



## CITY COUNCIL MEETING AGENDA July 6, 2023

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

James R. McNeil, City Manager  
Phil DeMay, City Clerk  
Laura J. Genovich, 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, July 6, 2023, at 7:00 p.m.**

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL/CORRECTION(S) TO MINUTES – Regular Meeting – June 15, 2023  
Special Meeting – June 29, 2023

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION(S)

BRIEF PUBLIC COMMENT(S)

PUBLIC HEARINGS – None

UNFINISHED BUSINESS

#### **1. Approval – Request to Develop and Maintain Garden on City Property - Administration.**

**Explanation:** Enhance Escanaba has requested City Council authorization to build and maintain a garden on Sand Point. A proposed agreement and sketch are included in the agenda packet.

#### **NEW BUSINESS**

#### **1. First Reading of Ordinance No. 1282, An Ordinance to Amend Marihuana Establishment Distancing Regulations within the Zoning Ordinance, and Setting the Date of Thursday, August 3, 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. 1282, An Ordinance to Amend Marihuana Establishment Distancing Regulations within the Zoning Ordinance. Administration is requesting that the City Council set August 3, 2023, for the second reading, public hearing adoption of Ordinance No. 1282.

#### **2. First Reading of Ordinance No. 1283, An Ordinance to Amend Setback-Related Language within the Zoning Ordinance, and Setting the Date of Thursday, August 3, 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. 1283, An Ordinance to Amend Setback-Related Language within the Zoning Ordinance. Administration is requesting that the City Council set August 3, 2023, for the second reading, public hearing adoption of Ordinance No. 1283.

**3. Approval – Request for use of Ludington Park for Annual UPToberfest Celebration – Administration.**

**Explanation:** Administration is recommending approval of a Special Event Application submitted by the Bay de Noc Brewers/United Way of Delta County to host UPToberfest in Ludington Park on Saturday, October 14, 2023. Administration is recommending approval of the request contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, and 2) event sponsors provide all labor material and clean up at the conclusion of the event.

**4. Approval - Use of Public Space - Ludington Street - Pulling for Honor - Administration.**

**Explanation:** Scott Knauf with Honor Flight is requesting approval to use Ludington Street from 14th Street to 16th Street on Saturday, August 5, 2023, from 12:00 p.m. to 5:30 p.m. for setup, and 2:00 p.m. to 5:00 p.m., for Pulling for Honor (fundraiser for U.P. Honor Flight. Administration is recommending approval of the request contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, and 2) event sponsors provide all labor material and clean up at the conclusion of the event.

**5. Approval – ARPA Project – Division A – LSLR – Water.**

**Explanation:** Administration is requesting City Council approval to hire and retain the professional services of Oberstar, Inc. of Marquette, Michigan with regard to the City of Escanaba's ARPA Project - Division A - Lead Service Line Replacement in an amount not to exceed \$8,089,228, including a 6% contingency.

**6. Approval – ARPA Project – Division B – Watermain Improvement Project – Water.**

**Explanation:** Administration is requesting City Council approval to hire and retain the professional services of Oberstar, Inc. of Marquette, Michigan with regard to the City of Escanaba's ARPA Project - Division B - Watermain Improvement Project in an amount not to exceed \$9,326,972.64, including construction and a 6% contingency, along with Non-Participating Funds in the amount of \$1,645,576.72, including construction and a 6% contingency, for a total of \$10,972,549.36.

**7. Approval – C2AE – Davis Bacon Wage Review for ARPA Projects (LSLR and DWAM) – Water.**

**Explanation:** Administration is requesting for City Council authorization to hire and retain the services of C2AE of Escanaba MI, to complete Davis Bacon Wage Review and Certification work, as per the grant agreement, at a cost not to exceed \$10,600.00. Money is available and budgeted for this type of use within the Water Fund Budget for Professional Services.

**8. Approval – WTP Asphalt Patching – Water.**

**Explanation:** Administration is requesting City Council approval to obtain the services of Midwest Asphalt and Gravel of Iron Mountain, MI to complete the needed asphalt patchwork created from work done on the water system in an amount not to exceed \$325.00/ton. Money is budgeted and available.

**9. Approval – Water Treatment Plant Generator Installation – Water.**

**Explanation:** Administration is requesting City Council approval to hire and retain the services of Master Electric, Inc. of Escanaba, Michigan for installation of new generator for the Water Treatment Plant in an amount not to exceed \$42,000.00, which includes monies for contingencies for installation. An additional \$10,000.00 will be needed for contingencies such as concrete pad, site prep, and demolition of existing generator for a total of \$52,000.00. Money is available and budgeted for this service.

**10. Approval – Use of Public Space – Ludington Street – Downtown Sidewalk Sales – Administration.**

**Explanation:** The Downtown Partners in Business is requesting the City Council approve the closure of Ludington Street on July 29, 2023, from 9:00 a.m. to 5:30 p.m. for setup, and 10:00 a.m. to 5:00 p.m. for the annual “Downtown Sidewalk Day’s” event.

APPOINTMENTS

BOARD, COMMISSION, AND COMMITTEE REPORTS

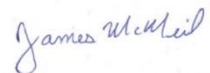
GENERAL PUBLIC COMMENT

Agenda – July 6, 2023

ANNOUNCEMENTS

ADJOURNMENT

**Respectfully Submitted,**

A handwritten signature in blue ink that reads "James McNeil". The signature is written in a cursive, flowing style.

**James R. McNeil  
City Manager**

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, June 15, 2023**

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: Mayor Mark Ammel, Council Members, Ronald J. Beauchamp, Tyler DuBord, Todd Flath, and Karen Moore

Absent: None

Also Present: City Manager James R. McNeil, Deputy City Clerk Tammy Weissert, Department Heads, media, and members of the public.

Deputy City Clerk Weissert led Council in the Pledge of Allegiance.

Beauchamp moved, Moore seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from May 18, 2023, as submitted.

Moore moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting minutes from May 25, 2023, as submitted.

DuBord moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting minutes from June 5, 2023, as submitted.

**ADJUSTMENTS TO THE AGENDA**

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

**CONFLICT OF INTEREST DECLARATION** – None

**BRIEF PUBLIC COMMENT** – None

**PUBLIC HEARINGS**

**PH-1 Public Hearing – Ordinance No. 1281 - Appropriations Ordinance Amendment – Controller.**

A public hearing was conducted on an amendment to the current Appropriations Ordinance for the fiscal year ending June 30, 2023. An amendment was needed to balance out over and under expenditures within various departmental budgets for the 2022-23 fiscal year. This action was mandated by State law and adjusts budget accounts to help ensure that no individual line items are overrun.

