.

NB-3 Beauchamp moved, Sattem seconded, to set the date of June 4, 2018, at 9:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1194.
City Council Minutes  
May 17, 2018 – cont.

Upon a call of the roll, the vote was as follows:

Ayes: Beauchamp, Sattem, Blasier, Schumann, Tall
Nays: None

MOTION CARRIED.

First Reading of Ordinance No. 1195, the Wastewater Rate Ordinance, and Setting the Date of Monday, June 4, 2018, for the Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets wastewater utility rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1195 and to schedule the second reading and public hearing for June 4, 2018, at 9:00 a.m.

NB-4 Sattem moved, Beauchamp seconded, to set the date of June 4, 2018, at 9:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1195.

Upon a call of the roll, the vote was as follows:

Ayes: Sattem, Beauchamp, Schumann, Blasier, Tall
Nays: None

MOTION CARRIED.

First Reading of Ordinance No. 1196, the Water Rate Ordinance, and Setting the Date of Monday, June 4, 2018, for Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets water utility rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1196 and to schedule the second reading and public hearing for June 4, 2018, at 9:00 a.m.

NB-5 Sattem moved, Beauchamp seconded, to set the date of June 4, 2018, at 9:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1196.

Upon a call of the roll, the vote was as follows:

Ayes: Sattem, Beauchamp, Schumann, Blasier, Tall
Nays: None

MOTION CARRIED.

First Reading of Ordinance No. 1197, the Solid Waste Ordinance, and Setting the Date of Monday, June 4, 2018, for the Second Reading, Public Hearing, and Adoption.

Annually, the City Council sets solid waste rates for the next fiscal year. Council was asked to consider this the first reading of Ordinance No. 1197 and to schedule the second reading and public hearing for June 4, 2018, at 9:00 a.m.
City Council Minutes  
May 17, 2018 – cont.

**NB-6** Blasier moved, Schumann seconded, to set the date of June 4, 2018, at 9:00 a.m. for the second reading, public hearing, and adoption of Ordinance No. 1197.

Upon a call of the roll, the vote was as follows:

Ayes: Blasier, Schumann, Beauchamp, Sattem, Tall  
Nays: None

**MOTION CARRIED.**

**Approval – Lease Renewal with Lakestate Industries.**

Administration sought Council approval for the renewal of a lease agreement between Lakestate Industries and the City of Escanaba for a 10-year term, with all other terms of the lease remaining the same, including the $1 per year rental fee. This renewal was due to the expiring of a 25-year lease agreement that was agreed upon in 1993 for property in which Lakestate Industries uses as a parking lot.

**NB-7** Schumann moved, Blasier seconded, to renew a lease agreement between Lakestate Industries and the City of Escanaba for a 10-year term, with all other terms of the lease remaining the same, including the $1 per year rental fee.

Upon a call of the roll, the vote was as follows:

Ayes: Schumann, Blasier, Beauchamp, Sattem, Tall  
Nays: None

**MOTION CARRIED.**

**Approval – Replacement of City Side Water Services – Water.**

Administration sought Council approval to allow the Water Department to implement the same adopted policy from 2017 into 2018 concerning the replacement of City side water services. Last year Administration recorded 16 water services were replaced at an estimation of around $20,000 to the department.

Water/WasteWater Superintendent Jeff Lampi briefly reviewed the adopted City policy.

**NB-8** Sattem moved, Schumann seconded, to allow the Water Department to implement the same adopted policy from 2017 into 2018 concerning the replacement of City side water services.

Upon a call of the roll the vote was as follows:

Ayes: Sattem, Schumann, Beauchamp, Blasier, Tall  
Nays: None
MOTION CARRIED.

Approval – Aeration Blower Replacement – Wastewater.

Administration sought Council approval to retain Ld DOCSO of Kalamazoo, MI to conduct the repairs as written in the RFP, along with an additional 10% for contingencies at a cost not to exceed $357,500. A grant of $99,300 has been awarded to the City for work associated with this project; please note that the grant money amount is not currently deducted from the request. Money is available within the 2018/19 fiscal year budget, once the grant money would be deducted.

