Regular Meeting
Thursday, July 20, 2017, at 7:00 p.m.

1. Fireworks Ordinance.
   Explanation: The City Council will conduct an informational public hearing to hear comments from members of the public regarding the City current Fireworks Ordinance No. 1152.

2. Public Hearing - CDBG Resolution - Northern Initiatives Revolving Loan Fund - Northern Machining and Repair, Inc.
   Explanation: This is a public hearing on a proposed CDBG resolution, which supports the approval of a $175,000 loan from Northern Initiatives to Northern Machining and Repair, Inc. of Escanaba, MI. The funds from the loan will be used to assist for the purchase new equipment and will result in the hiring of five (5) new employees, 51% of whom have been previously classified as low to moderate income persons.

NEW BUSINESS

   Explanation: Council is requested to approve a State of Michigan HAVA Grant Agreement for the Dominion Voting Election System, and designate City Clerk Richards as the Grant Manager who will serve as its single point of contact with the Department of State. The Dominion Voting Election System will be purchased with HAVA funds. The equipment, through the Image Cast System, will also allow voters who have a physical disability or are blind, visually impaired or otherwise unable to mark a ballot in the usual way to do so on the Image Cast System election equipment. One tabulator, and Image Cast system election machine, will be in place at each of the City’s precincts beginning with the City November 7, 2017, General Election.

   Explanation: Council will discuss a decision of the Zoning Board of Appeals which took place on June 6, 2017, to allow Lamar Advertising to relocate/install a new Billboard Sign located at 711 Stephenson without the requirement of approval from the Planning Commission as required under the City of Escanaba’s Sign Ordinance: Section 2012.10 Review Authority.

Respectfully Submitted

Patrick S. Jordan
City Manager
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, Patricia A. Baribeau, Ronald J. Beauchamp, Ralph B. Blasier, and Michael R. Sattem.

Absent: None

Also Present: City Manager Patrick Jordan, City Attorney Ralph B. K. Peterson, City Clerk Richards, City Department Heads, media, and members of the public.

City Clerk Richards led Council in the Pledge of Allegiance.

Sattem moved, Blasier seconded, CARRIED UNANIMOUSLY, to approve Regular Meeting minutes from June 15, 2017, Special Meeting minutes from June 14, 2017, and June 27, 2017, as submitted.

ADJUSTMENTS TO THE AGENDA

Blasier moved, Sattem seconded, CARRIED UNANIMOUSLY, to approve the Agenda as submitted.

CONFLICT OF INTEREST DECLARATION — None

BRIEF PUBLIC COMMENT — None

PUBLIC HEARINGS

Second Reading(s) — West Highland Apartments and Sand Hill Townhomes — Payment in Lieu of Taxes Ordinance Approval - Ordinances No. 1185 and 1186.

The City Council conducted a public hearing on a request from the Access Group, LLC of Troy, MI, on a request to separate an existing Payment in Lieu of Taxes Agreement into two (2) separate PILT Ordinances for financing purposes of the West Highland Apartments and the Sand Hill Townhomes. The proposed ordinances provide for the same payment arrangement as provided in the current ordinance.

This being a public hearing, Mayor Tall asked if there was any public comment regarding City proposed Ordinances No. 1185 or 1186.

Hearing no public comment, Mayor Tall closed the public hearing.
PH-1a "By Council Member Blasier, seconded by Council Member Baribeau;

Resolved, That Ordinance No. 1185, an Ordinance to Amend Chapter 26 – Taxation of the Code of Ordinances of the City of Escanaba, given its public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter."

Herewith Ordinance No. 1185 adopted by title:

"AN ORDINANCE TO AMEND CHAPTER 26 - TAXATION OF THE CODE OF ORDINANCES OF THE CITY OF ESCANABA"

Full text in Ordinance Record "K".

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

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

RESOLUTION DECLARED ADOPTED.

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

Resolved, That Ordinance No. 1186, an Ordinance to Amend Chapter 26 – Taxation of the Code of Ordinances of the City of Escanaba, given its public hearing at this meeting, be and is hereby adopted and that it be published in accordance with the requirements of the City Charter."

Herewith Ordinance No. 1186 adopted by title:

"AN ORDINANCE TO AMEND CHAPTER 26 - TAXATION OF THE CODE OF ORDINANCES OF THE CITY OF ESCANABA"

Full text in Ordinance Record "K".

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

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

RESOLUTION DECLARED ADOPTED.

NEW BUSINESS
City Council Minutes
July 6, 2017 – cont.

Approval – 2017/18 Street Paving Contract Award – Department of Public Works.

Administration sought Council approval to retain Payne and Dolan, Inc. of Gladstone, MI for the 2017/18 fiscal year paving projects. Administration recommended Council approval of the proposed stated unit prices. This appropriation was included in the approved FY2017/18 budget.

Public Works Director Bill Farrell briefly reviewed how streets were chosen and the scope of work.

NB-1 Sattem moved, Beauchamp seconded, to approve to retain Payne and Dolan, Inc. of Gladstone, MI for the 2017/18 fiscal year paving projects at the proposed stated unit prices.

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

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

MOTION CARRIED.

Approval – Banking Services Contract – Treasurer's Office.

Administration sought Council approval to retain M-Bank of Escanaba, MI for required banking services through 2020. Under the terms of the M-Bank proposal, a 1.55% fixed rate on deposits with minimal fees and charges were included.

City Treasurer Robert Valentine briefly reviewed the proposals received, and recommended to retain M-Bank of Escanaba.

NB-2 Blasier moved, Sattem seconded, CARRIED UNANIMOUSLY, to approve to retain M-Bank of Escanaba, MI for required banking services through 2020.

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

- The next scheduled Council meeting will include a public hearing on fireworks in the community.
Hearing no further public comment, the Council adjourned at 7:15 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved:

Marc D. Tall, Mayor
We all enjoy a good firework display and the City of Escanaba does a great job every 4th of July! However, 9 days is excessive. Especially since many violate the firework ordinance as it is currently stated. Show your support and let’s get back to the State of Michigan 3 day law and a stricter Ordinance. Even though a good number of us are law abiding citizens, too many are choosing not to follow the rules by lighting fireworks in the crowded park and way past the 1am curfew. On Thursday, July 20th at 7:00pm, we will be addressing the firework issue at the Escanaba City Council meeting. If you would like to see change in the City of Escanaba Firework Ordinance, please sign this petition. The hardworking, tax paying citizens of Escanaba deserve to have their voices heard! **We encourage anyone interested, to attend the July 20th meeting and to speak out and share your thoughts as well!**
AN ORDINANCE TO AMEND CHAPTER 18, SECTION 18-212, OF THE CITY OF ESCANABA CODE OF ORDINANCES IN ORDER TO REGULATE THE SALE, DISCHARGE STORAGE, POSSESSION, TRANSPORTATION AND DISTRIBUTION OF FIREWORKS

THE CITY OF ESCANABA ORDAINS:

CHAPTER I

Chapter 18, Article VII, Division 1, Section 18-212, is hereby amended to read as follows:

Section 18-212. FIREWORKS.

(a) The term “Firework” or “Fireworks” means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low impact fireworks, articles pyrotechnic, display fireworks, and special effects, as defined by the Michigan Fireworks Safety Act, Act 256 of 2011.

(b) The sale, discharge, storage, transportation and distribution of fireworks in the City of Escanaba shall be governed by the Michigan Fireworks Safety Act: Act 256 of 2011.

The use of low impact fireworks, as defined in the Michigan Fireworks Safety Act of 2011, (ground and hand held sparkling devices) will be permitted year-round.

(c) Use of Consumer fireworks, as defined in the Michigan Fireworks Safety Act, in the City of Escanaba with the exception of Memorial Day, Independence Day and Labor Day(1) is limited to the day before, the day of, and the day after, a federal holiday, contingent on the following:

i. Fireworks shall not be sold to a minor.

ii. No person under the age of 18 years shall use, possess, explode or cause to explode any fireworks, as defined herein, within the city.

iii. No person under the age of 18 years shall buy, purchase, acquire or obtain any fireworks, as defined herein, within the city.

iv. A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization’s or person’s express permission.

v. For purposes of this ordinance, federal holidays are: New Year’s Day, Birthday of Martin Luther King Jr., Washington’s Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran’s Day, Thanksgiving, and Christmas Day.

vi. The use of consumer fireworks between the hours of 1:00 A.M. and 8:00 A.M. on permitted days as outlined in section 7 (2) and (2b) of Public Act 256 of 2011, is prohibited.
(1) Exception: Consumer fireworks as defined in the Michigan Fireworks Safety Act, in the City of Escanaba may be used four days before Memorial Day, Independence Day and Labor Day, on Memorial Day, Independence Day and Labor Day, and 4 days after Memorial Day, Independence Day and Labor Day.

(d) Upon application in writing to the City of Escanaba by any association or group of individuals for the public display of fireworks, the Director of Public Safety may grant permission for such display, subject to such conditions as the Director of Public Safety or his designee may impose to properly safeguard the public, both as to persons and property; and subject to the provisions of the Michigan Fireworks Safety Act, Act 256 of 2011, section 28.466.