This being a public hearing, Mayor Ammel asked for public comment.

Hearing no public comment, Mayor Ammel then closed the public hearing.

**PH-1** “By Council Member DuBord, seconded by Council Member Moore;

**Resolved**, That Ordinance No. 1281, the Appropriations Ordinance Amendment, 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. 1281 adopted by title:

**"AN ORDINANCE TO AMEND ORDINANCE NO. 1261, ENTITLED AN  
ORDINANCE TO MAKE APPROPRIATIONS AND CORRESPONDING  
REVENUES FOR THE YEAR ENDED JUNE 30, 2023."**

Full text in Ordinance Record “M”.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

**PH-2 Public Hearing – Resolution 23-15 – CDBG/RLF Funding for LeverEdge  
Chiropractic PLLC – HR Director/Treasurer.**

Administration recommended approval of a loan of \$35,000 of CDBG/RLF program funds to LeverEdge Chiropractic PLLC, to purchase equipment and provide working capital. This will result in the hiring of one (1) new employee, 51% of whom have been previously classified as low to moderate income persons. No individuals will be displaced as a result of the proposed activities. Administration recommended Council approval.

This being a public hearing, Mayor Ammel asked for public comment.

Hearing no public comment, Mayor Ammel then closed the public hearing.

**PH-2** “By Council Member DuBord, seconded by Council Member Moore:

**RESOLUTION # 23-15**

**APPLICATION FOR FUNDING THROUGH THE CITY OF ESCANABA**

**STATE OF MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REVOLVING  
LOAN FUND (RLF) PROGRAM. FOR LEVEREDGE CHIROPRACTIC PLLC.**

**WHEREAS**, LeverEdge Chiropractic PLLC. has made application through Northern Initiatives, Inc. for The City of Escanaba CDBG Revolving Loan Funds in the amount of

\$35,000 to aid in financing the purchase of equipment and to fund working capital 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 Manager, James McNeil and Kim Gustafson, City Treasurer as its representatives on its Regional Funds Approval Committee, and

**WHEREAS**, the Regional Fund Approval Committee has reviewed and approved said application submitted by LeverEdge Chiropractic PLLC on June 1, 2023, and

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

**WHEREAS**, The City of Escanaba has advertised in The Daily Press newspaper and has held a public informational hearing in regard to the CDBG Revolving Loan Fund application on June 15, 2023.

**THEREFORE BE IT FURTHER RESOLVED** that The City of Escanaba acknowledges that it has held a public informational meeting on June 15, 2023 in regard to the CDBG Revolving Loan Fund Application by LeverEdge Chiropractic PLLC in the amount of \$35,000 for the purchase of equipment and to provide working capital 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 City Manager to sign the part 2 Application and all attachments.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel

Nays: None

**RESOLUTION DECLARED ADOPTED."**

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

**NB-1 Approval – Resolution 23-13 – To Withdraw from Great Lakes Utilities – Electric.**

Administration requested City Council approval of the resolution to withdraw membership from Great Lakes Utilities.

**NB-1** “By Council Member Beauchamp, seconded by Council Member DuBord:

**RESOLUTION 23-13**

**Resolution of the City Council of the City of Escanaba, Michigan to Withdraw from Membership with Great Lakes Utilities**

**Whereas**, City of Escanaba, Michigan (the City) owns and operates an electric utility pursuant to Michigan law, and through such utility distributes and sells electric power at retail;

**Whereas**, Great Lakes Utilities (GLU) is a municipal electric company created pursuant to Wis. Stats. Sec. 66.0825;

**Whereas**, The City joined GLU on December 16, 2011 with a Resolution by the City Council on December 15, 2011;

**Whereas**, The City no longer requires membership with GLU due to cancellation of the MISO Services Agreement;

**Whereas**, The Escanaba City Council wishes to withdraw membership from GLU;

**Whereas**, The City acknowledges that the withdrawal from GLU will take effect six (6) months after the resolution is filed with the WI Secretary of State;

**Now, Therefore**, it is resolved by the Escanaba City Council:

- (1) To withdraw from GLU.
- (2) To authorize and direct the City Clerk to forward a certified copy of the resolution to the GLU Board, requesting that this resolution be filed with the WI Secretary of State.
- (3) That the City acknowledges that the withdrawal will take effect six (6) months after the resolution is filed with the WI Secretary of State.

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

Ayes: Beauchamp, DuBord, Flath, Moore, Mayor Ammel  
Nays: None

**RESOLUTION DECLARED ADOPTED.”**

**NB-2 Approval – Annual Linemen Safety Training – Electric.**

Administration requested City Council approval to sign an agreement with MEUW for Annual Linemen Safety Training.

**NB-2** DuBord moved, Moore seconded, to approve to sign an agreement with MEUW for Annual Linemen Safety Training.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel  
Nays: None

**MOTION CARRIED.**

**NB-3 Approval – Budget Request – Dock Number Signage – Marina.**

Escanaba Marina sought City Council approval of new dock number signage for pier #1 and #3. Quotes have been procured from three different companies, Hurley Marine, Sign UP Graphics, and Meier's Signs.

**NB-3** Moore moved, Beauchamp seconded, to approve of new dock number signage for pier #1 and #3 from Hurley Marine.

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

Ayes: Moore, Beauchamp, DuBord, Flath, Mayor Ammel  
Nays: None

**MOTION CARRIED.**

**NB-4 Approval – Road Closure - Great Lakes Federal Credit Union – City Manager.**

Great Lakes Federal Credit Union requested City Council approval to close the 2100 block of 3rd Place, on July 28, 2023, from 11:00 a.m. until 3:00 p.m., for their annual Member Appreciation Day. Administration recommended approval of the request contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, and 2) event sponsors provide all labor material and clean up at the conclusion of the event.

**NB-4** DuBord moved, Flath seconded, **CARRIED UNANIMOUSLY**, to approve a request from Great Lakes Federal Credit Union to close the 2100 block of 3rd Place, on July 28, 2023, from 11:00 a.m. until 3:00 p.m., for their annual Member Appreciation Day, contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, and 2) event sponsors provide all labor material and clean up at the conclusion of the event.

