



CITY COUNCIL MEETING AGENDA

December 1, 2022

Mark Ammel, Mayor
Karen Moore, Mayor Pro Tem
Ronald J. Beauchamp, Council Member
Tyler DuBord, Council Member
Todd Flath, Council Member

Jim McNeil, Interim City Manager
Phil DeMay, City Clerk
Lisa Vogler, 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, when 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, December 1, 2022, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL/CORRECTION(S) TO MINUTES – Regular Meeting – November 17, 2022

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION(S)

BRIEF PUBLIC COMMENT(S)

PUBLIC HEARINGS – None

UNFINISHED BUSINESS

1. Discussion – Progress Regarding Sale and Development of Jail and Chamber Sites – Administration.

Explanation: Administration will update City Council on the progress regarding the sale and development of the Jail and Chamber properties.

2. Approval –Stump Grinding Bid– Public Works.

Explanation: Administration is seeking approval to contract with Dombrowski Tree Service at the proposed unit prices for stump grinding.

NEW BUSINESS

1. Approval - 2023 City Council Meeting Dates.

Explanation: Administration is seeking Council approval of the 2023 regular Annual Council Meeting schedule.

2. First Reading of Ordinance No. 1272, An Ordinance to Amend Section 401.4 of the Zoning Ordinance as Codified Under Appendix A of the Code of Ordinances, and Setting the Date of Thursday, January 05, 2023, for the Second Reading, Public Hearing, and Adoption - Planning & Zoning.

Explanation: The Planning Commission is requesting the City Council to consider this the first reading of Ordinance No. 1272, An Ordinance to Amend Section 401.4 of the Zoning Ordinance as Codified under Appendix A of the Code of Ordinances - Rezoning parcels adjacent to the North 30th Street corridor from "F-Light Manufacturing District" to "E-Commercial District." Administration is requesting that the City Council set January 05, 2023, for the second reading, public hearing adoption of Ordinance No. 1272.

APPOINTMENTS

BOARD, COMMISSION, AND COMMITTEE REPORTS

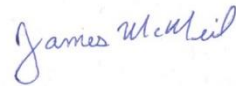
GENERAL PUBLIC COMMENT

ANNOUNCEMENTS

ADJOURNMENT

Agenda – December 1, 2022

Respectfully Submitted

A handwritten signature in blue ink that reads "James McNeil". The signature is written in a cursive style with a large initial "J" and "M".

Jim McNeil
Interim City Manager

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, November 17, 2022**

The meeting was called to order by the Honorable Mayor Mark Ammel at 7:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Council Members, Ronald J. Beauchamp, Tyler DuBord, Todd Flath, and Karen Moore

Absent: Mayor Mark Ammel

Also Present: City Manager Patrick Jordan, Interim City Manager Jim McNeil, City Clerk Phil DeMay, Department Heads, media, and members of the public.

City Clerk DeMay led Council in the Pledge of Allegiance.

Beauchamp moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to excuse Mayor Mark Ammel from the meeting.

DuBord moved, Flath seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from November 3, 2022, as submitted.

ADJUSTMENTS TO THE AGENDA

Flath moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as submitted.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT

- Gordy Fitch – thanked City Council for their leadership.

PUBLIC HEARINGS – None

UNFINISHED BUSINESS

UB-1 Discussion – Progress Regarding Sale and Development of Jail and Chamber Sites – Administration.

Administration updated City Council on the progress regarding the sale and development of the Jail and Chamber properties.

Interim City Manager Jim McNeil updated council on the progress of the development of the Jail and Chamber properties.

DuBord moved, Beauchamp seconded, to approve the purchase agreement with Terrace Bay Hotel development group.

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

Ayes: DuBord, Beauchamp, Moore, Flath

Nays: None

Absent: Mayor Ammel

MOTION CARRIED.

NEW BUSINESS

NB-1 Approval – C2AE- DWSRF – LSLR Project and Water Main Project – Water Department.