(e) Any persons violating any provisions of this article shall be responsible for a civil infraction. The penalty for the first offense shall be $50.00 and, for the first repeat offense, $250.00. For the second or subsequent repeat offense, the fine shall be no more than $500.00.

CHAPTER II
SAVINGS CLAUSE

If any section, subsection, sentence, clause or phrase of the within Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

CHAPTER III
REPEALING CHAPTER

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

CHAPTER IV
EFFECTIVE DATE

This Ordinance shall be in full force and effect ten (10) days after its passage and publication.

APPROVED: Marc D. Tall, Mayor

Ralph B.K. Peterson, City Attorney

ATTEST:

Robert S. Richards, CMC
City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Escanaba, County of Delta, Michigan, at a Regular Meeting held on the 5th day of June, 2014, and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on June 10, 2014, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Robert S. Richards, CMC
City Clerk
MEMORANDUM

Date: July 7, 2017

To: Patrick Jordan, City Manager

From: Bob Valentine, City Treasurer

Subject: July 20, 2017 Council Agenda Item

I have requested that a public hearing be held at the July 20th council meeting for the purpose of obtaining public comment on a proposed $175,000 MEDC/CDBG loan to Northern Machining. The loan is being processed and underwritten by Northern Initiatives, using the City's CDBG funds which were previously transferred to them. MEDC has retained oversight of the CDBG loan program, and they require that a public hearing be held before they will authorize the loan.

Attached is a resolution in a format required by MEDC. Also attached is a copy of the public notice, using a template from MEDC, which we are running in the Daily Press one time on July 10, 2017. The third attached document is part one of the loan application. MEDC requires that part one be made available for public viewing at City Hall.

Let me know if you require any further documentation. Thanks.
RESOLUTION
APPLICATION FOR FUNDING THROUGH THE CITY OF ESCANABA

STATE OF MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REVOLVING LOAN FUND (RLF) PROGRAM.
FOR NORTHERN MACHINING & REPAIR, INC.

WHEREAS, Northern Machining & Repair, Inc. has made application through Northern Initiatives, Inc. for the City of Escanaba CDBG Revolving Loan Funds in the amount of $175,000 to aid with equipment 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 Funs Approval Committee; and

WHEREAS, the Regional Fund Approval Committee has reviewed and approved said application submitted by Northern Machining & Repair, Inc. on June 22, 2017; 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 July 20, 2017.

THEREFORE BE IT FURTHER RESOLVED that The City of Escanaba acknowledges that it has held a public informational meeting on July 20, 2017 in regard to the CDBG Revolving Loan Fund Application by Northern Machining & Repair, Inc. in the amount of $175,000 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. 

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

Ayes:
Nays:

RESOLUTION DECLARED ADOPTED.

I the undersigned, being duly qualified and acting City Clerk of the City of Escanaba, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Escanaba City Council of the City of Escanaba, County of Delta, Michigan, at a regular City Council Meeting held on Thursday, July 20, 2017, and that said meeting was conducted and public notice was given pursuant to and in full compliance with the Open Meetings Act, Act 267, Public Acts of Michigan, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

________________________________________
Robert S. Richards, CMC, City Clerk
CITY OF ESCANABA
NOTICE OF PUBLIC HEARING FOR
MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING
FOR NORTHERN MACHINING AND REPAIR, INC.

The City of Escanaba will conduct a public hearing on July 20, 2017 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
purposed of affording citizens an opportunity to examine and submit comments on the proposed
application for a CDBG grant.

The City of Escanaba proposes to use $175,000 of CDBG funds in the form of a loan to Northern
Michigan and Repair, Inc. to assist with equipment purchase, which will result in the hiring of
five (5) new employees, 51% of whom have been previously classified as low or moderate
income person. 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 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 20, 2017 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
410 Ludington Street
Escanaba, MI 49829
STATE OF MICHIGAN
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Business Development Part I Application
For eligible activities administered by the Michigan Economic Development Corporation (MEDC)
on behalf of the Michigan Strategic Fund (MSF)

Michigan Strategic Fund
c/o Michigan Economic Development Corporation
Community Development Block Grant
300 North Washington Sq., Lansing, MI 48913
CDBG@michigan.org | www.michiganbusiness.org
July 2014
<table>
<thead>
<tr>
<th><strong>Identification of UGLG</strong></th>
<th><strong>Funding Sources Totals (if multiple properties, include all)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Unit of General Local Government (UGLG)</strong></td>
<td><strong>CDBG</strong></td>
</tr>
<tr>
<td>Street/PO Box</td>
<td><strong>410 Ludington Street</strong></td>
</tr>
<tr>
<td>City</td>
<td><strong>Escanaba</strong></td>
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<tr>
<td>County</td>
<td><strong>Delta</strong></td>
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<tr>
<td>State/Zip</td>
<td><strong>MI. 49829</strong></td>
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<tr>
<td><strong>Chief Elected Official Name</strong></td>
<td><strong>Marc Tall</strong></td>
</tr>
<tr>
<td><strong>Chief Elected Official Title</strong></td>
<td><strong>Mayor</strong></td>
</tr>
<tr>
<td><strong>Chief Elected Official Email</strong></td>
<td><strong><a href="mailto:mtall@escanaba.org">mtall@escanaba.org</a></strong></td>
</tr>
<tr>
<td><strong>UGLG Project Contact (PC) Name</strong></td>
<td><strong>Dale J. Cook</strong></td>
</tr>
<tr>
<td><strong>UGLG PC Title</strong></td>
<td><strong>Commerical Lender</strong></td>
</tr>
<tr>
<td><strong>UGLG PC Address</strong></td>
<td><strong>PO Box 7009 Marquette, MI. 49855</strong></td>
</tr>
<tr>
<td><strong>UGLG PC Telephone Number</strong></td>
<td><strong>715-923-0620</strong></td>
</tr>
<tr>
<td><strong>UGLG PC Fax Number</strong></td>
<td><strong>888-392-0962</strong></td>
</tr>
<tr>
<td><strong>UGLG PC E-Mail Address</strong></td>
<td><strong><a href="mailto:dccook@northerninitiatives.org">dccook@northerninitiatives.org</a></strong></td>
</tr>
</tbody>
</table>

**State Government representation**

| **Senator Name** | **Tom Casperson** | **Senate District** | 38 |
| **Representative Name** | **Beau LaFave** | **House District** | 108 |

**Federal Government representation**

| **Representative Name** | **Jack Bergman** | **Congressional District** | 1 |

**UGLG Capacity and Conflict of Interest**

1. If known, identify consultants who will be responsible for administering the proposed project (include names and contact information):

   - N/A, consultant not yet known
   - N/A, consultant not anticipated
   - Contact information provided

**Name:** Northern Initiatives

**Business Address:** N.M.U. Jacobetti Center, 1401 Presque Isle, Suite #202, Marquette, MI. 49855

**Phone #:** 715 923-0620

**E-mail:** dcook@northerninitiatives.org
<p>| | |</p>
<table>
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<tbody>
<tr>
<td><strong>Please Note:</strong> Refer to Application Guide for guidance on Administrative Costs.</td>
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<tr>
<td>2. Has the UGLG received CDBG grants in the past five years and/or have any open CDBG grants? This includes CDBG grants provided by the MSF/MEDC and all MSHDA CDBG programs.</td>
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<td></td>
<td>Yes □ No</td>
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<td>see attached</td>
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<td>3. Does the applicant have any outstanding CDBG grants that have not been drawn down?</td>
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<td>Yes □ No If yes, describe: The City of Escanaba has contractual obligation under the RLF Regional Management Program.</td>
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<td>4. Will local officials and staff be a party to any contract involving the procurement of goods and services assisted with CDBG funds?</td>
<td></td>
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<td></td>
<td>Yes □ No If yes, describe:</td>
</tr>
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<td>5. Will any person who is an employee, agent, consultant, officer, elected or appointed official of the UGLG obtain a financial interest or benefit from a CDBG assisted activity or have an interest in any contract, subcontract or agreement with respect thereto, or in the proceeds hereunder, either for themselves or for those with whom they have family or business ties, during their tenure or for one year thereafter?</td>
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<td></td>
<td>Yes □ No If yes, describe:</td>
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<tr>
<td>6. Please indicate below whether or not the UGLG has a contractual relationship with one of more of the following entities:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Michigan Economic Development Corporation Yes □ No</td>
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<td>Michigan Association of Realtors Yes □ No</td>
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<td></td>
<td>Michigan Department of Licensing &amp; Regulatory Affairs Yes □ No</td>
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<td>Michigan Department of Treasury Yes □ No</td>
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<td>Greentrone Financial Yes □ No</td>
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<td>Michigan Regional Council of Carpenters Yes □ No</td>
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<td>PNC Financial Services Group Yes □ No</td>
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<td></td>
<td>Springfield Commercial Roofing Yes □ No</td>
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<td></td>
<td>Grand Angels Yes □ No</td>
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If yes to any of the above, please describe the nature of relationship.