**NB-5 Approval – Annual Service Agreement - William Bonifas Fine Arts Center – City Manager.**

The William Bonifas Fine Arts Center sought Council approval of their 2023-24 Service Agreement in the amount of \$5,000. Under the terms of the agreement, the Center will provide (6 to 8) exhibitions in the Alice Powers Gallery, a minimum (6) on-stage (or radio) plays, a minimum of (40) classes in the creative and visual arts, and



workshops, which will be available to the citizens of Escanaba. Administration recommended approval of the Service Agreement. This was a budgeted item.

**NB-5** DuBord moved, Moore seconded, to approve the William Bonifas Fine Arts Center 2023-24 Service Agreement in the amount of \$5,000.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**NB-6 Approval – Resolution 23-14, Resolution of Support - Bonifas Arts Center - 2024 Music Mondays Summer Concerts – City Manager.**

The Bonifas Art Center sought Council approval of a resolution supporting their grant application to the Michigan Council for Arts and Cultural Affairs seeking funds for the "Music Mondays" Summer Concert Series. If approved, the City of Escanaba will serve as the Administrator for the funds. Administration recommended approval.

**"NB-6** By Council Member DuBord, seconded by Council Member Moore:

**RESOLUTION 23-14**

**Resolution in Support of a Grant Application to the  
Michigan Council for Arts and Cultural Affairs**

**AT A MEETING OF THE CITY COUNCIL OF THE CITY OF ESCANABA, MICHIGAN, HELD  
ON JUNE 15, 2023**

**RESOLUTION - SUPPORTING THE GRANT APPLICATION TO THE MICHIGAN ARTS**

**AND CULTURAL COUNCIL SEEKING MATCHING FUNDS FOR THE  
"MUSIC MONDAYS" SUMMER CONCERT SERIES.**

**WHEREAS**, the City Council of the City of Escanaba, Michigan, does hereby find as follows:

**WHEREAS**, the City desires to support the cultural lives of area residents through opportunities to be exposed to new art and music;

**WHEREAS**, the City has an excellent partner in the Bonifas Arts Center to successfully organize and promote community events, and promote cultural tourism and sponsor area musicians through public concerts;

**WHEREAS**, the City will administer the grant funds, if awarded, as set forth in the application;

**WHEREAS**, the City has a policy detailing equal opportunity provisions for job applicants and public accommodations and agrees to conform to the Assurances and Guidelines set forth in the application;

**NOW, THEREFORE, BE IT HEREBY PROCLAIMED** by the City Council of the City of Escanaba, Michigan, that the grant application should be made to the Michigan Council for Arts and Cultural Affairs for the August 3, 2023, deadline.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

**NB-7 Approval – Delta County Historical Society Agreement – City Manager.**

Administration requested City Council approval of the 2023/24 service agreement with the Delta County Historical Society. This item was included in the 2023/24 Budget.

**NB-7** Moore moved, Flath seconded, to approve of the 2023/24 service agreement with the Delta County Historical Society.

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

Ayes: Moore, Flath, Beauchamp, DuBord, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**NB-8 Approval – Contract with C2AE for the Webster Park Splash Pad – Recreation.**

Administration recommended approval of a contract between the City of Escanaba and C2AE for \$17,000 for engineering services on the proposed Webster Park Splash.

**NB-8** Moore moved, Beauchamp seconded, to approve of a contract between the City of Escanaba and C2AE for \$17,000 for engineering services on the proposed Webster Park Splash.

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

Ayes: Moore, Beauchamp DuBord, Flath, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**NB-9 Approval – 2024 Tandem Plow Truck Purchase – Engineering/Public Works.**

Public Works received four (4) bids for a 2024 Western Star Tandem Axel Plow Truck with a Dump Box, Underbody Scraper, four-way front plow and rear mount wing. Public Works requested approval to accept the bid from UP Truck Center in Quinnesec, MI with the body package from Monroe Truck Equipment of \$246,370.

**NB-9** DuBord moved, Moore seconded, to approve the 2024 Western Star Tandem Axel Plow Truck with a Dump Box, Underbody Scraper, four-way Front Plow and Rear Mount Wing bid from UP Truck Center in Quinnesec, MI with the body package from Monroe Truck Equipment of \$246,370.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel  
Nays: None

**MOTION CARRIED.**

**NB-10 Approval – Conduct Lead Service Line Replacements – Water.**

Administration requested authorization to retain and hire any contractor to install a water service, who is licensed and insured to conduct this type of work, at the rate of \$3,150.00 for a half service or \$6,000.00 for an entire service per site or address, which is deemed necessary by the Water Department.

**NB-10** Beauchamp moved, DuBord seconded, to approve to retain and hire any contractor to install a water service, who is licensed and insured to conduct this type of work, at the rate of \$3,150.00 for a half service or \$6,000.00 for an entire service per site or address, which is deemed necessary by the Water Department.

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

Ayes: Beauchamp, DuBord, Flath, Moore, Mayor Ammel  
Nays: None

**MOTION CARRIED.**

**NB-11 Approval – Water Treatment Plant Generator – Water.**

Administration requested City Council approval to purchase a new generator from Fabick Power Systems of Green Bay, Wisconsin for the Water Treatment Plant in an amount not exceed \$113,700.00, which will include \$4,000.00 for contingencies. Money was available and budgeted for this purchase in the current fiscal year.

**NB-11** DuBord moved, Moore seconded, to approve to purchase a new generator from Fabick Power Systems of Green Bay, Wisconsin for the Water Treatment Plant

in an amount not exceed \$113,700.00, which will include \$4,000.00 for contingencies.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**NB-12 Approval – RAP 2.0 (Revitalization and Placemaking Program) – DDA.**

A Ludington Street Workgroup has been working on project possibilities for the RAP 2.0 (Revitalization and Placemaking Program) grant through the MEDC. The City Council was updated on proposed restrooms in the Municipal Dock area and streetscape at the eastern end of Ludington Street.

**NB-12** Moore moved, Beauchamp seconded, to approve to support the City of Escanaba RAP 2.0 (Revitalization and Placemaking Program) application.

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

Ayes: Moore, Beauchamp, DuBord, Flath, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**NB-13 Approval – Police Academy Training – EPSD.**

Administration sought City Council approval of funds not to exceed \$15,000 for the sponsorship of an Escanaba Public Safety recruit. This request was being done with the stipulation we are receiving \$24,000 in grant funds from MCOLES to sponsor a recruit through the police academy.