Administration requested Council's approval to hire and retain the engineering services of C2AE of Escanaba, MI, to assist the City with the LSLR Project for the City of Escanaba Water Treatment Plant in an amount of \$737,240.00 and the Water Main Project for the City of Escanaba Water Treatment Plant in the amount of \$1,301,810.00 for a total of \$2,039,050.00.

NB-1 DuBord moved, Flath seconded, to approve to hire and retain the engineering services of C2AE of Escanaba, MI, to assist the City with the LSLR Project for the City of Escanaba Water Treatment Plant in an amount of \$737,240.00 and the Water Main Project for the City of Escanaba Water Treatment Plant in the amount of \$1,301,810.00 for a total of \$2,039,050.00.

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

Ayes: DuBord, Flath, Moore, Beauchamp

Nays: None

Absent: Mayor Ammel

MOTION CARRIED.

NB-2 Approval – Purchase Itron Pit Endpoint Encoder with Integral Connector and Antenna Connector – Water Department.

Administration requested Council's approval to purchase eight hundred (800) Itron 100W+ Pit Endpoint Encoder with Integral Connector and Antenna Connector from United Systems in an amount not to exceed \$76,160.00.

NB-2 DuBord moved, Beauchamp seconded, to approve to purchase eight hundred (800) Itron 100W+ Pit Endpoint Encoder with Integral Connector and Antenna Connector from United Systems in an amount not to exceed \$76,160.00.

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

Ayes: DuBord, Beauchamp, Moore, Flath

Nays: None

Absent: Mayor Ammel

MOTION CARRIED.

NB-3 Approval – Stipend for Interim City Manager - HR.

Administration requested City Council approval of a salary stipend of \$29,440 to be paid to the City Assessor in addition to his current salary to compensate for the additional duties of Interim City Manager.

NB-3 DuBord moved, Beauchamp seconded, to approve of a salary stipend of \$29,440 to be paid to the City Assessor in addition to his current salary to compensate for the additional duties of Interim City Manager.

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

Ayes: DuBord, Beauchamp, Moore, Flath

Nays: None

Absent: Mayor Ammel

MOTION CARRIED.

APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES –

Council Consensus along with City Manager made the following appointment:

Ann Bissell re-appointed to the Electrical Advisory Committee, expiring January 1, 2026.

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

- City Clerk DeMay gave an update on the November election. Thanked his precinct election inspectors along with Deputy Clerk Tammy Weissert for her hard work!

- High School Musical “Sister Act” runs December 19th-22nd at the Escanaba High School.
- Council Members thanked Patrick Jordan for his service to the City of Escanaba.
- Happy Thanksgiving

Hearing no further public comment DuBord moved, the Council adjourned at 7:28 p.m.

Respectfully submitted

Phil DeMay
City Clerk

Approved: _____
Mark Ammel, Mayor

Agenda Item: UB-2
Date: 12/1/2022

City Council Agenda Item Request

Date: 11/21/2022

Name: Wendy Taavola

Department: Engineering/Public Works

Item: Stump Grinding Bid

Meeting date requested: 12/1/22

Explanation for request:

The council had requested that the department obtain quotes for purchasing a stump grinder. The stump grinder prices were presented in a memo that was emailed to council dated November 11, 2022, and is also attached to this request.

The cost of a stump grinder is considerably more than the cost of this bid, not including the cost of a trailer to haul the equipment. The work proposed includes labor, disposal of spoils, and restoration at each location. As a department, the time and labor savings of contracting this work is necessary to keep up with the current workload and also make progress on tree maintenance that still needs to be done.

Administration is requesting approval to hire Dombrowski Tree Service for city-wide stump grinding at the proposed unit prices bid on October 18, 2022.