CDBG/Regional Revolving Loan Funds

7. Describe the company’s expansion plans. Include all work activities, including but not limited to, leases, property/easement acquisitions, demolition, building construction or improvements, and machinery and equipment purchase/installation for which matching funds will be used.

Local business specializing in heavy industrial maintenance, machining, welding, sales and fabrication is requesting funds to help assist in the purchase of a tractor and trailer that will help produce 5 new jobs over the next 2 years. Northern Machining & Repair serving Escanaba since 1985 currently employs 43 individuals. Recently the company acquired a hydro repair company and will now be expanding their services and is in need a tractor trailer to support ground freight of large items.

8. Provide the history of the problems associated with this project and explain how this project will help alleviate those problems.

n/a

9. Identify the impact the proposed project will have on the diversification of local and state economies and the significance of added value the project carries, including financial value added through sales, use of existing local and state suppliers and secondary jobs created.

Diversification will occur within local and state economies through manufacturing and repair of heavy hydro equipment. Product services territory covers the entire Great lakes Region / water shed. Machining and Repairs will help local workforce and provide an additional 5 employees over 2 years. New employees living and working in the community will contribute the local economy by purchasing goods and services from other local businesses. State will benefit from these purchases via sales tax, etc..

10. For Job Training Projects Only: Does the proposed project involve vendor training costs using CDBG funds?

☐ Yes ☐ No

If yes, are multiple cost estimates or a certification attached?

☐ Yes ☐ No

11. For Job Training Projects Only: Describe the type of training NEW employees need in order for the company to expand. Include the following:

a. The type of training
On the Job -
Vendor -

b. The number of new employees to be trained

On the Job -
Vendor -

c. The number of training hours needed per employee

On the Job -
Vendor -

d. The training cost per employee

On the Job -
Vendor -

e. Describe how the training cost per employee was determined

On the Job -
Vendor -

f. Who will be responsible for conducting the training

On the Job -
Vendor -

<table>
<thead>
<tr>
<th>12. For Job Training Projects Only: Describe the type of training EXISTING employees need in order for the company to expand. Include the following:</th>
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</thead>
<tbody>
<tr>
<td>a. The type of training</td>
</tr>
<tr>
<td>b. The number of new employees to be trained</td>
</tr>
<tr>
<td>c. The number of training hours needed per employee</td>
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<tr>
<td>d. The training cost per employee</td>
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<tr>
<td>e. Describe how the training cost per employee was determined</td>
</tr>
<tr>
<td>f. Who will be responsible for conducting the training</td>
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</tbody>
</table>

| 13. Provide a clear and concise description of the overall proposed project including all work activities. Include the number of businesses/properties involved, the type of assistance needed and why: |
The loan request will be used for a tractor and trailer. $175,000.00 of RLF funding will support this equipment and will assist with the hiring of 5 new employees. As the recent acquisition of a hydro repair company will expand footprint in the market and leverage the companies, resources, reputation becoming a major player in the market.

14. Provide the history of the problems associated with this project and explain how this project will help alleviate those problems.

N/a

15. What is the square footage of public space being improved or reactivated?

N/A

Check here if Not Applicable: ☐

16. Describe the specific work activities to be completed on UGLG or publicly owned property with CDBG funds and match funds (use bullets).

N/A

Complete Attachment C for work activities to be completed on privately owned property. Check here to indicate if Attachment C is needed: ☐

17. Describe the location and boundaries of the project, including the street address and property ownership (i.e. UGLG property, other public property, private property) where all project activities will occur.

1701 N 26th Street, Escanaba, MI 49829

18. Provide a detailed map showing all project activities and any district they are located within (i.e. LDFA).

Attached: ☐ Yes ☐ No

19. Historic Property Screening: Is the property? (check all that apply):

- Listed in the National Register of Historic Properties ☐
- Potentially eligible to be listed in the National Register of Historic Properties ☐
- Listed in a state or local inventory of historic places ☐
- Designated as a state or local landmark or historic district ☐
- None of the above ☐

Comments, if needed:
20. Will the project result in the demolition or conversion of residential dwelling units, both occupied and vacant?
   □ Yes □ No

21. Will the project result in special fees (i.e., tap in / hookup fees, special assessments)?
   □ Yes □ No

22. Provide architectural renderings or pictures in color illustrating what the building will look like after project completion.
   Attached: □ Yes □ No □ Not Applicable

23. In addition to all prior questions, Planning Projects must answer the following (Not Applicable for Other Projects):
   a. Describe the specific objectives and outcomes of the planning project.

       N/A

   b. Describe the local and regional impact the planning project will have. Identify the development value and expected impact that the planning project will have on the community in six months, two years, and five years. Explain how the proposed planning project supports related local, regional and state community and economic development strategies.

       N/A

   c. If the planning project is implemented in the future, what is the anticipated number of jobs created?

   d. What is the estimated number of low and moderate jobs created?

       N/A

24. Other than the preliminary cost estimates, describe the status of any engineering plans or specifications. If engineering plans or specifications have been completed, please provide copies.
   None - N/A

   If completed, are they attached? □ Yes □ N/A
PLEASE NOTE: Costs for engineering and/or architectural plans to be funded with non-CDBG funds may be incurred at the UGLG’s own risk with written authorization from the MSF and may be included in the project budget as match.

Costs for engineering and/or architectural plans to be funded with CDBG funds may be incurred with written authorization from the MSF once the Grant Agreement has been executed and may be included in the project budget. CDBG Procurement requirements apply to all CDBG funded CDBG funds may be jeopardized or withdrawn if written authorization from the MSF has not been provided prior to signing an engineering and/or architectural contract for expenses other than the preliminary costs for completing the Part I Application.

25. Describe all temporary or permanent relocation of businesses, non-profit organizations, homeowners, or tenants needed in order to complete the project. Include the address, names of anticipated displaced parties, type of displacement (residential or business) and whether the parties are owners and/or tenants.

N/A

Not applicable, if completing Attachment C, check here to indicate: ☐

26. Describe all leases, easements, and property option/purchase agreements needed in order to complete the project activities at this property location. Include the anticipated seller, buyer, property description/location and cost.

N/A - Equipment Project.

PLEASE NOTE: Costs for acquiring real property, to be fully funded with non-CDBG monies, may be included in the project budget as match and may be incurred at the UGLG’s own risk once the environmental review and Uniform Act requirements have been completed and written authorization to incur these costs has been provided by the MSF.

Costs for acquiring real property, to be partially or fully funded with CDBG monies, may be included in the project budget and may be incurred with written authorization from the MSF once the environmental review and Uniform Act requirements have been completed and the Grant Agreement has been executed by all parties.

CDBG funds will be jeopardized or withdrawn if written authorization from the MSF has not been provided prior to signing option/purchase/lease/easement agreements.

27. List and describe the status of any local, state and federal permits required for implementation of the proposed project.
28. In the below space, provide an overall project schedule that includes the anticipated start and completion dates (attachments are not acceptable).

<table>
<thead>
<tr>
<th>Activities</th>
<th>Start Date</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering and/or design</td>
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<td></td>
</tr>
<tr>
<td>Property acquisition, if applicable</td>
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<td>Bidding, if applicable</td>
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<tr>
<td>CDBG funded activities</td>
<td>8/31/2017</td>
<td>8/31/2017</td>
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<td>UGLG funded activities</td>
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<td>Other funded activities</td>
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<tr>
<td>Job Creation</td>
<td>8/31/2017</td>
<td>8/31/2019</td>
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</tbody>
</table>

PLEASE NOTE: When completing the schedule, please refer to Application Guide with regard to when project costs can be incurred. The attached schedule will be incorporated into the Grant Agreement with the UGLG.

Project budget (All projects)

29. Complete Attachment A (Project Budget). Include all funding sources and identify all project activities. There must be separate line items for: Architecture and/or Engineering; Construction/Contingency; Planning; Demolition/Contingency; Administration; and Acquisition.

Have you attached either three cost estimates or an independent third party quote for all CDBG funded costs (including administration)? PLEASE NOTE: An appraisal is required for CDBG funded acquisitions.

☐ Yes ☐ No

PLEASE NOTE: Costs for preparing independent cost estimates may be incurred at the UGLG’s own risk without written authorization, but may not be included in the project budget as match. Refer to Application Guide for guidance on administrative costs.

30. List the specific source (i.e., DDA, Water & Sewer Fund, General Fund, Private Donation) and dollar amount of any local, state, or other federal funding associated with this project including grants and/or loans. Tax incentives should NOT be included on the project budget, but should be listed here.

N/A
31. Identify any program income from previously awarded CDBG grants that the UGLG has available.
N/A
# Northern Machining and Repair, Inc.