**NB-13** DuBord moved, Moore seconded, to approve of funds not to exceed \$15,000 for the sponsorship of an Escanaba Public Safety recruit.

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

Ayes: DuBord, Moore, Beauchamp, Flath, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**NB-14 Approval – Extrication Equipment – EPSD.**

Escanaba Public Safety received grants to replace its extrication equipment.

Escanaba Public Safety sought City Council approval to purchase new extrication equipment. Public Safety has received \$38,755.05 to cover the costs.

**NB-14** DuBord moved, Flath seconded, to approve to purchase new extrication equipment.

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

Ayes: DuBord, Flath, Beauchamp, Moore, Mayor Ammel

Nays: None

**MOTION CARRIED.**

### **APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES**

*Council made the following appointments:*

Patrick Connor appointed to the Planning Commission, expiring June 1, 2025.

Christiana Reynolds appointed to the Planning Commission, expiring June 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**

- Craig Woerpel – DDA Director - Discussed events that will be happening, Farmers Market, Lunch on Ludington and next Tuesday an Escanaba Beat Street Concert on 9<sup>th</sup> Street and Ludington Street.
- Heather Grimes – Bonifas Arts Center Special Events Coordinator – Thanked City Council for approving the Music Monday Grant.
- Kim Peterson – Recreation Director – Announced Independence Day Celebration and fireworks will be held on Saturday, July 1<sup>st</sup>, with a rain date of Saturday, July 8, 2023.

### **ANNOUNCEMENTS**

- City Manager McNeil gave a status update on the Northshore project, City was awarded the Brownfield Site Assessment Grant and Eagle Grant.
- The Historical House of Ludington has officially opened.
- Heard nothing but positive things from the people on the American Queen Voyages.

Hearing no further public comment, Flath moved, DuBord seconded, the Council adjourned at 8:17 p.m.

Respectfully submitted,

Tammy Weissert, CMC/MiPMC  
Deputy City Clerk

Approved: \_\_\_\_\_  
Mark Ammel, Mayor

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Special Council Meeting  
Thursday, June 29, 2023**

Pursuant to a meeting notice posted on June 20, 2023, the meeting was called to order by the Honorable Mayor Mark Ammel at 7:15 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

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

Absent: None

Also Present: City Manager James R. McNeil, City Clerk Phil DeMay, Department Heads, media, and members of the public.

**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** – None

**PUBLIC HEARINGS** – None

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

**NB-1 Closed Session –Labor Contracts – HR Director/Treasurer.**

Administration requested Council go into a closed session to consider material exempt from discussion or disclosure by statute under MCL 15.268(c), identified as negotiation of a collective bargaining agreement(s).

DuBord moved, Flath seconded, to go into Closed Session.

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

Ayes: DuBord, Flath, Moore, Beauchamp, Mayor Ammel  
Nays: None

**MOTION CARRIED.**

The time was 7:16 p.m.

DuBord moved, Flath seconded, to come back into Open Session.

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

Ayes: DuBord, Flath, Moore, Beauchamp, Mayor Ammel

Nays: None

**MOTION CARRIED.**

The time was 7:37 p.m.

*No Council actions were taken during the Closed Session.*

**NB-1** DuBord moved, Flath seconded, to approve DPW, IBEW, W/WW, and PSO union contracts.

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

Ayes: DuBord, Flath, Moore, Beauchamp, Mayor Ammel

Nays: None

**MOTION CARRIED.**

**GENERAL PUBLIC COMMENT** – None

**ANNOUNCEMENTS**

- 4<sup>TH</sup> of July celebration in Escanaba July 1<sup>st</sup> with fireworks at dusk!
- The City Manager discussed with the Council a proposed workshop for ACO (Administrative Consent Order).

Hearing no further public comment Flath moved, DuBord seconded, Council adjourned at 7:42 p.m.

Respectfully submitted,

Phil DeMay  
City Clerk

Approved: \_\_\_\_\_  
Mark Ammel, Mayor



Agenda Item: UB-1  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 6/30/2023

Name: James McNeil

Department: Manager

Item: Request to Develop and Maintain Garden on City Property

Meeting date requested: 7/6/2023

Explanation for request:

Enhance Escanaba has requested City Council authorization to build and maintain a garden on Sand Point. A proposed agreement and sketch are included in the agenda packet.

## ***AGREEMENT TO MAINTAIN GARDEN ON CITY PROPERTY***

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*BETWEEN*

*AND*

---

Enhance Escanaba  
Escanaba, MI 49829

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City of Escanaba  
410 Ludington Street  
Escanaba, MI 49829

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WHEREAS, Enhance Escanaba wishes to develop and maintain a garden on property located in the City of Escanaba.

WHEREAS, the City of Escanaba is permitting Enhance Escanaba to construct such garden in Ludington Park on property owned by the City of Escanaba, also known as Sand Point.

NOW, THEREFORE, the parties agree to the following:

1. Enhance Escanaba has requested to construct a garden at Sand Point in Ludington Park. The City of Escanaba will mark the specific location for the garden.
2. It is understood that no deep-rooted vegetation, permanent structures, or hardscaping shall be placed in the vicinity of the City of Escanaba Water Treatment Plant infrastructure. City of Escanaba staff will approve the location of garden components to ensure city operations and infrastructure are not compromised.
3. The City Planning Commission and City Council shall approve a project site plan. Construction is permitted to commence, weather permitting, in \_\_\_\_\_ 2024 and to be completed in a timely manner, within twelve months from its date of commencement.
4. Upon completion of the construction, all disturbed areas shall be restored by Enhance Escanaba to the condition prior to development.
5. Upon completion of the development of the garden, and restoration of the disturbed area, it shall be the full responsibility of Enhance Escanaba to keep and maintain the garden in good, safe, and respectable condition. The garden shall not become a public nuisance.

6. Enhance Escanaba accepts the responsibility to inspect, regularly maintain and repair the garden as required, and to keep the garden in safe and appealing condition.
7. Enhance Escanaba shall be responsible to resolve any claims, demands or controversies involved in the garden and shall hold the City of Escanaba harmless from such claims, demands or controversies involving the garden and shall indemnify the City from any such claims.
8. In the event Enhance Escanaba wishes to terminate this agreement, or undergoes liquidation, dissolution, termination, or substantial contraction, Enhance Escanaba shall restore the garden to grass, free of structures, unless otherwise agreed to by the City of Escanaba.
9. The City of Escanaba reserves the right to terminate this agreement.