NB-9 After discussion, Blasier moved, Beauchamp seconded, to retain Ld DOCSO of Kalamazoo, MI to conduct the repairs as written in the RFP, along with an additional 10% for contingencies at a cost not to exceed $357,500, with approval of the grant.

Upon a call of the roll the vote was as follows:

Ayes: Blasier, Beauchamp, Schumann, Sattem, Tall
Nays: None

MOTION CARRIED.

Approval – Pole Replacement Bid – Electric.

Administration sought Council approval to retain Fox Power of Gladstone, MI to replace 41 wooden poles for the cost of $92,800. This item was budgeted in both the 2017/18 and 2018/19 fiscal year budgets. Electric Superintendent Mike Furmansi briefly reviewed the project.

Blasier moved, Sattem seconded, to retain Fox Power of Gladstone, MI to replace 41 wooden poles for the cost not to exceed $92,800 as part of the annual pole replacement project.

Upon a call of the roll the vote was as follows:

Ayes: Blasier, Sattem, Schumann, Beauchamp, Tall
Nays: None

MOTION CARRIED.

Contract Agreement and Oath of Office for new City Clerk

Council reviewed the proposed contract for the new City Clerk, Lisa M. Glish, followed by Oath of Office.

Mayor Tall reviewed the City Clerk contract that the Committee recommended and had a printed copy for each Council Member. After discussion of Items 3 and 4 of the contract, Council Member Beauchamp read a statement that he had prepared
City Council Minutes
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concerning his recollection of and opinion of the process of filling the City Clerk position; at the end of reading the prepared statement, Council Member Beauchamp abstained from voting on the matter of the new City Clerk’s terms and conditions.

Blasier moved, Tall seconded, to approve the new City Clerk Contract.

Upon a call of the roll the vote was as follows:

Ayes: Blasier, Tall, Schumann, Sattem
Nays: None
Abstain: Beauchamp

MOTION CARRIED.

APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES - None

BOARD, COMMISSION, AND COMMITTEE REPORTS

Council Members reviewed City Board and Commission meetings each attended since the last City Council Meeting.

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS

• Grant from the Besse Foundation for the Chamber of Commerce;
• Downtown Clean-up was scheduled for Saturday May 19th.

Hearing no further public comment, the Council adjourned at 7:47 p.m.

Respectfully submitted

Lisa M. Glish
City Clerk

Approved: ____________________________________________
Marc D. Tall, Mayor
OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Special Council Meeting
Wednesday, May 23, 2018

Pursuant to a meeting notice posted on May 14, 2018, the meeting was called to order by the Mayor Pro-Tem Ronald J. Beauchamp at 9:00 a.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Pro-Tem Ronald J. Beauchamp, Council Members: Ralph B. Blasier, Michael R. Sattem, and Peggy O. Schumann.

Absent: Mayor Marc Tall

Also Present: City Manager Patrick S. Jordan, City Clerk Lisa M. Glish, City Controller Melissa A. Becotte, media, and members of the public.

ADJUSTMENTS TO THE AGENDA

Schumann moved, Sattem seconded, CARRIED UNANIMOUSLY, to approve the City Council Agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

UNFINISHED BUSINESS – None

PUBLIC HEARINGS

Second Reading, Public Hearing of Ordinance No. 1192, the Appropriations Ordinance, Including the Millage Rate of 17.00 Mills.

In accordance with Chapter VIII. General Finance of the City Charter, Section 9, Council was required by ordinance to levy taxes that are necessary to meet the appropriations made for the upcoming fiscal year.

This being a public hearing, Mayor Pro-Tem Beauchamp asked if there was any public comment.

Hearing no public comment, Mayor Pro-Tem Beauchamp closed the public hearing and the following resolution was made:

PH-1 "By Council Member Schumann, seconded by Council Member Blasier;

Resolved, That Ordinance No. 1192, the Appropriations Ordinance, given its second reading and public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements
City Council Minutes
May 23, 2018 – cont.

of the City Charter.”
Upon a call of the roll, the vote was as follows:

Ayes: Schumann, Blasier, Sattem, Beauchamp
Nays: None

PH-1  “By Council Member Sattem, seconded by Council Member Schumann;

Resolved, To establish the City millage rate of 17.00 mills for 2018-2019 Budget
Year and to adopt the 2018-2019 City Budget as published.”
Upon a call of the roll, the vote was as follows:

Ayes: Sattem, Schumann, Blasier, Beauchamp
Nays: None

RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1192 adopted by title:

"AN ORDINANCE TO MAKE APPROPRIATIONS AND CORRESPONDING
REVENUES FOR THE YEAR ENDED JUNE 30, 2019."