## PROJECT BUDGET

**MICHIGAN ECONOMIC DEVELOPMENT CORPORATION**

**MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

<table>
<thead>
<tr>
<th>1. Applicant:</th>
<th>Northern Machining and Repair, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Project Title:</td>
<td>&quot;Tractor / Trailer&quot;</td>
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<table>
<thead>
<tr>
<th>3. Project Cost Elements</th>
<th>4. Project Funding Sources (identify all other funding sources).</th>
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<tr>
<td><strong>Activities</strong></td>
<td><strong>CDBG</strong></td>
</tr>
<tr>
<td>Architecture and/or Engineering</td>
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<tr>
<td>Infrastructure Improvements</td>
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<tr>
<td>Building Improvements</td>
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<td>Demolition</td>
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</tr>
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<td>Acquisition</td>
<td></td>
</tr>
<tr>
<td>Planning</td>
<td></td>
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<tr>
<td>Administration</td>
<td></td>
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<tr>
<td>Equipment</td>
<td><strong>$175,000.00</strong></td>
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<td>Other</td>
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<tr>
<td>Working Capital</td>
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</table>

| **TOTALS** | **$175,000.00** | **$0.00** | **$0.00** | **$0.00** | **$0.00** | **$175,000.00** |
1. Complete Attachments D1 and D2 (if applicable) to explain how the business will meet the National Objective of benefitting low and moderate income persons. Include the anticipated number of jobs to be created and the anticipated number of jobs to be held by low and moderate income persons.

Attachment D1 and D2 Attached:  Yes  No

2. Explain how the business intends to target low and moderate income persons for employment. This explanation or Employment Plan may include use of a Michigan Works! Agency for targeting low and moderate income persons for employment (Attachment D3).

Attachment D3 Attached:  Yes  No

If not providing Attachment D3, please provide an explanation of the plan here:
### ATTACHMENT C

**Project Details for Business/Private Property Driven Projects**

1. **Describe the project to be completed at this property. Include the following:**
   a. **Property Address:** 1701 N 26th Street, Escanaba, MI 49829
   b. **Current Owner(s):** Jon Liss
   c. **Future Ownership:** Jon Liss
   d. **Background on Business Located or that is located at property:** 40,000 sqft - Fabrication and machine shop.

2. **Check all statements that apply regarding occupancy:**

   - [ ] The property does not have occupants (tenants, property owners, etc.). Therefore, the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970 will not apply.
   - [ ] The property does have occupants (tenants, property owners, etc.). However, the occupants will not be permanently displaced. Please provide the following for each occupant:
     - Property owner or tenant?
     - Name:
     - Address:
     - Phone Number:
     - E-mail Address:
   - [ ] The property does have occupants (tenants, property owners, etc) and the occupants will be permanently displaced. Please provide the following for each occupant:
     - Property owner or tenant?
     - Name:
     - Address:
     - Phone Number:
     - E-mail Address:

3. **What is the square footage of private space being improved or reactivated?**

4. **Have CDBG funds been used at this property and/or business address in the past?**
5. Describe all leases, easements, and property option/purchase agreements needed in order to complete the project activities at this property location. Please identify all parties involved and any estimated costs associated with these activities:

n/a

PLEASE NOTE: Incurring costs; including CDBG, local, and private costs prior to authorization and/or completion of the environmental review could jeopardize the proposed CDBG funding.

6. Are there tenants at this property address? □ Yes □ No

If so, are they residential or business?

□ Residential □ Business □ N/A

Please provide the following for each tenant:

Name:

Business Address:

Phone #:

E-mail:

PLEASE NOTE: Additional guidance on property acquisition and tenant relocation can be found in the Application Guide

7. Describe the specific work activities to be completed with CDBG funds and match funds (use bullets).

Equipment purchase to help support job creation.

8. Describe the source of the private funding and the status of any necessary approvals for financing:

n/a

9. Will the project relocate jobs from one labor market area to another? □ Yes □ No
## Estimated Employment Creation and/or Retention Form

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<tr>
<th>Employment Category</th>
<th>Present Number of Permanent FT and FTE Jobs (Number)</th>
<th>Average Hourly Wage Rate of Existing Jobs</th>
<th>Permanent FT and FTE Jobs to be Created During Project Period (Number)</th>
<th>New Hires Lowest Starting Hourly Wage Rates (Created Jobs Only)</th>
<th>New Hires Average Starting Hourly Wage Rates (Created Jobs Only)</th>
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<tr>
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<td>3</td>
<td>$18.00</td>
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<tr>
<td>Craftsmen*</td>
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<td>Operators**</td>
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<tr>
<td>Totals</td>
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<td>$15.00</td>
<td>$17.50</td>
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</table>

*Skilled **Semi-Skilled ***Unskilled

**Skilled**

List of Fringe benefits to be provided for created jobs:
- Health, dental, vision, retirement, vacation, sick time.

**Authorized Company Official**

Certification is made that the above data is the most accurate available based on current information and knowledge.

Signature:

Name: Jon Liss
Title: Owner / President
DEFINITIONS AND INSTRUCTIONS FOR COMPLETION OF ESTIMATED EMPLOYMENT CREATION/RETENTION FORM

For purposes of the Downtown Façade Job Creation Program, the following definitions apply:

**Full-Time Job (FT)** - An employee who has 2080 hours of paid employment on an annual basis or one that is paid for 35 or more hours per week.

**Full-Time Equivalent Job (FTE)** – A combination of employees that individually have less than 2080 hours of paid employment on an annual basis or work less than 40 hours per week, and are converted to full-time equivalent (FTE) jobs by dividing the total annual hours worked by 2080 hours or dividing the total weekly hours worked by 40 hours.

**New Job** - A new FT or FTE permanent job that did not exist prior to this project and came about as a result of this project. The jobs are intended to be permanent and sustainable. Jobs that exist prior to the start of the project or result independently from the project will not be considered.

**Instructions for completing Attachment D1:**

Present Number of Permanent FT & FTE Jobs (#/$) - Identify the present number of all FT and FTE permanent private sector jobs and the average hourly pay rate of existing jobs.

Permanent FT & FTE jobs to be created during the project period (#) - Identify the number of new FT or FTE jobs that did not exist prior to this project and came about as a result of this project. The jobs to be created are intended to be permanent and sustainable. Jobs that exist prior to the start of the project or result independently from the project should not be considered.

**ONLY NEEDED FOR RETENTION PROJECTS** - Permanent FT & FTE jobs to be retained during the project period. Identify the number of FT and FTE jobs to be retained as a result of the CDBG funded project that would not otherwise exist in the absence of the project.

**Lowest Starting and Average Starting Hourly Wage Rates ($/$)** - Identify the lowest starting hourly wage rate and the average hourly wage rates of the jobs to be created/retained.

Employment Categories are defined as follows:

a) Managerial – occupations requiring administrative personnel who set broad policies, exercise overall responsibility for execution of these policies and direct individual departments of special phases of a firm’s operations.

b) Professional – occupations requiring either college graduation or experience of such kind and amount as to provide a comparative background.

c) Technical – occupations requiring a combination of basic scientific knowledge and manual skills which can be obtained through approximately two years of post high school education, such as is offered in many technical institutions and junior colleges, or through equivalent on-the-job training.

d) Sales – occupations engaging wholly or primarily in sales.

e) Clerical – includes all clerical-type work regardless of level of difficulty, where the activities are primarily non-manual.

f) Craftsman (skilled) – manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work; exercise independent judgment and usually require extensive training.

g) Operators (semi-skilled) – workers who operate machines or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require limited training.

h) Laborers (unskilled) – workers in manual occupations which generally require no special training.

i) Service worker – all workers in service type industries.
ATTACHMENT D2 (IF APPLICABLE)

DOCUMENTATION OF BENEFIT TO LOW AND MODERATE INCOME PERSONS FORM

The UGLG and Northern Machining & Repair, Inc. agree that 45 jobs will be created as a result of this project and that at least 51% of the jobs will be held by low and moderate income persons (income limits). Each party recognizes that the purpose for making an application for a CDBG grant is to create employment opportunities benefiting low and moderate income persons. Each party recognizes that should job creation goals for low and moderate income persons not be met, the project shall fail to qualify under the low and moderate income national objective. Each party recognizes that the State retains the right to require the applicant or the company to repay the full amount of any grant funds awarded should the project fail to qualify under this national objective.

Authorized Official of UGLG (Community)

UGLG:
Signature: 
Title: 
Date: 
Telephone Number: 
Email Address: 

Authorized Representative of Company

Legal Business Name: Northern Machining & Repair, Inc.
Street Address: 1701 N 26th Street
City, State and Zip Code: Escanaba, MI. 49829
Signature: 
Name: Jon Liss 
Title: 
Owner 
Telephone Number: 906 786-0526 
Email Address: melisa@northernmachining.com
ATTACHMENT D3 (IF APPLICABLE)

EMPLOYMENT AGREEMENT

The Unit of General Local Government (hereinafter the "UGLG"), the company (hereinafter the "Employer") agree to be bound by the following hiring guidelines as required by the terms of the Michigan Community Development Block Grant (CDBG) Program Grant Agreement.

1. GENERAL TERMS

A. These guidelines shall take effect when the UGLG and the Employer sign this agreement.

B. The UGLG and the Employer wish to assure continuing employment opportunities for economically disadvantaged and low and moderate-income persons in the local area.