The agreement made by signatures executed this \_\_ day of \_\_\_\_\_, 2023.

Enhance Escanaba:

\_\_\_\_\_  
By its President

\_\_\_\_\_  
By its Secretary

City of Escanaba:

\_\_\_\_\_  
By its Manager

\_\_\_\_\_  
By its Mayor

Agenda Item: NB-1  
Date: 07-06-2023

## City Council Agenda Item Request

Date: June 9, 2023

Name: Tyler Anthony

Department: Planning & Zoning

Item: Zoning Text Amendment (Marihuana Establishment Distancing Regulations)

Meeting date requested: July 6, 2023

Explanation for request:

At their regular meeting on June 8, 2023, the planning commission recommended a zoning text amendment to city council for review per zoning ordinance sec. 103.

"The city council, upon recommendation from the planning commission, shall either schedule a public hearing or deny the [zoning text amendment]. ... If determined necessary, the city council may refer the amendment proposal back to the planning commission for further consideration. The city council shall approve or deny the amendment based upon its consideration of the criteria in sec. 103.4.3" (zoning ordinance sec. 103.4.2).

# CHAPTER 1 – GENERAL PROVISIONS

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## ***Section 103 – Changes and Amendments***

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### **103.4 Amendment Review Procedures**

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#### **103.4.3 Standards of Review for Amendments**

In considering any petition for an amendment to the text of this Ordinance or to the Official Zoning Map, the Planning Commission and City Council shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.

...

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##### **103.4.3.2 Text Amendments to Change or Add Regulations or Standards**

The following questions shall be considered:

- A. Does the proposed rule, change, or addition help reinforce the Master Plan?
- B. Is the proposed rule, change, or addition in keeping with the spirit and intent of the ordinance, and with the objectives of valid public purposes?
- C. What is the problem or issue that the change is intended to address? Can this be accomplished in another more appropriate fashion? Is it a new response to new problems not addressed in the zoning ordinance?
- D. Is the proposed text change easily administered and enforced?

## ORDINANCE NO. 1282

### AN ORDINANCE TO AMEND MARIHUANA ESTABLISHMENT DISTANCING REGULATIONS WITHIN THE ZONING ORDINANCE

THE CITY OF ESCANABA HEREBY ORDAINS:

#### CHAPTER I

*The City of Escanaba Code of Ordinances, Appendix A, also known as the Zoning Ordinance, is hereby amended as follows, with additions in bold text and deletions in strikethrough text:*

~~205.6.2 — Screening. Facilities and establishments must be sufficiently screened or buffered with a fence, wall, or landscape screen to minimize light spillage, odor, and noise (including noise associated with truck traffic or other machinery), affecting adjacent properties.~~

...

205.6.8 – Minimum Distancing Regulations. The following minimum distancing regulations apply to establishments:

1. An establishment may not be located within seven hundred fifty (750) feet of an existing public or private K-12 school.
2. ~~A grower, processor, or safety compliance establishment may not be located within five hundred (500) feet of any existing one-family dwelling.~~ **An establishment may not be located within five hundred (500) feet of a postsecondary education institution.**
3. ~~A retailer may not be located within one hundred (100) feet of any existing one-family dwelling, except that this distance requirement does not apply in the E-3 (Central Commercial) Zoning District.~~ **A grower, processor, or safety compliance establishment may not be located within five hundred (500) feet of zoning districts A, B, C, or C-2.**
4. ~~The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the parcel used as a marihuana establishment.~~ **A retailer may not be located within one hundred (100) feet of zoning districts A, B, C, or C-2.**
5. **The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of a lot which contains land uses stated in this subsection, or which is within a zoning district stated in this subsection, to the nearest property line of the parcel used as a marihuana establishment.**

205.6.9 – Provisioning Centers and Retailers. The following requirements apply to provisioning centers and retailers:

1. The interior of the establishment must be arranged in a way such that neither marihuana nor marihuana-infused products are visible from the exterior of the establishment.
2. Consumption of marihuana shall be prohibited in the retail establishment, and a sign shall be posted on the premises of each retail center indicating that consumption is prohibited on the premises.
3. Provisioning centers and retailers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras. The video recordings shall be maintained in a secure, off-site location for a period of 14 days.
4. The public or common areas of the retail establishment must be separated from restricted or non-public areas of the marihuana establishment.
5. No drive-through window on the portion of the premises occupied by a retail establishment shall be permitted.
6. Provisioning centers and retailers shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises.
7. ~~The exterior appearance of a provisioning center or retailer must be compatible with surrounding businesses with respect to façade type, ground floor opacity, size and placement of signage, site layout, etc.~~
8. ~~Building bays shall be a maximum of thirty (30) feet in width. Bays shall be visually established by architectural features such as columns, ribs or pilasters, piers, and fenestration pattern. In order to add architectural interest and variety and avoid the~~

~~effect of a single, long or massive wall with no relation to human size, the following additional standards shall apply:~~

- ~~a. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty (30) feet without including at least two of the following: change in plane, change in texture or masonry pattern, windows, or an equivalent element that subdivides the wall into human scale proportions.~~
  - ~~b. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall, only when actual doors and windows are not feasible because of the nature of the use of the building.~~
  - ~~c. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear façades shall be prohibited.~~
- ~~9. Façades that face streets or connecting pedestrian frontage shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, along no less than fifty percent of the façade.~~
- ~~10. Primary building entrances shall use clear glass and be clearly defined and recessed or framed by a sheltering element such as an awning, arcade, or portico in order to provide shelter from the inclement weather.~~
- ~~11. Windows shall have clear glass.~~
- ~~12. Awnings shall be no longer than a single storefront.~~
- ~~13. All façades shall have:~~
- ~~a. A recognizable “base” consisting of, but not limited to:~~
    - ~~i. Thicker walls, ledges, or sills;~~
    - ~~ii. Integrally textured materials such as stone or other masonry;~~
    - ~~iii. Integrally colored and patterned materials such as smooth-finished stone or tile;~~
    - ~~iv. Lighter or darker colored materials, mullions, or panels; or~~
    - ~~v. Planters.~~
  - ~~b. A recognizable “top” consisting of, but not limited to:~~
    - ~~i. Cornice treatments, other than just colored “stripes” or “bands,” with integrally textured materials such as stone or other masonry or differently colored materials;~~
    - ~~ii. Sloping roof with overhangs and brackets; or~~
    - ~~iii. Stepped parapets.~~
- ~~14. Encroachments for special architectural features, such as bay windows, decorative roofs and entry features may be considered; however, in no case may such features be below a height of 8 feet.~~

...