Full text in Ordinance Record “K”

Second Reading, Public Hearing of Ordinance No. 1193, the Tax Levy Ordinance.

In accordance with Chapter VIII. General Finance of the City Charter, Section 9, Council must approve a tax levy and authorize appropriations to implement the budget for the upcoming fiscal year.

This being a public hearing, Mayor Pro-Tem Beauchamp asked if there was any public comment.

Hearing no public comment, Mayor Pro-Tem Beauchamp closed the public hearing.

PH-2  “By Council Member Blaiser, seconded by Council Member Schumann;

Resolved, That Ordinance No. 1193, the Tax Levy Ordinance setting the millage rate at 17 mills, given its second reading and public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter.”

Upon a call of the roll, the vote was as follows:

Ayes: Blaiser, Schumann, Sattem, Beauchamp
Nays: None
RESOLUTION DECLARED ADOPTED.

Herewith Ordinance No. 1193 adopted by title:

"AN ORDINANCE TO LEVY SUCH TAXES AS MAY BE NECESSARY TO MEET APPROPRIATIONS MADE AND ALL SUMS REQUIRED BY LAW TO BE RAISED TO DEFRAY THE DEBTS, EXPENDITURES, AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING ON THE 30TH DAY OF JUNE, 2019, AND REQUIRING AN AUTHORIZED LEVY ON THE JULY, 2018, CITY TAX ROLL OF RETURNED UNPAID SPECIAL ASSESSMENTS, TOGETHER WITH SUCH PENALTIES THEREON AS IS PROVIDED BY THE CITY CHARTER."

Full text in Ordinance Record "K"

NEW BUSINESS – None

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS – None

Hearing no further public comment, the Council adjourned at 8:02 a.m.

Respectfully submitted

Lisa M. Glish
City Clerk

Approved: __________________________

Ronald J. Beauchamp, Mayor Pro-Tem
CITY OF ESCANABA
NOTICE OF CLOSEOUT PUBLIC HEARING
FOR MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
FUNDING FOR NORTHERN MACHINING #1

The City of Escanaba will conduct a closeout public hearing on June 7, 2018 at 7:00 p.m. est. in the Council Chambers of the City Hall building located at 410 Ludington Street, Escanaba, MI, for the purpose of affording citizens an opportunity to submit comments and receive a final report on the completion of the Northern Machining #1 CDBG grant.

The CDBG grant provided funding to assist in providing working capital. The CDBG project benefitted at least 51% low to moderate income persons; No persons were displaced as a result of the project.

Interested parties are invited to comment on the project in person at the public hearing or in writing through 4:00 p.m. est. on June 7, 2018 and addressed to Patrick Jordan, City Manager, P.O. Box 948, Escanaba, MI 49829.

Citizen views and comments on the CDBG project are welcome.

City of Escanaba
Patrick Jordan, City Manager
(906) 786-9402
ACTION TO AFFIRMATIVELY FURTHER FAIR HOUSING

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<tr>
<th>Date</th>
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<tr>
<td>Grantee</td>
<td>City of Escanaba</td>
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<tr>
<td>Grant #</td>
<td>100014</td>
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<tr>
<td>Grant Title</td>
<td>Northern Machining &amp; Repair #1</td>
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<td>Grant Term</td>
<td>10/15/2016 to 10/14/2018</td>
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Proposed Actions In Approved Fair Housing Plan:

Actions Taken:

Results:

Reason for any change from proposed actions:

Funding Amount and Source (Total $ value of time, materials, etc.):

Date: ____________________________

Signature of Authorized Local Official:

Printed Name and Title of Authorized Local Official:

Michigan Economic Development Corporation
CDBG

13-A
04.01.17
CITY OF ESCANABA
NOTICE OF PUBLIC HEARING FOR MICHIGAN COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) / REVOLVING LOAN FUND (RLF)
FUNDING FOR KOBASIC CREATIONS, LLC.