C. The Employer commits to making at least 51 percent of the jobs available to low and moderate income persons and will provide training for any jobs requiring special skills and education.

2. RECRUITMENT AND SCREENING

A. Hiring will be initiated by a classified advertisement in one or more of the following places so that the job(s) are advertised and made available to low and moderate income persons:
   
   i. a local newspaper
   
   ii. internet job sites
   
   iii. company website
   
   iv. Michigan Works! Agencies
   
   v. other sources that may result in identifying prospective low and moderate income applicants

B. All applicants (including those who are not hired) will be required to complete an Income Certification Form and the form will be kept in the Employer’s file.

3. RECORDKEEPING

A. A listing of the permanent jobs filled will be kept by the Employer – this includes full time and part time jobs.

B. A listing of the jobs to be filled that require special skills or education will be kept by the Employer.

C. A list of all of all low/mod and non-low/mod people interviewed will be kept by the Employer.

D. A list of all of the low/mod and non-low/mod people who were hired will be kept by the Employer.

E. A description of the hiring process will be kept by the Employer.
   
   i. this description must include an explanation of how low and moderate income people were given first consideration for the job openings.
   
   ii. the job openings must be advertised in the media within a reasonable commuting distance of the work location and be held open a minimum of 30 days after starting to recruit low/mod people.

The UGLG and the Employer hereby consent to abide by these guidelines.

Signature: ____________________________

Date: ____________________________
Name and Title of Authorized UGLG Official: ________________________________

Date: ________________________________

Name and Title of Authorized Representative Employer: ____________________________
Escanaba
Michigan 49829

Cloudy · 66°F
6:49 PM

Quick facts

Escanaba is a city in Delta County in the U.S. state of Michigan, located in the banana belt on the state's Upper Peninsula. Wikipedia

Zip code: 49829
Population: 12,413 (2014)
Area code: 906
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<th>Reference Number</th>
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<th>City</th>
<th>Resource Name</th>
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<th>Listed Date</th>
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<th>Photos Click me</th>
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<tbody>
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**Detail for Question # 3**

The City of Escanaba has contractual obligations under the RLF regional management agreement.
Search Criteria: Jon Liss
Records Found: 0

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Limited Denial of Participation, HUD Funding Disqualifications and Voluntary Abstentions list as of 6/16/2017

Search Criteria: Northern Machining

Records Found: 0

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https://www5.hud.gov/Ecpcis/main/ECPCIS_List/mainECPCIS_List.jsp
July 11, 2017

MEMORANDUM

TO: City Council,
    Patrick S. Jordan, City Manager

FROM: Robert S. Richards, CMC
       City Clerk

SUBJECT: July 20, 2017, Agenda Item – HAVA Grant Request - Elections

The new election equipment from Dominion Voting Systems, Inc. will be distributed in mid-August for jurisdictions who will be conducting elections on November 7th, 2017. The new election system is being purchased from the State of Michigan with Help America Vote Act (HAVA) funds. Council is requested to approve a State of Michigan HAVA Grant Agreement for Dominion Voting Election System, and designate City Clerk Richards as the Grant Manager who will serve as its single point of contact with the Department of State.
Voting System Orders Underway for November Elections

Orders are being processed for all jurisdictions in counties that are implementing (or continuing to implement) new voting systems in November. See the list of counties along with implementation dates here: Voting System Selection Summary and other information on our Voting System webpage.

Grant agreements have been placed in the Clerk’s Resource Folder in the Elections eLearning Center for each city, township and county. These grants must be signed and uploaded back into the clerk’s folder in order for us to process the countywide order.

If you have not yet returned your grant, please open it in the eLearning Center, print, sign, scan as a .pdf on your copier and add it back to your resource folder ASAP so we can process your county’s order. Please review these directions on using Resource Folders to find and add your signed grant in the Elections eLearning Center.

Reminder: Board resolutions are kept on file at your office and NOT sent to the Bureau of Elections.

IN THIS ISSUE

- Grants for November Election Voting Systems
- Election Contact Information
- Accreditation Curriculum

Election Officials’ Accreditation

A few seats are still available in the next Accreditation class which is part of the Initial Accreditation Curriculum through the Elections eLearning Center.

The class will be held on August 23 & 24 from 9-4:30 at Delta Township Hall, near Lansing, MI. Additional dates will be scheduled in the fall.

Each person must register under their own account. Login to the Elections eLearning Center. In the Browse by Subject box, click Classes. Click on the curriculum to begin the process and to register for the class. For new staff, see the Account Request button below.

All new clerks are required to attend the 2 day in-person class as part of the initial curriculum. Other new election officials are also welcome. This class is only for people who have not attended
Know who to contact!

The Bureau of Elections is divided into three major work areas. You can receive faster service by foregoing the main receptionist and calling or emailing directly when you have a question or problem.

Review the Bureau of Elections' Contacts for Election Officials at this link.

This list is also available in the Elections eLearning Center in the help icons on the Homepage.

Questions? Please contact the Bureau of Elections at 1-800-262-5973 or elections@michigan.gov.

The Bureau of Elections Newsletter will always be sent to the Clerk and Deputy Clerk's email accounts. If other election administrators would like to receive this newsletter, click the Subscribe link below to register another email address.

It is recommended that you add misos@pva.submissions.michigan.gov and MISOS@public.govdelivery.com to your safe senders list.

Helpful Links

Need an account or to report staff changes? Use the Account Request button below.

Questions?
Contact Us

SUBSCRIBER SERVICES:
Subscribe | Help

This email was sent to clerk@escanaba.org using GovDelivery Communications Cloud on behalf of: Michigan Secretary of State · 430 W. Allegan Street · Lansing, MI 48918 · 1-866-787-8424
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Implementation in August 2017  
Implementation in Nov 2017  
Implementation in 2018  
*All counties also receive 1 Tabulator, 1 Accessible Device, 1 EMS
# Voting System Vendor Selection

(rev. 6/30/17)

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Implementation in August 2017: 83
Implementation in Nov 2017: 45
Implementation in 2018: 48

*All counties also receive 1 Tabulator, 1 Accessible Device, 1 EMS Only*
State Of Michigan
Michigan Department of State
And
Delta County
City of Escanaba

Help America Vote Act (HAVA) Grant Agreement
Voting System Hardware, Firmware and Software
RE: Master Contract
071B7700117 - Dominion Voting Systems, Inc.

This Grant Agreement is the mechanism by which Counties, Cities, and Townships apply to the State of Michigan to receive Federal HAVA and State-appropriated funded voting systems, including optical scan tabulators, accessible voting devices and Election Management System (EMS) software, pursuant to the Federal Help America Vote Act (HAVA) of 2002.

Definitions:

“Contractor” means the voting system vendor selected by the county.

“County” means any county within the State of Michigan.

“Department” means the Michigan Department of State.

“Grantee” means the county or local jurisdiction entering into this Grant Agreement.

“Local Jurisdiction” means any city or township within the State of Michigan.

“Voting Systems” means optical scan tabulators, accessible voting devices (for use by voters with disabilities), and EMS software (as applicable) acquired by the counties and local jurisdictions statewide and funded by State-appropriated and Federal HAVA funds.

1. Period of Agreement
The Grant Agreement process applies to voting system purchases occurring between March 1, 2017 and April 30, 2018.

2. Program, Budget and Agreement
This Grant Agreement is to establish a grant program to use State-appropriated and Federal HAVA funds to acquire and implement replacement voting systems throughout the state. Each county, with the involvement of the local jurisdictions within the county, will select one Contractor for the entire county and will develop a countywide implementation plan to replace its voting systems.
Once the county certifies its Contractor selection to the Department, the county will provide the Department with its implementation plan for individual local jurisdictions participating in each planned purchasing phase. The Department will verify the number of voting systems authorized for purchase using State-appropriated and Federal HAVA funds. If changes are required after the Grant Agreement is signed and approved, instructions for amending the Grant Agreement will be provided and the Grantee will be required to enter into a new Grant Agreement.

This grant program only covers the acquisition and implementation of the voting system selected by each county, and the individual voting system components which will be funded utilizing available State-appropriated and Federal HAVA funds. Approved quantities of each voting system component have been determined by the Department and are listed in Section 15 of this Grant Agreement.

The Michigan Department of Technology, Management and Budget has entered into a Master Contract with each approved Contractor, which has established maximum statewide prices for each voting system component. The Department has established the available level of grant funding for each component of each Contractor's voting system. State-appropriated and Federal HAVA funding provided via this Grant Agreement covers the purchase of the voting system, the software license fee for the EMS software for the full 10-year contract term, and the initial service and maintenance period for all components (which covers the acquisition year, plus 4 additional years). The Master Contract includes an extended service and maintenance period beyond the initial service and maintenance period, for an additional five-year period. Costs for the extended service and maintenance period and other additional costs, if any, are the sole responsibility of each individual county / local jurisdiction.

All Contractors will be required to enter into a "purchase agreement" with each local jurisdiction and county in those counties that have selected that Contractor. Typically, this document is the purchase agreement provided by the Contractor. The terms and conditions of the local purchase agreements shall not contradict the Master Contract. The terms of the Master Contract will supersede any conflicting terms in the local purchase agreements.