903.1 – General. The following uses of land and buildings, together with accessory uses, are allowed in the Local Business District if a special land use permit is issued according to the standards of this Ordinance:

- A. Public garages, repair shops, gasoline service stations, and other motor fueling filling stations.
- B. Medical marijuana provisioning centers ~~authorized under the Medical Marijuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and retailers and microbusinesses (up to 150 plants) authorized under the Michigan Regulation and Taxation of Marijuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance,~~ **recreational marijuana retailers, and recreational marijuana microbusinesses (up to 150 plants).**
- C. The Planning Commission may authorize principle and other uses not stated in the district where the land is located, provided that such uses are consistent with the neighborhood, intent of this chapter, and the standards set forth herein.

...

1003.1 – General. The following uses of land and buildings, together with accessory uses, are allowed in the Commercial District if a special land use permit is issued according to the standards of this chapter:

- A. Places of assembly on Ludington Street between 2nd Street and 22nd Street.
- B. Public garages, repair shops, gasoline service stations and other motor fuel filling stations.
- C. Public garages, business, public or quasi-public, and commercial vehicle parking.

- D. Multiple family dwellings, with the following requirements:
  - a. i. Buildings or structures hereafter erected shall not occupy more than seventy-five (75) percent of the area of the lot.
  - b. ii. Ten (10) percent of the total lot area shall remain open green space.
  - c. iii. One indigenous tree per 1,000 square feet, or fraction thereof, of gross floor area must be included.
  - d. iv. The minimum required setback distance on all sides of the property is ten (10) feet for the first two (2) stories, plus an additional ten (10) feet for each additional story.
  - e. v. All other standards not specifically mentioned in this list shall follow the standards set forth in the relevant sections of the zoning ordinance.
- E. ~~The Planning Commission may authorize principle and other uses not stated in the district where the land is located, provided that such uses are consistent with the intent of this chapter and the standards set forth herein~~ **Medical marihuana provisioning centers, recreational marihuana retailers, and recreational marihuana microbusinesses (up to 150 plants).**
- F. **The Planning Commission may authorize principle and other uses not stated in the district where the land is located, provided that such uses are consistent with the intent of this chapter and the standards set forth herein.**

...

1102.2 – Uses Allowed By Special Land Use Permit. This section establishes uses allowed by Special Land Use Permit in a Planned Commercial Development District.

- A. ~~Marihuana Provisioning Centers, Retailers, and Microbusinesses.~~ Medical marihuana provisioning centers authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and retailers and microbusinesses (up to 150 plants) authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance, **recreational marihuana retailers, and recreational marihuana microbusinesses (up to 150 plants).**

...

Section 1203 – Uses Permitted in a Special Planned District.

- A. Places of assembly, public or parochial schools, colleges, public library, museums.
- B. Private educational institutions when operated primarily for the purpose of giving preparatory education similar in education, similar in character to that provided in the public schools or kindergartens, nursery schools, and similar institutions for children of pre-school age.
- C. Parks, playgrounds, school or college stadiums, or athletic fields, golf courses.
- D. In sparsely settled and unplatted areas, a hospital, clinic, convent, home (see definition of home in Section I), dormitory or other buildings or like character, occupied or to be occupied more or less permanently (but not including penal or correctional institutions, or institutions for the care of the mentally ill or for the liquor or drug addicts).
- E. Special care facilities.
- F. Bed and breakfast uses, subject to compliance with provisions defined in the Bed and Breakfast Ordinance.
- G. Multiple and two-family dwellings.
- H. Professional offices for accountants, architects, attorneys, engineers, insurance brokers, real estate brokers, title and abstract firms, and other similar service professions.
- I. Offices of lending institutions and financial institutions, including banks, credit unions, brokerage firms, savings and loan associations, and mortgage companies. Office uses shall not include drive-through service facilities.
- J. Medical and dental offices, nonemergency primary care facilities, medical diagnosis facilities.
- K. State and Federal offices.
- L. Funeral homes.
- M. Assisted living service care facility.
- N. ~~Marihuana Provisioning Centers, Retailers, and Microbusinesses.~~ Medical marihuana provisioning centers authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and retailers and microbusinesses (up to 150 plants) authorized under the Michigan Regulation and Taxation of Marihuana Act,



~~Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance, recreational marihuana retailers, and recreational marihuana microbusinesses (up to 150 plants).~~

- O. The Planning Commission may authorize principal and other uses not stated provided that such uses are consistent with the intent of this chapter and the standards set forth herein.

...

1303.1 – General. The following uses of land and buildings, together with accessory uses, are allowed in the Light Manufacturing District if a special land use permit is issued according to the standards of this chapter:

- A. Wireless telecommunication facility with Planning Commission approval as outlined in Chapter 2, Administration, Enforcement and Penalty, Section 205, Special Land Use Permit Approval.
- B. Penal or correctional institutions.
- C. Public garages, repair shops, gasoline service stations.
- D. Business, public or quasi-public, or commercial vehicle parking.
- E. Special care facilities subject to the following conditions:
  - 1. i. A special use permit must be approved by the Planning Commission.
  - 2. ii. The allowable number of total occupants shall not exceed six (6) within any one thousand five hundred-foot radius.
  - 3. iii. All applicants for special use permits must demonstrate that there will be adequately trained personnel to staff or manage the type of facility being proposed.
- F. Sexually Oriented Businesses. A sexually oriented business may be allowed and shall be known as a regulated use and shall only be permitted with the following restrictions:
  - 1. i. The use must be located outside a five hundred-foot radius of a residential district, a place of assembly, school, or daycare center and outside a five hundred-foot radius of an officially dedicated park and the regulated use is not located within a one thousand five hundred-foot radius of another regulated use. All measurements under this section shall be made in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the regulated use or building containing a regulated use to the nearest property line of the residential district, place of assembly, school, daycare center, or park.
  - 2. ii. Persons operating a regulated use shall not permit any person under the age of eighteen (18) to be on the premises of said regulated use either as an employee or as a customer.
  - 3. iii. The maximum hours of operation of the regulated use shall be from 8:00 a.m. to 12:00 p.m.
  - 4. iv. Sexually oriented products or services or any picture or other representation thereof, shall not be displayed so as to be visible from the street or neighboring property.
  - 5. v. Off-street parking shall be provided the same as other businesses of a similar nature that are not sexually oriented (e.g. movie theaters, retail sales and eating and drinking establishments), except that all parts of the parking area shall be illuminated from dusk until one (1) hour after the business closes.
  - 6. vi. Once established, a regulated use shall not be expanded in any manner without first applying for and receiving a special land use permit amendment from the Planning Commission.
  - 7. vii. If a regulated use is discontinued and events cause the areas to not be available for the location of a regulated use, the use may not be reestablished without applying for and receiving an amended special land use permit from the Planning Commission.
  - 8. ~~The Planning Commission may authorize principle and other uses not stated provided that such uses are consistent with the intent of this chapter and the standards set forth herein.~~
- G. ~~Marihuana Class A Grower and Safety Compliance Facilities. Medical marihuana class A Growers and, medical marihuana safety compliance facilities authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and adult use recreational marihuana class A growers, and recreational marihuana safety compliance facilities authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance.~~