The City of Escanaba will conduct a public hearing on June 7, 2018 at 7:00 p.m. in the
Council Chambers, at Escanaba’s City Hall, 410 Ludington Street, Escanaba, Michigan.

Said hearing to be conducted during a regular meeting of the Escanaba City Council, for
the purpose of affording citizens an opportunity to examine and submit comments on
the proposed application for a loan through the CDBG / Revolving Loan Fund (RLF)
Program.

The City of Escanaba proposes to lend $60,000 of CDBG / RLF program funds to
Kobasic Creations, LLC to assist with its equipment needs and working capital, which
will result in the hiring of two (2) new employees, 51% of whom have been previously
classified as low to moderate income persons. No persons will be displaced as a result of
the proposed activities.

Further information, including a copy of the City of Escanaba’s Community
Development Plan, and CDBG / RLF application, is available for review. To inspect such
documents, please contact City Manager Patrick Jordan. Documents may be reviewed at
410 Ludington Street, Escanaba, MI 49829. Comments may be submitted in writing
through June 7, 2018 at 4:00 p.m. or made in person at the public hearing.

Citizen views and comments on the proposed application are welcome.

City of Escanaba
Patrick Jordan, City Manager
(906) 786-9402
RESOLUTION
APPLICATION FOR FUNDING THROUGH THE CITY OF ESCANABA
STATE OF MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REVOLVING LOAN FUND (RLF) PROGRAM FOR KOBASIC CREATIONS, LLC.

WHEREAS, Kobasic Creation, LLC has made application through Northern Initiatives, Inc. for the City of Escanaba CDBG Revolving Loan Funds in the amount of $60,000 to aid with equipment and working capital purchases within the City of Escanaba, and

WHEREAS, the project location meets zoning requirement is consistent with the City of Escanaba’s Comprehensive Plan, the project will employ at least 51% low to moderate income persons, and

WHEREAS, The City of Escanaba participates in the Regional RLF Model, has executed a Subrecipient Agreement with Northern Initiatives and has designated The City Treasurer and the Escanaba Economic Development Corporation Chair as its representatives on its Regional Funds Approval Committee, and

WHEREAS, the Regional Fund Approval Committee has reviewed and approved said application submitted by Kobasic Creations, LLC on 4/26/2018 and

WHEREAS, no project costs (CDBG and non-CDBG) will be incurred prior to the formal loan award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by your CDBG Project Manager, and

WHEREAS, The City of Escanaba has advertised in the Daily Press newspaper and has held a public informational hearing in regard to the CDBG Revolving Loan Fund application on June 7, 2018.

THEREFORE BE IT FURTHER RESOLVED that The City of Escanaba acknowledges that it has held a public informational meeting on June 7, 2018 in regard to the CDBG Revolving Loan Fund Application by Kobasic Creations, LLC. in the amount of $60,000 for equipment for its business within the City of Escanaba, that the project will employ at least 51% low to moderate income persons and the project meets zoning requirements and is consistent with the City of Escanaba’s Comprehensive Plan and authorizes the Mayor Marc Tall to sign the part 2 Application and all attachments.

The following aye votes were recorded: ________________
The following nay votes were recorded: ________________

______________________________________________
Marc Tall, Mayor

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by The City Council of the City of Escanaba, Delta County, Michigan, at the regular meeting held on June 7, 2018.
May 8, 2018

Michigan Economic Development Corporation
Shawne Haddad
Community Development Block Grant Program
300 North Washington Square
Lansing, Michigan 48913

RE: Uniform Act Requirements
City of Escanaba
Grant # Kobasic Creations, LLC.

Dear Shawne Haddad:

The Uniform Relocation Assistance and Real Property Acquisition Act of 1970 does not apply to our CDBG project located in The City of Escanaba.

The project will be completed on property owned by a private property owner prior to discussing the prospect of CDBG assistance. Therefore, The City of Escanaba will not be purchasing Property as a result of this project. In addition, relocation will not occur as a result of the project.

If you have any questions, please contact Marc Tall at (906) 786-0240.