Each Contractor will enter into a software license agreement with each county and any local jurisdictions that receive EMS. The license agreement shall not contradict any terms contained in the Master Contract. The terms of the Master Contract supersede any conflicting terms in the license agreement.

The Department will initiate voting system orders at the county level, once all Grant Agreements for the county are submitted and approved for the designated purchasing phase. Once voting systems have been delivered, tested, and accepted by each Grantee in the county for the designated purchasing phase, the Department will release the State/HAVA funds to the Contractor.

3. General
The individual submitting the Grant Agreement must have the proper authority to do so, and must certify in Section 16 of this Grant Agreement that this authority has been granted. Examples of authority include, but are not limited to, a resolution from the Board of County Commissioners, City Council or Township Board authorizing the individual submitting the Grant Agreement to execute the Grant Agreement on behalf of the county, city, or township.
4. **Performance**
Each Grantee will certify and sign the **Grant Agreement** and forward it to the Department per the instructions provided. The Department will review and, once approved, will provide the Grantee with a copy of this fully-executed **Grant Agreement**, which will serve as Notice of the Grant Award. The Department will initiate equipment orders directly with the Contractor, and will provide the Grantee with the **Acceptance Certificate & Payment Authorization Form**, which must be submitted by the Grantee to the Department within 10 business days of voting system delivery. This form indicates acceptance of equipment and payment authorization.

The Grantee is responsible for overseeing its contractual agreement with the Contractor and is responsible for ensuring Contractor performance. Any subsequent malfunction or performance issue with the voting system must be addressed by the Grantee directly with the Contractor. The Grantee is responsible for maintaining any and all Contractor performance records. The Grantee has the sole responsibility to verify Contractor compliance with delivery dates, terms and conditions of delivery, and equipment verification and testing in accordance with the statewide Master Contract for the Grantee’s selected Contractor. The Grantee will be solely responsible for additional costs incurred that are not covered by service, maintenance and warranty provisions in the Master Contract.

Grant funding is not provided for the purchase of additional (“backup”) voting systems. The Grantee will be responsible for developing and implementing a backup strategy to ensure continued operation on Election Day, in the event of voting system failure in any individual precinct.

5. **Testing, Acceptance and Payment**
1. Successful acceptance testing of the voting system shall be completed within 10 business days from the date of delivery.
2. Upon completion of all acceptance testing, the Grantee must complete the State-issued **Acceptance Certificate & Payment Authorization Form** and forward the completed form to the Department.
3. This form will indicate the date of delivery, successful completion of acceptance testing, and will provide authorization to the Department to release funds to the Contractor.
4. Payment to the Contractor shall be made in accordance with the Master Contract with the Grantee’s selected Contractor.

6. **Ownership of Equipment and Software Purchases: Title**
Any voting system purchased pursuant to this **Grant Agreement** is the property of the Grantee.

7. **Optional Purchases**
If the Grantee desires to purchase additional items beyond those authorized in this **Grant Agreement**, it may do so at its sole expense, outside of this **Grant Agreement**. No State or HAVA funds will be available for such purchases. Prices established via the Master Contract are extended to counties and local jurisdictions by the Contractors for these purposes.

8. **Records Maintenance/Retention**
The Grantee will maintain a complete set of records and files related to the ordering, delivery, testing, maintenance, and repairs of voting systems. The Grantee shall assure all the terms of this **Grant Agreement** are adhered to and that records and detailed documentation regarding this grant shall be maintained for a period of not less than six (6) years from the date of Contract termination, the date of submission of the final expenditure report or until any litigation and audit findings have been resolved, whichever is later.
9. Management Requirements
Grantee must maintain property records that include a description of the property; a serial number or other identification number; acquisition date; cost of the property; location, use and condition of the property; and any ultimate disposition data including the date of disposal and sale price of the property (if any). Grantee must also maintain records showing 71% Federal participation in the cost of the property.

Grantee must perform a physical inventory of the property and reconcile the results with the property records at least once every two years.

Grantee must develop a control system to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated by the Grantee and reported to the Department.

Grantee must develop adequate maintenance procedures to keep the property in good condition. Grantee agrees to maintain extended service and maintenance coverage for the voting system in years 6-10 of the Master Contract, after the expiration of the initial service and maintenance period. If the Grantee fails to maintain extended service and maintenance coverage for the full Contract period, the Department may require Grantee to pay the Department the full amount of voting system grant funds paid to the vendor for the Grantee’s county, city or township.

10. Disposition.
When the voting system acquired under this grant is no longer needed, the Department must be notified. Disposition of the equipment will be made as follows:

- Items of equipment with a current per-unit fair market value of less than $5,000 may be retained, sold or otherwise disposed of with no further obligation to the Department.
- Disposition of EMS software must follow the terms of the Contractor’s Software License Agreement.

11. Authorized Access
The Grantee will permit, upon reasonable notification and at reasonable times, access to all records regarding this Grant Agreement by the Department and other representatives duly authorized by State or Federal law.

12. Mandatory Conditions
A. Statutory or Regulatory Requirements
The Master Contract for the Grantee’s selected Contractor must be incorporated and made a part of the ensuing contract between the Grantee and the Contractor, as a condition for grant approval. The Grantee will comply with applicable Federal and State laws, guidelines, rules and regulations in carrying out the terms of this Grant Agreement.

Laws
This is a State of Michigan Grant Agreement and is governed by the laws of the State of Michigan. Any dispute arising as a result of this Agreement shall be resolved in the State of Michigan.
Funding
This Grant Agreement is subject to and contingent upon the availability and appropriation of Federal funds and any necessary State appropriation.

Costs
The State will not assume any responsibility or liability for costs incurred in relation to this grant.

Cancellation
The Department may cancel the Grant Agreement upon failure to comply with the terms of this grant.

Entire Agreement
The Grant Agreement shall represent the entire agreement between the State and Grantee and supersedes any prior oral or written agreements, and all other representations between the parties relating to this subject. The State reserves the right to require counties and local jurisdictions to attend required training sessions with regard to new equipment purchases made under HAVA.

Adherence to Terms
The failure of a party to insist upon strict adherence to any term of this Grant Agreement shall not be considered a waiver or deprive the party of the right thereafter to insist upon strict adherence to that term, or any other term of the Grant Agreement.

B. Other
Additional terms and conditions may be negotiated in the contract between the Grant Applicant and the Contractor as long as they do not conflict with the required terms and conditions of this Grant Agreement and Master Contract with the Grantee’s selected Contractor.

13. Administration of Agreement
The Grant Manager on behalf of the Department for this Grant Agreement and the final Grant Agreement will be:

Jeremy Lange, Office of Financial Services
Michigan Department of State

All questions, comments and correspondence regarding this grant process, the Grant Agreement and the final Grant Agreement must be submitted in writing to the Grant Manager.

14. Completed Agreement
In order to complete this Grant Agreement, it must be filled out in its entirety by completing all indicated fields* below, and must be signed by the individual authorized by the county or local jurisdiction to enter into this agreement. The signed grant must be scanned and submitted electronically via the Elections eLearning Center.
15. **Voting Systems Authorization**

Note: Grant Applicant to fill in all fields indicated (*) below:
This **Grant Agreement** is between the Michigan Department of State and:

**Delta County**  
**City of Escanaba**

*Grant Manager for County, City, or Township (point of contact for the State):*

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**Authorized Voting System Component Totals:**

| Number of Precinct Tabulators Authorized for State-Federal Funding: | 4 |
| Number of Absent Voter Counting Board Tabulators Authorized for State-Federal Funding: (funded at precinct tabulator price) | 1 |
| Number of Accessible Voting Devices Authorized for State-Federal Funding: | 4 |
| EMS Software Authorized for State-Federal Funding: | No None |
16. Special Certification/Signature
The following signatory certifies that the person signing is authorized to sign and enter into this Grant Agreement. Further, the signatory has reviewed and agrees to the conditions as outlined in this Grant Agreement, and has personally examined and is familiar with the information submitted here, as well as the requirements of the Help America Vote Act, under which this grant has been submitted.

For the COUNTY OR LOCAL JURISDICTION:

*Name: ________________________________

*Title: ____________________________  *Date: ____________________________

*Signature

For the STATE OF MICHIGAN, DEPARTMENT OF STATE:
Cindy Paradine, Director, Office of Financial Services

Signature ____________________________ Date ____________________________
MEMORANDUM

Date: July 14, 2017
To: Patrick Jordan, City Manager
    Robert Richards, City Clerk
From: Blaine DeGrave, Community Development
Subject: Agenda Items Request

Please place the following on the July 20, 2017 Council Agenda:

Request the Council to discuss and make a determination on whether Lamar Advertising will be required to apply, through the Planning Commission, for a sign permit to relocate/install a new billboard sign on Stephenson Avenue for which the Zoning Board of Appeals has already granted a Variance on June 6, 2017.