**H. The Planning Commission may authorize principle and other uses not stated provided that such uses are consistent with the intent of this chapter and the standards set forth herein.**

...

1403.1 – General. The following uses of land and buildings, together with accessory uses, are allowed in the Industrial Park District if a special land use permit is issued according to the standards of this Ordinance:

- A. Wireless telecommunication facility.
- B. Restaurant, hotel.
- C. ~~Marihuana Class A Growers and Safety Compliance Facilities.~~ Medical marihuana class A growers and, **medical marihuana** safety compliance facilities authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and adult-use marihuana Class A Growers and Safety Compliance Facilities authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance, **recreational marihuana class A growers, and recreational marihuana safety compliance facilities.**
- D. The Planning Commission may authorize principle and other uses not stated provided that such uses are consistent with the intent of this chapter and the standards set forth herein.

...

1503.1 – General. The following uses of land and buildings, together with accessory uses, are allowed in the Heavy Manufacturing District if a special land use permit is issued according to the standards of this chapter:

- A. Wireless telecommunication facility with Planning Commission approval as outlined in Chapter 2, Administration, Enforcement and Penalty, Section 205, Special Land Use Permit Approval.
- B. Public garages, repair shops, gasoline station or other motor fueling stations.
- C. ~~Marihuana Class B Growers, Class C Growers, and Safety Compliance Facilities.~~ Medical marihuana class B and C growers and, **medical marihuana** safety compliance facilities authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and adult-use marihuana Class B and C Growers and Safety Compliance Facilities authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance, **recreational marihuana class B and C growers, and recreational marihuana safety compliance facilities.**
- D. The Planning Commission may authorize principle and other uses not stated provided that such uses are consistent with the intent of this chapter and the standards set forth herein.

...

2103.1 – General. The following uses of land and buildings, together with accessory uses, are allowed in the Central Retail Commercial District if a special land use permit is issued according to the standards of this chapter:

- A. Eating and drinking places which include drive-in service.
- B. Banks and other financial institutions which provide drive-in services.
- C. Outdoor vendors. Open air markets.
- D. Hotels, Motels, Inns, Bed and Breakfast, and similar lodging uses.
- E. Condominium, Townhouse, Multiplex, Apartment, and other multifamily residential.
- F. ~~Marihuana Provisioning Centers, Retailers, and Microbusinesses.~~ Medical marihuana provisioning centers authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and retailers and microbusinesses (up to 150 plants) authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance, **recreational marihuana retailers, and recreational marihuana microbusinesses (up to 150 plants).**

**CHAPTER II**  
**SAVINGS CLAUSE**

If any section, subsection, sentence, clause, or phrase of this Ordinance is held to be unconstitutional, such decision shall not affect the validity of the remainder 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 other Ordinances or parts thereof in conflict with 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:

\_\_\_\_\_  
Laura Genovich, City Attorney

\_\_\_\_\_  
Mark Ammel, Mayor

Ordinance No. \_\_\_\_\_

ATTEST:

Date Approved: \_\_\_\_\_

Date Published: \_\_\_\_\_

\_\_\_\_\_  
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 \_\_\_\_\_ and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on \_\_\_\_\_, and 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

Agenda Item: NB-2  
Date: 07-06-2023

## City Council Agenda Item Request

Date: June 9, 2023

Name: Tyler Anthony

Department: Planning & Zoning

Item: Zoning Text Amendment (Setback-Related Language)

Meeting date requested: July 6, 2023

Explanation for request:

At their regular meeting on June 8, 2023, the planning commission recommended a zoning text amendment to city council for review per zoning ordinance sec. 103.

"The city council, upon recommendation from the planning commission, shall either schedule a public hearing or deny the [zoning text amendment]. ... If determined necessary, the city council may refer the amendment proposal back to the planning commission for further consideration. The city council shall approve or deny the amendment based upon its consideration of the criteria in sec. 103.4.3" (zoning ordinance sec. 103.4.2).

# CHAPTER 1 – GENERAL PROVISIONS

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## ***Section 103 – Changes and Amendments***

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### **103.4 Amendment Review Procedures**

...

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#### **103.4.3 Standards of Review for Amendments**

In considering any petition for an amendment to the text of this Ordinance or to the Official Zoning Map, the Planning Commission and City Council shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.

...

---

##### **103.4.3.2 Text Amendments to Change or Add Regulations or Standards**

The following questions shall be considered:

- A. Does the proposed rule, change, or addition help reinforce the Master Plan?
- B. Is the proposed rule, change, or addition in keeping with the spirit and intent of the ordinance, and with the objectives of valid public purposes?
- C. What is the problem or issue that the change is intended to address? Can this be accomplished in another more appropriate fashion? Is it a new response to new problems not addressed in the zoning ordinance?
- D. Is the proposed text change easily administered and enforced?

ORDINANCE NO. 1283

AN ORDINANCE TO AMEND SETBACK-RELATED LANGUAGE WITHIN THE  
ZONING ORDINANCE

THE CITY OF ESCANABA HEREBY ORDAINS:

**CHAPTER I**

*The City of Escanaba Code of Ordinances, Appendix A, also known as the Zoning Ordinance, is hereby amended as follows, with additions in bold text and deletions in strikethrough text:*

Building means any structure designed or built for the enclosure, shelter or protection of persons, animals, chattels, or property of any kind. ~~Unconventional enclosed structures, such as shipping containers, may be classified as “buildings” if they meet all of the requirements of a building pursuant to this ordinance~~ **Such a structure may be partially or wholly enclosed.**

...