Sincerely,

Marc Tall
Mayor
City of Escanaba
RESOLUTION

Upon motion made by ____________________________, seconded by ____________________________, the following Resolution was adopted:

"RESOLVED, that the City of Escanaba, Michigan, accepts the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the City agrees, but not by way of limitation, as follows:

1. To appropriate the sum of Two Hundred Eighty Thousand dollars ($280,000.00) to match the Two Hundred Eighty Thousand dollars ($280,000.00) State grant authorized by the Department.

2. To maintain satisfactory financial accounts, documents, and records, and to make them available to the Department for auditing at reasonable times.

3. To construct the facilities and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

4. To ensure that all premises, buildings, and equipment related procedures comply with all applicable State and Federal regulations.

5. To establish and appoint the ____________________________ to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms.

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statutes of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to use the facility until full compliance with those laws has been made.

7. To comply with all terms of the Agreement, including all terms not specifically set forth in the foregoing portions of this Resolution."

The following aye votes were recorded: ____________

The following nay votes were recorded: ____________

STATE OF MICHIGAN )
) C.C. 06/07/18
COUNTY OF DELTA )

I, ____________________________, Clerk of the City of Escanaba, Michigan, certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Michigan Department of Natural Resources, which was adopted by the City Board at a meeting held _________________, 2018.
Dated: ________________

City Clerk

6-4-18
WATERWAYS GRANT AGREEMENT

Harbors and Docks – Mooring Construction

THIS WATERWAYS GRANT AGREEMENT (the "Agreement") is made as of ________________, 2018, between the City of Escanaba, DELTA COUNTY, MICHIGAN (the "City") and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, a principal department of the State of Michigan (the "Department").

WHEREAS, the City is an important center of recreational boating activity and serves as a refuge point for shallow-draft recreational vessels;

WHEREAS, the City has asked that the Department assist the City with the removal and replacement of a new floating main and finger piers, pier abutment, electrical, utility service, and fire protection at the Escanaba Municipal Marina (the facilities);

WHEREAS, the Department is willing to assist the City to construct the facilities, which are estimated to cost Five Hundred Sixty Thousand dollars ($560,000.00), with the Department agreeing to pay 50% of the estimated cost, and is not to exceed Two Hundred Eighty Thousand dollars ($280,000.00).

NOW, THEREFORE, in consideration of the Agreement's mutual promises and undertakings, the parties agree as follows:

1. The Department shall:

   (a) grant to the City a sum of money equal to 50% of the cost of construction of the facilities called for by the plans and specifications, including final engineering costs, but not to exceed Two Hundred Eighty Thousand dollars ($280,000.00). The words "plans and specifications" shall mean the plans and specifications developed for the City for the facilities prepared by a consulting firm duly licensed to perform professional services within the State of Michigan (the "State").

   (b) release State funds as reimbursement according to the following:

       Acceptance by the City of this Agreement, written Department approval of final plans and specifications (bidding documents), receipt of all necessary permits, award of contract to a competent contractor (licensed in the State of Michigan) to accomplish the work called for by the plans and specifications following bidding procedures.
acceptable to the Department and City, and receipt of payment reimbursement requests.

The final ten (10) percent shall be paid upon completion of work and receipt of progress payment requests from the contractor that are approved for payment by the designated project manager. The final ten (10) percent of State funds shall be paid upon completion of the project and 60 days after receipt of project cost documentation to the Department by the City or completion of an audit of the expenditures for the facilities by the Department, whichever occurs first.

(c) make the resources of the Department and the experience gained by the Department operating similar boating projects available to the City.

(d) provide for the periodic inspection of the facilities, including all equipment and buildings.

2. The City shall:

(a) immediately appropriate the sum of Two Hundred Eighty Thousand dollars ($280,000.00) for the project, which represents fifty (50) percent of the total cost of the project work called for by this Agreement. Any additional funds needed to complete this work, called for in this Agreement, shall be provided by the City.

(b) construct the facilities to the satisfaction of the Department, and to provide the funds, services, and materials necessary to satisfy this Agreement. There shall be no deviation from the plans and specifications without the express written consent of Parks and Recreation Division. Proceeding with unauthorized changes shall result in excluding the work from State fund eligibility. Upon completion of the project, a final set of "as built" plans shall be submitted to the Department on a CD in an appropriate format.