Memorandum

Date: November 11, 2022

To: City Council

From: Wendy Taavola, Director
Department of Public Works

Re: Stump Grinder Information Request

During the council meeting on November 3rd, 2022, the 2022 Stump Grinding Bid results were presented with the request for approval to hire Dombrowski Tree Service for the unit prices below:

Stump Grinding, 6-18 inches	\$70.00 ea
Stump Grinding, 18 inches and larger	\$85.00 ea
Restoration	\$30.00 ea

The description of work for the items includes contacting Miss Dig, grinding the stump, removal of the ground material to a minimum of 4" below grade, disposal of the ground material, topsoil restoration and cleanup. The bid included 161 stumps, 100 in the 6- to 18-inch range and 61 in the 18 inch and larger range. The average cost bid per stump is \$106.68. The timeframe for Dombrowski Tree Service to do the work is two weeks.

The estimated costs associated for DPW to complete this 161-stump project range from \$157.01 to \$440.83 per stump. The following spreadsheet shows a breakdown of the project total time, equipment, and materials per stump:

161 Stump Project	DPW Total Estimate Range		Dombrowski Tree Service
	Minimum	Maximum	
Per Stump	\$157.01	\$440.83	\$106.68
DPW Time in Manhours	362.25	805.00	
DPW Time in 8-Hour Days	20	40	
Labor Cost	\$7,584.71	\$19,614.63	
Equipment Rental Cost	\$16,824.50	\$44,114.00	
Material Cost	\$869.40	\$7,245.00	
Grand Total	\$25,278.61	\$70,973.63	\$17,015.00

The Dombrowski Tree Service bid falls under the minimum amount for DPW to do this work. For the department, this is not only a cost savings in dollars, but it is also a cost savings in manhours. We have a backlog list of tree maintenance calls that we do not have dedicated labor available for. DPW is also going to be very busy assisting the Water Department Lead Service Lines and Water Main grants. I have included a separate spreadsheet that breaks the DPW costs down further for information purposes.

Several equipment dealers were contacted to obtain quotes for a stump grinder that would be adequately sized to do the stump grinding work throughout the city. The quotes range from \$30,000-\$85,500 upfront which does not include a trailer to transport the equipment, maintenance, or continued replacement grinding teeth.

A stump grinder will be valuable to the department in the future. Once we are caught up with the extensive list of trees that need removal, it would be more than feasible for the department to do the work. There is a more pressing need to replace some pieces of equipment in the fleet, such as the department's woodchipper, a 1989 Eager Beaver that is close to the end of use.

While assessing the equipment needs of the department, the plan was to budget the purchase a compact track loader that would fit different attachments. Each year we could budget the purchase of the attachments. There are many available, including a stump grinder, a concrete breaker, a sweeper, a plow, and vibratory roller which would all be beneficial tools for the workload of the department. The initial purchase of a compact track loader would be in the \$73,500-\$100,000 range, the attachments are approximately \$8,795-\$18,565 each.

Since at least 2008, the department has bid stump grinding on an annual or sometimes biannual schedule depending on how long it took to get a list of around 80. We have exceeded the number of trees taken down this year in a push to get caught up. Therefore, some of the homeowners on the list have been waiting for a year for their stumps to be ground. We have been informing the homeowners each time they call that the work would be done after the request for bids this fall.

I am requesting your approval to accept the bid of Dombrowski Tree Service for the unit prices stated above. This would be a cost savings to the general fund, as well as a necessary manpower savings for the department.

Attachment
Department of Public Works
Stump Grinding
Labor, Equipment, and Material Breakdown

Stump Grinding	RATES				TIME ESTIMATE		LABOR		EQUIPMENT		MATERIAL	
	Min Labor w/o benefits	Max Labor w/o benefits	Equip Rental (hour)	Material (cyd)	MIN PER STUMP (hours)	MAX PER STUMP (hours)	MIN COST PER STUMP	MAX COST PER STUMP	MIN COST PER STUMP	MAX COST PER STUMP	MIN COST PER STUMP	MAX COST PER STUMP
Skilled Laborer	\$21.85	\$23.60			1.00	2.00	\$21.85	\$47.20				
Operator	\$24.20	\$26.10			0.25	2.00	\$6.05	\$52.20				
Laborer	\$19.21	\$22.43			0.50	0.50	\$9.61	\$11.22				
Laborer	\$19.21	\$22.43			0.50	0.50	\$9.61	\$11.22				
Stump Grinder			\$47.00						\$47.00	\$94.00		
Vac Truck			\$70.00						\$17.50	\$140.00		
Truck for Hauling			\$40.00						\$40.00	\$40.00		
Topsoil				\$18.00							\$5.40	\$45.00
Totals					2.25	5.00	\$47.11	\$121.83	\$104.50	\$274.00	\$5.40	\$45.00