The Council shall discuss and make a determination on the decision of the Zoning Board of Appeals at a June 6, 2017 meeting to allow Lamar Advertising to relocate/install a new Billboard Sign which is currently located within the parking area of a new garage/workshop built by Jamie Spriks, owner of Gene’s Towing located at 711 Stephenson without the requirement of approval from the Planning Commission as required under the City of Escanaba’s Sign Ordinance: Section 2012.10 Review Authority.
C. The Planning Commission shall be the review and approval authority for outdoor advertising sign applications.

D. Notice of application and the public hearing for the special use permit shall be in accordance with this Ordinance.

E. At the hearing, interested persons may appear and offer information in support or opposition to the proposed application.

2012.5. Application Submission. All Outdoor Advertising Sign Applications, regardless of type shall include all of the requirements contained in this section.

2012.6. Application Contents. Each applicant requesting an Outdoor Advertising Sign under this Ordinance shall submit a sealed complete set of drawings prepared by a licensed architect or engineer that will include a site plan, elevation view and other supporting drawings, calculations and other documentation showing the location and dimensions of the Outdoor Advertising Sign and all improvements associated therewith, including information concerning specifications, landscaping, access, and if relevant as determined by staff, topography, adjacent uses and existing vegetation.

2012.7. Submission Requirements. Application for an Outdoor Advertising Sign shall be submitted to the City of Escanaba on forms prescribed by the City of Escanaba. The application shall be accompanied by a site plan containing the information described above. The application and site plan shall be placed on the next regularly scheduled meeting agenda of the Planning Commission in accordance with the deadlines established by this Ordinance.

2012.8. Application Fees. A plan review/public hearing fee shall accompany each application in accordance with the associated fee schedule adopted by the city and shall be paid by the applicant.

2012.9. Additional Technical Assistance. In the course of its consideration of an application, the City of Escanaba, may deem it necessary to employ an engineer(s) or other consultant(s) qualified in the design and installation of Outdoor Advertising Signs to assist the City of Escanaba in the technical aspects of the application. In such cases, any additional reasonable costs incurred by the City of Escanaba not to exceed two thousand dollars ($2,000) for the technical review and recommendation shall be reimbursed by the applicant prior to the final City of Escanaba hearing.

2012.10. Review Authority. Review of the Outdoor Advertising Sign Application under this Section shall be conducted by the Planning Commission for a Special Land Use Permit. A hearing before the Planning Commission shall be conducted on all new outdoor advertising sign requests. The procedure for the Planning Commission public hearing shall be as follows:

A. Request for Special Land Use Permit. Requests for special land use permits shall be filed with the City Manager. A request must be submitted at least twenty-one (21) business days before the Planning Commission meeting at which it will be considered. A request for special land use permit may be submitted by a property owner, lessee or agent authorized in writing to act on the owner’s behalf, or a person having a written contractual interest in the affected property.
A meeting of the Escanaba Zoning Board of Appeals was held on Tuesday, June 6, 2017, at 6:00 p.m. at the City Hall, 410 Ludington Street, Escanaba, MI 49829.

PRESENT: Chairman Jon Liss, Members William DeHaan, Joe Klem, Brian Thorsen, and Dennis Renken, Code Official Blaine DeGrave, and Executive Assistant Lisa Glish

ALSO PRESENT: Rick LaFave from Lamar Advertising, Jamie and Jennifer Spriks of Gene’s Towing, and Attorney James Viau

ABSENT: Member Mark Hannemann

Meeting called to order at 6:00 p.m. by Chairman Jon Liss

ROLL CALL

Executive Assistant Lisa Glish conducted the roll call.

APPROVAL/CORRECTION OF THE SEPTEMBER 1, 2015 BOARD OF APPEALS MINUTES

A motion was made by Member Klem, seconded by Member DeHaan, to approve the November 2, 2016 meeting minutes as submitted. Ayes were unanimous.

APPROVAL/ADJUSTMENTS TO THE AGENDA

A motion was made by Member DeHaan, seconded by Member Klem, to approve the June 6, 2017 meeting agenda as submitted. Ayes were unanimous.

CONFLICT OF INTEREST DECLARATIONS

None.

UNFINISHED BUSINESS


Blaine DeGrave stated during the first regularly scheduled meeting of the new calendar year the Board of Appeals shall hold an election of Officers for the positions of Chairperson and Vice-Chairperson.

Chairperson Liss opened the floor to nominations for the position of Chairperson. Chairperson Liss moved to elect Member William DeHaan as the next Chairperson.

Member DeHaan accepted the nomination.

A motion was made by Chairperson Liss, seconded by Member Renken to elect Member William DeHaan for the position of Chairperson. Ayes were unanimous.
Chairperson DeHaan opened the floor to nominations for the position of Vice-Chairperson. Member Liss moved to elect himself as the next Vice Chairperson.

A motion was made by Member Liss, seconded by Member Renken to elect Member Jon Liss for the position of Vice-Chairperson. Ayes were unanimous.

PUBLIC HEARING

Blaine DeGrave stated that a Public Hearing will take place concerning 711 Stephenson Avenue for a Use Variance of a Sign Ordinance. He went on to state a hearing on a request from Lamar Advertising of Gladstone, for the a Use Variance to Section 2012.3 Outdoor Advertising Sign Free Area of the City of Escanaba’s Sign Ordinance which would allow for the removal of an existing Outdoor Advertising Sign and installation/relocation of a new Outdoor Advertising Sign of the property located at 711 Stephenson Avenue.

CITY OF ESCANABA
REQUEST FOR NEW OUTDOOR ADVERTISING SIGN
CASE NO. BOA-060617-01

REFERENCE: 711 Stephenson Avenue Escanaba, Michigan

DATE: June 6, 2017

PROPERTY OWNER/APPLICANT ADDRESS:
Lamar Advertising/Gene’s Towing
711 Stephenson Avenue
Escanaba, MI 49829

TYPE OF REQUEST:
Sign Permit Denial Appeal

LEGAL DESCRIPTION:
Part of the SE ¼ of the SW ¼ Section 19 T39N, R22W City of Escanaba, Delta County, Michigan

CURRENT ZONING:
Light Manufacturing “F” District

SUBJECT ORDINANCE:
City of Escanaba Sign Ordinance

Section 2012; Regulations for Outdoor Advertising Signs

Subsection 2012.3 Outdoor Advertising Sign Free Area: Not withstanding any other provision of the Sign Ordinance, no Outdoor Advertising Sign shall be relocated or newly constructed in any of the following areas:

(A) Stephenson Avenue
(B) South Lincoln Rd south of Ludington Street to City limit
DESCRIPTION OF PROPOSED SIGN REQUEST

Mr. Jamie R. Spriks/Gene’s Towing, is the owner of the property. Lamar Advertising, representing the owner, is requesting consideration to remove an existing Outdoor Advertising Sign (billboard) which is now located within a parking/entry area of their newly constructed building and to relocate/install a new sign with a reduced single face/non-illuminated Outdoor Advertising Sign to the South edge of the property.

PROPOSED FINDING OF FACTS:

A. Lamar Advertising has applied for a sign permit to relocate/construct a new Outdoor Advertising Sign at 711 Stephenson Avenue.
B. A site plan has been included as required with the application.
C. Application Fees have been paid.
D. An existing two (2) sided Outdoor Advertising Sign is now located within the parking area directly in front of the new building and is proposed to be removed. (Attachment A)
E. A new single face/non illuminated sign (Example Attachment B) is being requested to replace this sign and be relocated on the property due the construction of the new building and parking area (Attachment C)
F. The new sign location will be within an Outdoor Advertising Sign Free Area of Stephenson Avenue which does not permit new signage per Section 2012.3 Outdoor Advertising Sign Free Area as stated.

POWERS AND DUTIES OF THE BOARD OF APPEALS

The Board shall have the power to hear and decide on appeals where it is alleged that there is an error in any order, requirement, decision, determination or interpretation by the Code Official. The Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of the appeal and shall make an order, requirement, decision, or determination as in the board's opinion ought to be made concerning the property. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the ordinance, the Board of Appeals may, in passing on appeals, grant a variance in any of the provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings, or structures, so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done.

VARIANCE REVIEW CRITERIA

The Board shall have the power to authorize specific variances or departures from this Sign Ordinance, if all of the basic conditions are satisfied, and if there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Sign Ordinance. A variance from the use requirements of this ordinance may only be granted if it is determined that all basic conditions have been satisfied and that there is an unnecessary hardship created by those use restrictions.

BASIC CONDITIONS

A. The spirit of the Sign Ordinance shall be observed, public safety secured and substantial justice done.
B. There is no substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
C. The difficulty or hardship relating to the property is not so general or recurrent in nature that the formulation of a general regulation for such conditions is preferable.
D. The practical difficulties or unnecessary hardships are unique to the property under consideration and not to the general neighborhood, and shall apply only to property that is under the control of the applicant.
E. It shall be necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
F. There is a clear showing of an unnecessary hardship in that the property as a whole cannot reasonably be put to a use authorized by this Sign Ordinance.
G. The alleged hardship or difficulty is not solely economic, and is based on the reasonable use of a particular parcel of land.
H. It may be denied where the alleged practical difficulties or unnecessary hardships resulted from an act of the applicant, or a person in privy or concert with the applicant.