(c) use all funds granted by the Department to this Agreement solely for the conduct and completion of the project work within three (3) years from the date of this Agreement. The City shall maintain satisfactory financial accounts, documents and records, and shall make them available to the Department for auditing at reasonable times. The City shall retain all accounts, documents, and records for the facilities for not less than three (3) years following completion of construction.

(d) permit Department review and approval of all professional services agreements, project contracts, bidding documents, specifications and final engineering drawing plans before being sent out to bid. The final engineering drawings shall provide, or conduct, soil
boring data for any projects below the waterline. The Department must approve all change orders before being initiated. The Department reserves the option to have a representative on the selection panel for all contracts.

(e) ensure that all premises, buildings, and equipment-related procedures comply with all applicable State and Federal regulations for employee and public safety and with all applicable construction codes. All facilities shall comply with the barrier free design requirements of the Utilization of Public Facilities by Physically Handicapped Act, MCL 125.1351 et seq. The City shall submit a written report to the Department in which any safety issues, identified through Department inspections, are listed and compliance procedures are outlined. If the Department determines the City has failed to correct any safety issues, the Department will have the necessary work completed and the City shall pay 105% of the cost of the work.

(f) construct the facilities authorized under this Agreement, and the land and water access ways to those facilities, only in accordance with the plans and specifications approved by the Department.

(g) certify to the best of its knowledge and belief that the City and any principal, agent, contractor, and subcontractor of the City:

1. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any State or Federal agency.

2. have not been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction, as defined in 45 CFR 1185; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property within a three-year period preceding this Agreement.

3. are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses.

4. have not had one or more public transactions (Federal, State, or local) terminated for cause or default within three years preceding this Agreement.

5. will comply with all applicable requirements of all Federal and State laws, rules, executive orders, regulations, and policies governing this program.

3. After the facilities are constructed, the City shall:
(a) establish or assign a competent and proper agency of the City to operate the facilities, to regulate the use of the facilities, and to provide for maintenance for the facilities to the satisfaction of the Department.

(b) provide to the Department for approval, a complete tariff schedule containing all charges to be assessed against watercraft utilizing the facilities and to provide any amendment to the schedule to the Department for approval before becoming effective. Any fee schedule adopted by the City shall provide for sufficient income to defray operating and maintenance expenses of the project exclusive of depreciation. The City shall not impose fees for the use of the facilities unless they have been specifically approved by the Department in writing. Any net revenues accruing from the operation of the facilities shall be separately accounted for and reserved in a restricted fund by the City for the future maintenance or expansion of the facility or, with the Department's approval, for the construction of other recreational boating facilities. The City shall request, no more than once annually, approval to vary from fee rates set by the Department.

(c) enforce all State statutes and local ordinances pertaining to marine safety, licensing of watercraft, and the dispensing of marine fuel within the City.

(d) furnish the Department, upon request, detailed statements covering the annual operation of the facilities, including boat traffic, income, and expenses for the 12 months ending December 31 of each year.

(e) hold the State of Michigan and the Department harmless from damages or any suits brought against the City due to construction, maintenance or operation of the facilities.

(f) maintain throughout the life of this Agreement suitable signs for both land and water approaches designating this project as having been constructed by the City and the Department. The size, color, and design of these signs must meet department specifications and shall be approved by the Department before being constructed.

(g) adopt the ordinances or resolutions as required to effectuate this Agreement. The City shall forward certified copies of all the ordinances and resolutions to the Department before their effective date.

(h) participate in the State Harbor Reservation System for the life of facilities.

(i) provide, upon the Department's request, one seasonal boat slip at no cost for Department-owned vessels.

4. Facility improvements are held in perpetuity. Perpetuity is defined as life of facilities. Life of facilities is defined as a minimum of 20 years from latest grant award. The City
may request release from grant obligations after 20 years from date of last executed grant agreement.

5. The City shall comply with all State and Federal statutes applicable to the facilities.

6. The City must submit all reports, documents, or actions required by this Agreement to Parks and Recreation Division, Department of Natural Resources, P.O. Box 30257, Lansing, Michigan 48909. The City must submit invoices for reimbursement within ninety (90) days of invoice date.

7. Nothing in this Agreement shall be in any way construed to impose any obligation of whatsoever nature, financial or otherwise, upon the Department for the operation or maintenance of any recreational boating facilities.