Agenda Item: NB-1

Date: 12/01/2022

City Council Agenda Item Request

Date:

Name:

Department:

Item:

Meeting date requested:

Explanation for request:



COUNTY OF DELTA

STATE OF MICHIGAN

Notice Regular Public Meetings City Council

PLEASE TAKE NOTICE that the regular meetings of the City Council of the City of Escanaba, County of Delta, State of Michigan, are scheduled at 7:00 p.m. in Room C101, the Council Chambers of the City Hall, 410 Ludington Street, in the City of Escanaba, MI, the first and third Thursday of every month as listed below:

2023	2024	2025
January 5 & 19, 2023	January 4 & 18, 2024	January 2 & 16, 2025
February 2 & 16, 2023	February 1 & 15, 2024	February 6 & 20, 2025
March 2 & 16, 2023	March 7 & 21, 2024	March 6 & 20, 2025
April 6 & 20, 2023	April 4 & 18, 2024	April 3 & 17, 2025
May 4 & 18, 2023	May 2 & 16, 2024	May 1 & 15, 2025
June 1 & 15, 2023	June 6 & 20, 2024	June 5 & 19, 2025
July 6 & 20, 2023	July 4 & 18, 2024	July 3 & 17, 2025
August 3 & 17, 2023	August 1 & 15, 2024	August 7 & 21, 2025
September 7 & 21, 2023	September 5 & 19, 2024	September 4 & 18, 2025
October 5 & 19, 2023	October 3 & 17, 2024	October 2 & 16, 2025
November 2 & 16, 2023	November 7 & 21, 2024	November 6 & 20, 2025
December 7 & 21, 2023	December 5 & 19, 2024	December 4 & 18, 2025

Notice is given in accordance with Act 267 of the 1976 Public Acts of the 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 in the above meeting dates. Minutes of all Council Meetings are available at the City Clerk's Office, City Hall, 410 Ludington Street. Phone (906) 786-1194.

Phil DeMay
City Clerk

Agenda Item: NB-2

Date: 12/01/2022

City Council Agenda Item Request

Date: 11 November, 2022

Name: Tyler Anthony

Department: Planning & Zoning

Item: Zoning Map Amendment

Meeting date requested: 1 December, 2022

Explanation for request:

During a regular meeting held on 10 November, 2022, the Planning Commission held a Public Hearing regarding a proposal to rezone properties adjacent to the North 30th Street corridor from "F- Light Manufacturing District" to "E- Commercial District" per City of Escanaba Zoning Ordinance §103.

This was held in response to discussion at the October 13, 2022 Planning Commission meeting. After said discussion, it was recommended that a group of properties be rezoned to meet both the current uses in the area broadly adjacent to Willow Creek Road, North 30th Street, and US Highways 2 & 41, and future land use as indicated in the Master Plan's Future Land Use Map.

Therefore, the Planning Commission recommends amendment to the zoning map, specifically the rezoning of 29 properties to zoning district "E".

Attachments:

1. Future Land Use Map
2. Partial City of Escanaba Zoning Map indicating area to be rezoned
3. List of parcels to be rezoned
4. Section 103 of the City Zoning Ordinance

ORDINANCE NO. 1272

**AN ORDINANCE TO AMEND SECTION 401.4 OF THE ZONING ORDINANCE AS
CODIFIED UNDER APPENDIX A OF THE CODE OF ORDINANCES.**

THE CITY OF ESCANABA HEREBY ORDAINS:

CHAPTER I

The zoning map referred to in section 401.4 of the Zoning Ordinance as codified under Appendix A of the Code of Ordinances is hereby amended to transfer an area from Light Manufacturing District “F” to Commercial District “E”. This area is composed of the following properties:

051-420-2825-300-005	101 N 30TH ST	051-420-2825-200-012	2701 3RD AVE N
051-420-2825-300-009	107 N 30TH ST	051-420-2825-200-010	2720 1ST AVE N
051-420-2825-200-005	200 N 30TH ST	051-420-2825-200-029	2800 1ST AVE N
051-420-2825-100-007	201 N 30TH ST	051-420-2825-200-020	2929 3RD AVE N
051-420-2825-200-016	220 N 30TH ST	051-420-2825-100-002	300 N 30TH ST
051-420-2825-200-002	2510 3RD AVE N	051-420-2825-100-008	301 N 30TH ST
051-420-2825-200-003	2520 3RD AVE N	051-420-2825-100-006	3300 LUDINGTON ST
051-120-2825-426-001	2525 1ST AVE N	051-420-2825-100-005	331 N 30TH ST
051-420-2825-200-022	2530 1ST AVE N	051-420-2825-300-007	3400 LUDINGTON ST
051-420-2825-400-045	2600 1ST AVE S	051-420-2825-300-003	3401 LUDINGTON ST
051-420-2825-200-019	2601 3RD AVE N	051-420-2825-300-008	3430 LUDINGTON ST
051-420-2825-400-005	2625 LUDINGTON ST	051-420-2825-300-012	3500 LUDINGTON ST
051-420-2825-400-005	2625 LUDINGTON ST	051-420-2825-300-029	3600 LUDINGTON ST
051-420-2825-400-004	2635 LUDINGTON ST	051-420-2825-300-028	3700 LUDINGTON ST
051-420-2825-200-014	2700 1ST AVE N		

CHAPTER II
SAVINGS CLAUSE

If any section, subsection, sentence, clause, or phrase of this 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
CONFLICTING ORDINANCES REPEALING CLAUSE

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:

APPROVED:

City Attorney

Mark Ammel
Mayor

Date Approved: (Month) (Date), 2023

Attest

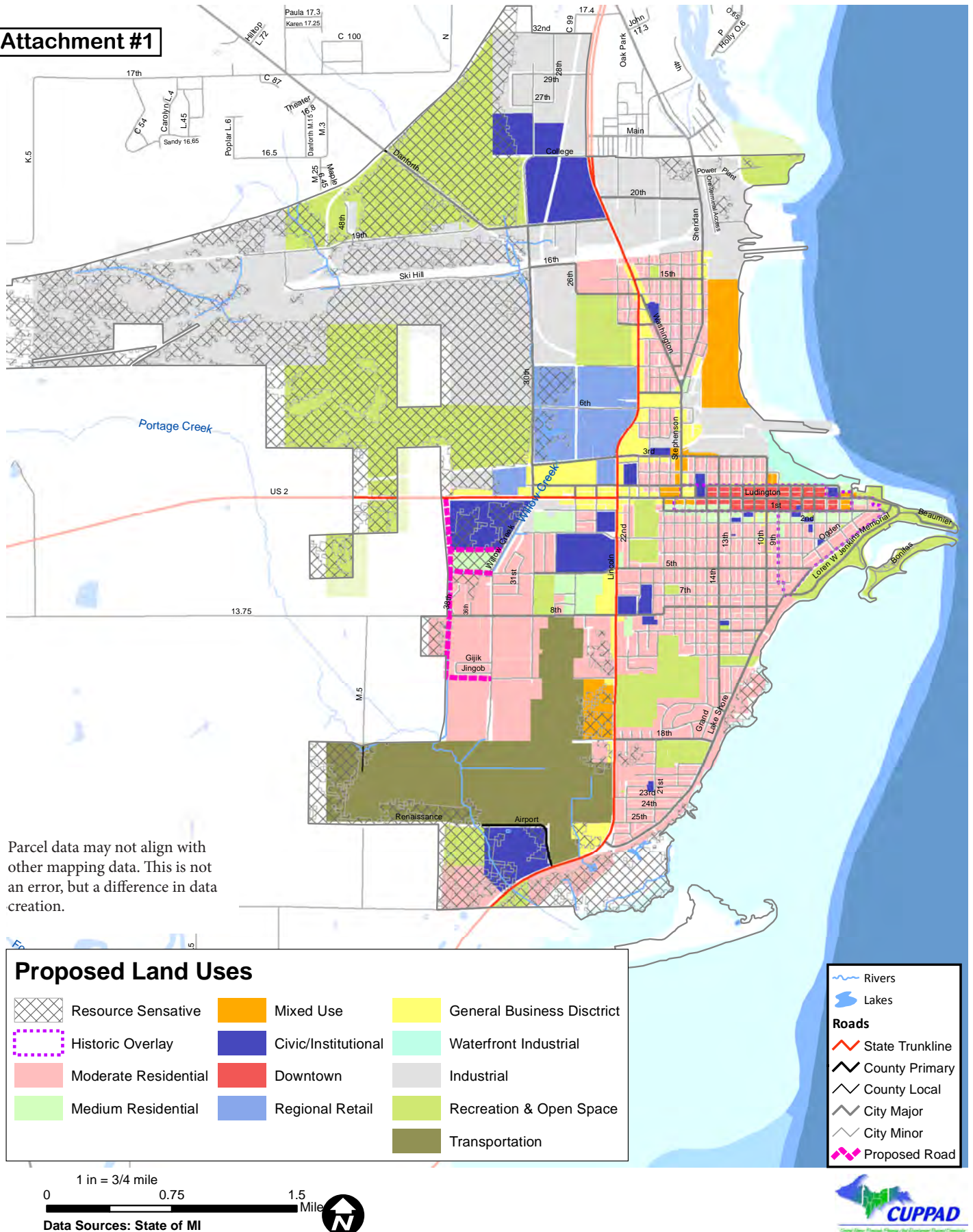
Date Published: (Month) (Date), 2023

Phil DeMay
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 (date) day of (Month), 2023 and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on (Day), (Month) (date), 2023, 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.