STAFF RECOMMENDATIONS, FINDINGS AND COMMENTS:

The Board of Appeals does not have the authority to alter or change the requirements of the Sign Ordinance without first establishing that the aforementioned demonstrations of hardship exists and that the situation is not self-created. Provided, however, that in interpreting and applying the provisions of the Ordinance, the requirements shall be deemed to be the spirit and intent of the Ordinance and would not constitute the granting of a special privilege. The Board of Appeals must determine if there is a hardship or difficulty which is not a result of an act, created or inherited by the owner and is not solely economic in nature.

As this Stephenson Avenue corridor does not allow New Outdoor Advertising Signs city staff is not recommending approval of the proposed relocation and placement of this new Outdoor Advertising Sign. It is also believed that any hardship or difficulty was self-created or inherited by the purchase of the property, would constitute the granting of a special privilege and is also economic in nature. The following sections of the Sign Ordinance also support a denial of the appeal.

1. Section 2012.2 Existing Outdoor Advertising Signs Structure and Faces, (B) Not be structurally altered so as to prolong the life of the sign. Comment: This sign will be a brand new sign and would be prolonging the life of the sign at this location.

2. Section 2012.3 Outdoor Advertising Sign Free Area; notwithstanding any other provision of the Sign Ordinance, no outdoor advertising sign shall be relocated or newly constructed in any of the following areas: (A) Stephenson Avenue. Comment: This area is designated as an Outdoor Advertising Sign free area and does not allow new signage of this type.

3. Section 2012.7 Development Criteria. The complete Outdoor Advertising Sign application shall be reviewed for compliance with the development criteria set forth in this Ordinance. New outdoor advertising signs must be developed in accordance with the following standards: (E) Spacing, (I) Four hundred feet from any residential district or commercial district. Comment: There is a residential district within 400’ of this new sign position. (Attachment D “D”) (4) One hundred feet from an existing building. Comment: There are multiple buildings within 100’ of this new sign position. (Attachment D “E”) (5) Two hundred feet from any intersection. Comment: There is an intersection within 200’ of this new sign position. (Attachment D “F”)
Chairperson DeHaan opened the floor to general comment on the proposed Use Variance.

Rick LaFave from Lamar Advertising stated that he represents the company asking for the Use Variance. Mr. LaFave explained that he is looking to compromise with Gene’s Towing/Jamie Spriks concerning the sign that is located in the middle of his new parking lot/work area. He went onto explain that this sign has been in its current location since 1985 and it is currently a two faced sign. He went onto state that they are proposing to move the sign 40-50 feet away from its currently location to be directly on the property line, 10 feet from the hedge line, and remove one of the sign faces, making it a one-faced sign only. Mr. LaFave then stated that the
new sign would also not have any lights on it, and due to the proposed location he does not feel as though it will block passerby view and does not feel there would be any complaints made by the public. He went onto state that if the Variance is not granted, they plan to leave the sign where it is there is no additional plans to remove the sign until it expires in ten (10) years.

Chairperson DeHaan called for any further comment. Attorney James Viau approached the Board.

Attorney James Viau introduced himself as the representative for Jamie Spriks in this case. Attorney Viau explained that in the agreement between Lamar and Spriks by moving the sign they would sign a contract that would have the sign in its new place until August 2, 2021 where at that time it will be removed completely, and if it stays in its current place it would remain for the next ten (10) years. Attorney Viau explained the unnecessary hardships that he feels that Mr. Spriks and his staff are currently dealing with by parking equipment, merchandise, etc. on one side of the sign and then having to move those items to access the other side when something is needed. He also stated that he feels the sign in the current location is a safety hazard to oncoming traffic and workers. Attorney Viau also stated that by moving the sign, and reducing it to be only one face, Lamar and Spriks will both be losing revenue and no economic gains will be made in the proposed deal.

Member Renken commented that he before the meeting he took a ride through lot where the sign and Gene’s Towing is located. He went onto state that he feels the sign creates a major obstacle and hazard, and that he feels moving the sign to the tree line would be a sensible way to solve this issue.

Vice-Chairperson Liss commented that he also took a ride through the lot using his regular sized pick-up truck and has the same feelings as Chairperson Renken.

Member Klem stated that he mirrors the opinions of Member Renken and Vice-Chairperson Liss.

Member Thorsen stated that he feels the Board should follow the current Sign Ordinance that is already set in place, due to it being written for a purpose. He agrees that the sign should be gone, but he does not feel as though the variance should be granted to allow the construction of another sign.

Chairperson DeHaan stated that Cities have Planning Commissions to constantly review appropriate uses in neighborhoods and for properties; and that he feels as though the Board of Appeals should follow those Ordinances set by the Planning Commission, therefore in this case he does not feel it would be appropriate to grant a variance to allow the sign to be moved.

A motion was made by Member Thorsen, seconded by Chairperson DeHaan, to deny the Use Variance request to relocate/reinstall the sign that is currently located at 711 Stephenson Avenue.

A rollcall vote was called for by Chairperson DeHaan, votes were as follows:
Vice-Chairperson Liss – Ney
Chairperson DeHaan – Aye
Member Klem – Ney
Thorsen – Aye
Renken – Ney
Chairperson DeHaan stated that the motion failed during rollcall vote with two (2) Ayes to three (3) Nays.

Chairperson DeHaan questioned Attorney Viau if there is any type of an agreement that states specific date that Lamar and Spiiks have agreed to.

Attorney Viau then submitted a copy of the proposed agreement that was made between Lamar and Spiiks, noting that only his signature is on the paper because he did not have the copy with both him and Attorney Russell Hall (Attorney for Lamar Advertising) due to it coming from Attorney Hall’s office and he faxed it back to Hall’s office. He stated that a copy with both signatures is available through his office, but the copy submitted is the only copy he had on him for the meeting.

Chairperson DeHaan read the Interim Settlement Agreement into record:

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STATE OF MICHIGAN
IN THE 47TH CIRCUIT COURT FOR THE COUNTY OF DELTA

LAMAR ADVERTISING,
  Plaintiff,

vs.

JAMIE R. SPIKIS, an individual, and
JAMIE R. SPIKIS, INC., a Michigan corporation,
  Defendants.

DeGRAND, REARDON & HALL, P.C.                  VIAU & CHAPEKIS, P.C.
Russell W. Hall (P34809)                      James J. Viau (P43335)
Attorneys for Plaintiff                      Attorney for Defendants
517 Ludington Street                           809 Ludington Street
Escanaba, MI 49829                            Escanaba, MI 49829
(906) 786-5007                                 (906) 786-2277

INTERIM SETTLEMENT AGREEMENT AND STIPULATION TO ADJOURN HEARING

The undersigned parties, by and through their attorneys, have stipulated to an interim settlement agreement. The settlement agreement would require Lamar to relocate and rebuild a single-side structure on or near the south property line of what was formerly the Brandt property. The expiration of the lease for that property would be August 2, 2021 and the lease payment amount would be reduced to $450.00 on an annual basis. However, this settlement is contingent upon approval of the City of Escanaba Planning Commission which will have to grant a variance. Since it will not be before the planning commission prior to the February 2, 2017 hearing, the parties request that the trial be adjourned from February 2, 2017 for a period of 60 days. During the 60-day period, the Defendants will allow the Plaintiff access to the signs for routine maintenance upon 24-hour prior verbal or written notice. The Defendants agree not to interfere with said routine maintenance.

Dated: 1/31/17
Russell W. Hall (P34809)
Attorney for Plaintiff

Dated: 1/31/17
James J. Viau (P43335)
Attorney for Defendants
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Blaine DeGrave stated that the agreement was made by Attorney Russell Hall of DeGrand, Reardon and Hall, P.C., in which this is the same law firm that represents the City of Escanaba. DeGrave went onto state that due to this conflict is why the City Attorney Ralph “B.K.” Peterson was unable to attend the meeting.

Chairperson DeHaan questioned Blaine DeGrave if he had any knowledge that the agreement existed before the meeting. Blaine DeGrave stated he had not.

A motion was made by Vice-Chairperson Liss, seconded by Member Renken to grant the Use Variance to move the sign with the condition that the sign must be removed on August 2, 2021 and no further sign lease agreements may be made to extend the life of the sign in the new location.

A rollover vote was called for by Chairperson DeHaan, votes were as follows:
Vice-Chairperson Liss – Aye
Chairperson DeHaan – Ney
Member Klem – Aye
Thorsen – Aye
Renken – Aye

Chairperson DeHaan stated that the motion passed during rollcall vote with four (4) Ayes to one (1) Ney, and that the variance is granted.

ADJOURNMENT

A motion was made by Vice-Chairperson Liss, seconded by Member Klem, to adjourn the meeting. Ayes were unanimous.

The meeting adjourned at 6:50 p.m.

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William DeHaan, Chairperson   Blaine DeGrave, Ex-Officio
Escanaba Zoning Board of Appeals  City of Escanaba