8. All of the facilities constructed pursuant to this Agreement, or pursuant to any amendments or extensions of this Agreement, shall be reserved in perpetuity by the City for the exclusive use and/or rental, on a daily basis, by the operations of transient recreational watercraft, unless otherwise authorized in writing by the Department.

9. Commercial operations of any type shall not be permitted to regularly use any of the facilities or to be located on the facilities without the prior written approval of both the City and the Department.

10. The facilities and the land and water access ways to the facilities shall be open to the public at all times on equal and reasonable terms, and that no individual shall be denied access to, or the use of, the facilities on the basis of race, color, religion, national origin, or ancestry contrary to the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2101 et seq. or the Persons with Disabilities Civil Rights Act 1976 PA 220, MCL 37.1101 et seq., and any violation of this requirement shall be a material breach of contract, subject to penalties as provided in this Agreement.

In connection with this Agreement, the City shall:

(1) comply with the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2101 et seq., the Persons with Disabilities Civil Rights Act, 1976 PA 220, MCL 37.1101 et seq., and all other Federal, State and local fair employment practices and equal opportunity
laws and covenants that it shall not discriminate against any employee or applicant for employment, to be employed in the performance of this Agreement, with respect to his or her hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his or her race, religion, color, national origin, age, sex, height, weight, marital status, or physical or mental disability that is unrelated to the individual’s ability to perform the duties of a particular job or position. The City agrees to include this covenant, not to discriminate in employment, in every subcontract entered into for the performance of this grant agreement. A breach of this covenant is a material breach of this Agreement.

(2) send, or its collective bargaining representative shall send, to each labor union representative of workers with which he/she has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers’ representative its commitments under this Agreement.

11. The City represents that it possesses good and clear title to all lands involved in this project, and that it will defend any suit brought against either party which involves title, ownership, or specific rights, including appurtenant riparian rights of any lands connected with or affected by this project.

12. The facilities constructed under this Agreement shall not be wholly or partially conveyed, either in fee or otherwise, or leased for a term of years or for any other period, nor shall there be any whole or partial transfer of the title, ownership, or right of maintenance or control by the City without the Department’s prior written approval.

13. Any failure by the City to abide by any of the conditions, promises, or undertakings contained in this Agreement shall constitute a material breach of this Agreement. A material breach of this Agreement could result in an “ineligibility” status with all Department-administered grant programs until the breach is corrected. Once a non-compliance issue(s) has been documented, the Department shall notify the [local unit of government]. The [local unit of government] has a right and an obligation to cure, and shall collaborate with the Department to develop an acceptable plan to remedy any and all non-compliance issue(s), with the primary goal to continue to provide long term recreational waterway access to the boaters of Michigan. Further, a material breach of this Agreement by the City shall entitle the Department to the following options:
(a) To purchase the facilities and the right of access over City property to the facilities at the existing value of the facilities, less any financial contribution made by the Department. The value of the facilities shall be determined by three competent appraisers; one to be selected by the City, one to be selected by the Department, and the third to be selected by the first two appraisers. The Department and the City shall equally share the total fees of these appraisers, including expenses. The appraisal shall be limited to the value of the facilities for the construction, repair, or rehabilitation in which the facilities are located. No value shall be assigned to the right of access to the facilities over City property. The Department shall have ninety (90) days from the date of receipt of the appraisals within which to exercise its option. If the Department does not exercise the option within that period, the City shall pay to the Department a sum equal to the total financial contribution made by the Department towards the construction or maintenance of the facilities.

(b) To accept from the City a sum equal to the total financial contribution made by the Department for the construction or maintenance of the facilities.

14. This Agreement shall not be effective until the Michigan Legislature appropriates the State funds for the facilities and the State Administrative Board approves their release.

15. The Department’s rights under this Agreement shall continue in perpetuity.

16. Failure of either party to insist on the strict performance of this Agreement shall not constitute waiver of any breach of the Agreement.

17. This Agreement represents the entire agreement between the parties and supersedes all proposals or other prior agreements, oral or written, and all other communications between the parties.

18. No amendment to the Agreement shall be binding upon the parties unless it is in writing and signed by a duly authorized representative of both parties.
IN WITNESS WHEREOF, the parties execute this Agreement by the signatures of their duly authorized representatives.