Phil DeMay
City Clerk

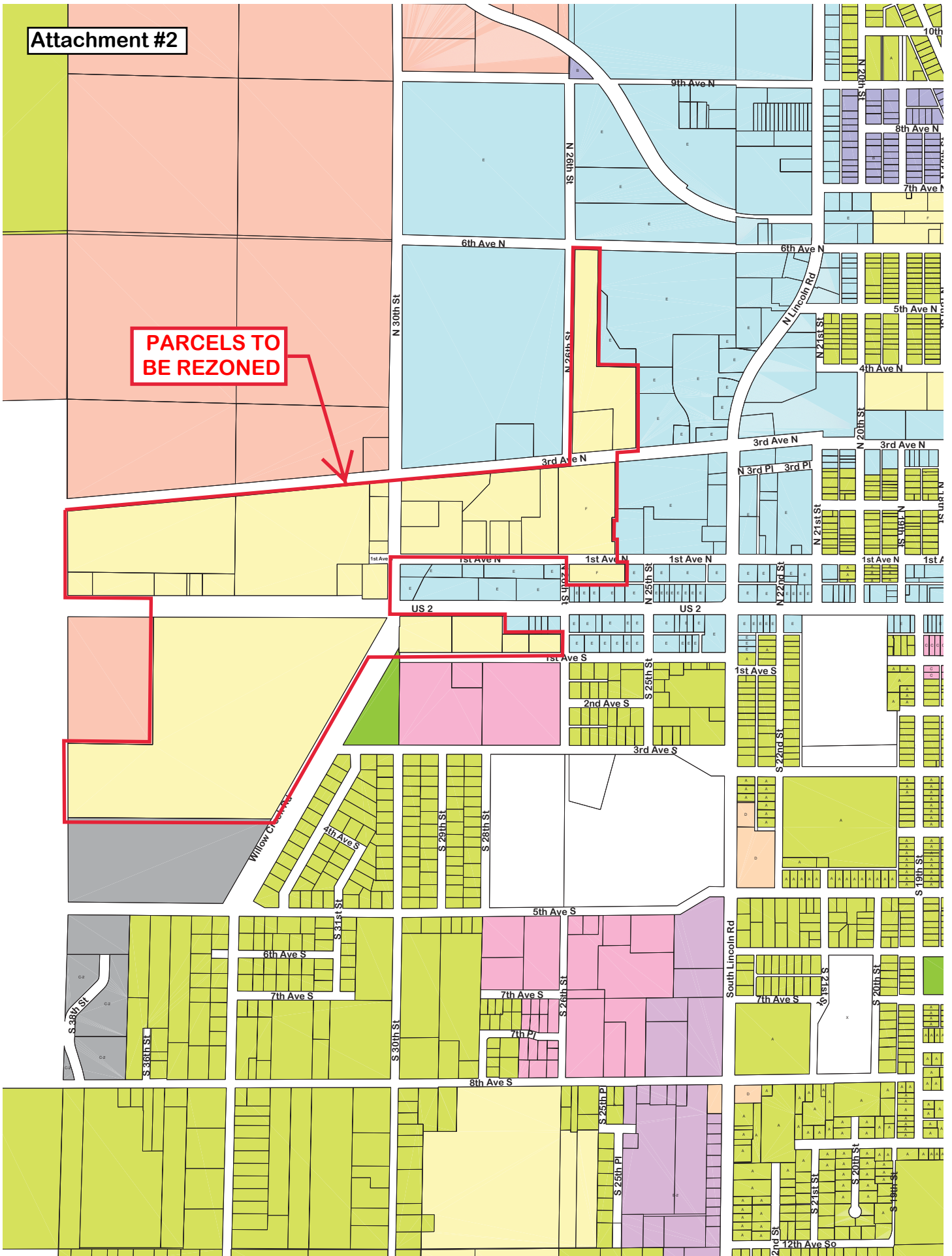
Attachment #1



Map 32: City of Escanaba, Future Land Use

Attachment #2

PARCELS TO
BE REZONED



Attachment #3 **Parcels Included in Re-Zoning**

Parcel ID #	Address
051-420-2825-200-022	2530 1ST AVE N
051-420-2825-200-003	2520 3RD AVE N
051-420-2825-400-004	2635 LUDINGTON ST
051-420-2825-200-014	2700 1ST AVE N
051-420-2825-100-002	300 N 30TH ST
051-420-2825-200-002	2510 3RD AVE N
051-420-2825-200-012	2701 3RD AVE N
051-420-2825-200-029	2800 1ST AVE N
051-420-2825-200-019	2601 3RD AVE N
051-420-2825-400-045	2600 1ST AVE S
051-420-2825-300-029	3600 LUDINGTON ST
051-420-2825-200-005	200 N 30TH ST
051-420-2825-300-012	3500 LUDINGTON ST
051-420-2825-300-007	3400 LUDINGTON ST
051-420-2825-300-008	3430 LUDINGTON ST
051-420-2825-300-005	101 N 30TH ST
051-420-2825-300-009	107 N 30TH ST
051-420-2825-100-006	3300 LUDINGTON ST
051-120-2825-426-001	2525 1ST AVE N
051-420-2825-100-007	201 N 30TH ST
051-420-2825-200-016	220 N 30TH ST
051-420-2825-200-020	2929 3RD AVE N
051-420-2825-100-008	301 N 30TH ST
051-420-2825-200-010	2720 1ST AVE N
051-420-2825-100-005	331 N 30TH ST
051-420-2825-300-003	3401 LUDINGTON ST
051-420-2825-400-005	2625 LUDINGTON ST
051-420-2825-400-005	2625 LUDINGTON ST
051-420-2825-300-028	3700 LUDINGTON ST

Section 103. - Changes and Amendments.