WITNESSES:


CITY OF ESCANABA

By:

Title:


MICHIGAN DEPARTMENT OF NATURAL RESOURCES

By: Ronald A. Olson, Chief
Parks and Recreation Division

6-4-19
To: Patrick Jordan, City Manager
From: Jeff Lampi, W & WW Sup
Date: 5/30/18
Re: Fire Hydrant Painting 2018-2019

Patrick,

In an attempt to be more efficient with my time, I would like to request using the bid received last January to conduct the work for the following 18-19 fiscal year under this bid.

This work would be completed in conjunction with the bid for the current fiscal year work approved by council this spring.

I do not anticipate a lot of changes in the last five months regarding this type of work. Therefore, I feel justified in using the same bid.

Please consider this as a request to hire Bosk Corporation of Escanaba, Mi. to paint ninety (90) fire hydrants at a cost not to exceed $45,000, as per the specifications within the Fire Painting Bid package.

Money is budgeted in the 18-19 fiscal year for this work.

Pc: Melissa Becotte, City Controller
Memo

To: Patrick Jordan, City Manager
From: Jeff Lampi, W & WW Supt.
Date: 5/29/18
Re: Lead Service Line Replacement Grant Work – 2018

Patrick,

We have received a grant totaling $295,000.00 geared toward the physical replacement of what the EPA has determined to be a Lead Service Line (LSL). As part of the grant, our local purchasing policy must be followed to encourage competitive bidding on this project.

I have submitted and received four (4) bids for this work. I made every attempt to make this bid as straight laced as possible, but there are many variables that make it very difficult to award this work fairly. As units with varying costs may or may not occur on each job. So, I took what we believe to normal quantities and conditions for a single water service to make an award decision on. Please see attached Bid tab comparison spreadsheet.

Any cost for mobilization was averaged over 25 sites, so as to equalize this cost. This only applies to two of the bidders, so after 25 sites, the cost per site will decrease. This makes their per site cost more efficient.

I would like to make full use of this grant money, and not leave several thousand dollars go unspent. I have plans to utilize a very detailed spread sheet to track these costs as they occur. However; I feel this project could be very fast paced, so some costs may be incurred before we realize the final sum. Therefore, I would like to have a failsafe planned to allow for unforeseen issues in delayed billing and expenses. The City will also incur costs for providing most of the material needed for the installation of the water service. These City costs will also be a part of the total amount of the grant money awarded.

I would like to have an additional Twenty Thousand ($20,000.00) dollars earmarked for this work in case we slightly exceed the grant payables. Please note that we will make every effort not to exceed the grant money available.

I would like your authorization along with Council Approval to retain Oberstar, INC; of Marquette, MI; to conduct the work as written in the LSL Replacement bid, to utilize all of the available money ($295,000.00) allotted for the construction aspect of this Grant. **Contingent upon receiving the LSL Grant from the State.

In addition; I request council approval to have the ability to utilize up to five thousand dollars ($5,000.00) to cover any overages occurred during the final billing. Money is not budgeted for this type of work, but can be made available if needed.

Pc: Melissa Becotte, City Controller
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**Contractor total for known items:**
$9,489.00
$8,820.00
$4,287.47
$8,446.27
$6,642.95
$9,461.33
$7,098.00
$6,302.00

**Materials to be provided by City:**
$755.28
$725.28
$755.28
$755.28
$755.28
$755.28
$755.28
$755.28

**Total per Bldg:**
$9,489.00
$8,820.00
$4,287.47
$8,446.27
$6,642.95
$9,461.33
$7,098.00
$6,302.00

**sites that may be completed:**
30.8
31.1
28.5
41.8

**Mobile fees / 25 sites:**
$840.50
$1,011.10
$755.28
$500.00

**Home Owner Payment:**
$250.00
$250.00
$250.00
$250.00
$250.00
$250.00
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$250.00

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**Material provided by City:**
$755.28

**Adjusted LID Grant Reimbursement Sum:**
$755.28

**Home owner payment:**
$250.00

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**Total:**
$250.00
$250.00
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**Note:**
Adjusted LID Grant Reimbursement Sum
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**Present:***

*Signature*