- 103.1. General.** This section addresses the procedure for changing and amending the Zoning Ordinance.
- 103.2. Procedure.** The Council may, from time to time, on its motion or on petition, amend, supplement, or change the district boundaries or regulations herein established in the manner prescribed by Act No. 110 of the Public Acts of Michigan for 2006 (MCL 125.3101 et seq.). Whenever the owners of fifty (50) percent or more of the frontage in any district or part thereof shall present to the Council a petition in writing, duly signed, and which shall have been acknowledged by each of said petitioners substantially in accordance with the provisions for the acknowledgment of deeds, requesting an amendment, supplement, change, or repeal of the provisions prescribed for such district or part thereof, it shall be the duty of the Council to vote upon said petition within ninety (90) days after the filing of the same by the petitioners with the Council. If any area is hereafter transferred to another district by a change in district boundaries by an amendment as above provided, the provisions of this Ordinance, relating to building or uses of buildings or premises existing at the time of passage of this Ordinance shall apply to buildings or uses of buildings or premises existing at the time of passage of such amendment in such transferred area.
- 103.3. Public Hearing.** A hearing before the Planning Commission shall be conducted on all proposed amendments, supplements, changes, or repeals of the provisions of this Code before referring the matter to the City Council for action. The procedure for the Planning Commission public hearing shall be as follows:
- 103.3.1. Newspaper Notice.** At least fifteen (15) days' notice of the public hearing shall be given in an official newspaper of general circulation in the City.
- 103.3.2. Public Notice.** At least fifteen (15) days' notice of the time and place of the public hearing shall be mailed to each public entity, public utility company and to each railroad company owning or operating any public utility or railroad within the districts affected that registers its name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained.
- 103.3.3. Notice Applicability.** For properties which are proposed for rezoning, notice of the proposed rezoning and hearing shall be given at least fifteen (15) days before the hearing to:
- A. The owners of the property in question;
 - B. All persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question; and
 - C. At least one (1) occupant of each dwelling unit or spatial area owned or leased by different persons within three hundred (300) feet of the boundary of the property in question. Where a single structure contains more than four (4) dwelling units or distinct spatial areas, notice may be given to the manager or owner of the structure with a request to post the notice at the primary entrance

to the structure. Where the names of the occupant is not known, the term "occupant" may be used in making notification.

- 103.4. Notice.** The notice shall contain the following:
- A. A description of the proposed zoning;
 - B. A description of the subject property;
 - C. The time and location of the public hearing; and
 - D. When and where written comments will be received.
- 103.5. Protest.** If a protest of the proposed amendment is presented to the City Council at or before final action on the amendment and it is properly signed by the owners of at least twenty (20) percent of the area of land included in the proposed change, excluding publicly owned land, or by the owners of at least twenty (20) percent of the area of and included within an area extending out at least one hundred (100) feet from any point on the boundary of land included in the proposed change, excluding publicly owned land, then such amendment shall be passed only upon four (4) affirmative votes of the City Council.
- 103.6. Publication.** Following the adoption of a Zoning Ordinance or amendment by the City Council, a notice of adoption shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption. The notice shall include the following information:
- 103.6.1. New Adopted Ordinance.** In the case of a newly adopted Zoning Ordinance, the following statement: "A Zoning Ordinance regulating the development and use of land has been adopted by the City Council of the City of Escanaba."
 - 103.6.2. Zoning Ordinance Amendment.** In the case of an amendment to an existing Ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment.
 - 103.6.3. Effective Date.** The effective date of the Ordinance.
 - 103.6.4. Purchase/Inspection of Ordinance.** The place and time where a copy of the Ordinance may be purchased or inspected.

Section 104. - Review of Zoning Code.

- 104.1. General.** The Planning Commission shall routinely review the requirements of this Ordinance every five (5) years to ensure it is current and accurate.

Section 105. - Application of Code; Compliance Required.

- 105.1. General.** The provisions of this Code shall apply to the following standards except as otherwise allowed by this Code:
- A. No building or structure shall be built, rebuilt, converted, enlarged, moved, or structurally altered, and no building or land shall be used, except for a use allowed in that district.