Building, Height of means the vertical distance from the grade to the highest point on a mansard, Quonset, or flat roof. In the case of a gable, hip, or gambrel roof, height is measured to the median vertical distance between the eaves and ridge.

...

~~Front lot line. In the case of a lot abutting upon only one (1) street, the front lot line is the line separating such lot from such street. In the case of a lot abutting on two (2) or more streets, one (1) lot line shall be elected to be the front lot line for the purposes of this Ordinance, provided, it shall be so designated on the building plans filed for approval with the Zoning Administrator.~~

Frontage means the total continuous width of the front lot line. **In the case of a corner lot or through lot, frontage means the total continuous width of the primary front lot line.**

...

~~Height of building means the vertical distance from the grade to the highest point on a mansard, Quonset, flat roof or to the median height between the eaves and the ridge for gable, hip and gambrel roofs.~~

...

~~Interior side lot line. An interior side lot line is a side line separating a lot from another lot or lots.~~

...

Lot, Corner means a lot ~~which has at least~~ **having frontage on** two (2) **or more** contiguous sides abutting on and at the intersection of two (2) or more streets.

...

Lot, Through means a lot ~~which has at least two (2) contiguous sides abutting on and at the intersection of~~ **having frontage on** two (2) or more streets **which are not contiguous and do not intersect at any corner of the lot.**

Lot Coverage means the part or percentage of the lot occupied by buildings and structures.

Lot Depth means the distance between the front and rear lot lines as measured perpendicular to the front lot line. In the case of a corner or through lot, the distance shall be measured from the primary front lot line.

Lot Line, Front means the property line which abuts a street. In the case of a corner lot or through lot, all property lines which abut a street shall be considered a front lot line for the purposes of this Ordinance. In the case of a lot which has not been

cleared or developed before, one (1) front lot line shall be elected as the primary front lot line, provided it shall be so designated on plans filed with the Zoning Administrator.

**Lot Line, Primary Front** means the property line abutting a street upon which the property has its address.

**Lot Line, Rear** means the property line which is opposite and most distant from the front lot line. In the case of a corner lot, the rear lot line shall be that which is opposite and most distant from the primary front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.

**Lot Line, Side** means any property line which is not a front or rear lot line.

~~Lot Width means the horizontal distance between side lot lines measured parallel to the front lot line at the minimum required front setback line.~~

...

~~Rear lot line. The rear lot line is that boundary which is opposite and most distant from the front lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long lying farthest from the front lot line and wholly within the lot.~~

...

**Setback** means the minimum distance required between a lot line and a building wall as measured to the roof edge or any other projection.

~~Setback, Front. "Front setback" means the minimum setback required distance, extending the full lot width, between the principal any building and the front lot line, extending the full lot width.~~

~~Setback, Rear. "Rear setback" means the minimum setback required distance, extending the full lot width, between the principal and accessory buildings any building and the rear lot line opposite the front line, extending the full lot width.~~

~~Setback, Side. "Side setback" means the minimum setback required distance between any building and the side lot line, extending from the front setback to the rear setback, between the principal building and accessory building and the side lot line.~~

...

~~Side Lot Line. A side lot is any lot boundary line not a front lot line or a rear lot line.~~

...

## Section 505 – Yards and Setbacks

505.1 – Front Yard Requirement **Setback.** In a Residence A District there shall be a front yard on every lot. **Front setbacks shall be twenty-five (25) feet or thirty-five (35) percent of the depth of the lot, whichever is less restrictive, but not less than fifteen (15) feet. However, for lots located on the same side of the street and between the same consecutive intersecting streets as other occupied lots of which at least fifty (50) percent have front yards in depths other than that required above, the front setback shall be not less than the average depth of those front yards.**

505.1.1 – Front Yard. ~~Every front yard shall be at least twenty-five (25) feet or thirty-five (35) percent of the depth of the lot (whichever is least restrictive) as measured at right angles from the front lot line to the nearest part of the principal building located on the lot, provided however, that on lots located on the same side of the street and between the same consecutive intersecting streets as other lots of which at least fifty (50) percent are occupied by uses wherein the depths of the front yard are other than that required above, the depth of the front yard shall be not less than the average depth of the front yards of such occupied lots. In no case are the provisions of this section to require a front yard depth in excess of thirty-five (35) percent of the average depth of the lot nor less than~~

~~fifteen (15) feet.~~ **Corner Lots, Through Lots.** On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.

**505.1.2 – Front Yard Setback Use.** The front yard setback shall not only be used for off-street parking from April 2 to November 30 when winter parking restrictions are in effect., and The front yard shall remain as open space, unoccupied and unobstructed from the ground upward except for landscaping, plant materials, or vehicle access drives.

**505.2 – Side Yard Requirement Setback.** In a Residence A District there shall be on each side of every lot a side yard. Side setbacks shall be calculated as ten (10) percent of the width of the lot individually, with a minimum of four (4) feet and a maximum of fifteen (15) feet. For each building story over two (2), an additional four (4) feet shall be added. Together, side setbacks shall equal twenty-five (25) percent of the lot width, but not more than forty-five (45) feet.

**505.2.1 – Minimum Side Yard.** The minimum side yard for residential structures shall be ten (10) percent of the width of the lot with a total of twenty-five (25) percent of the lot required for both side yards; provided, however, that no side yard shall have a width of less than four (4) feet and this shall be increased by four (4) feet for each story by which a building erected on a lot exceeds two (2) stories in height. And provided, however, that no minimum interior side yard shall be required to exceed fifteen (15) feet nor shall the total side yards be required to exceed forty-five (45) feet. **Other Buildings.** For any building other than a dwelling in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers greater than fifty (50), or for any telephone exchange, police or fire station, each side setback shall not be less than twelve (12) feet. Additionally, the width of each side yard shall be increased four (4) feet for each twenty-five (25) persons or fraction thereof, more than fifty (50). Except that, for portions of such building of fire-resistant construction and entirely without movable windows or other openings, an increase of only two (2) feet shall be required for each twenty-five (25) persons or fraction thereof greater than fifty (50).

~~505.2.2 – Side Yard Width.~~ The width of a side yard abutting upon a street shall not be less than the minimum front yard depth required on an adjoining interior lot fronting upon such side street but this shall not reduce the buildable width of any lot of record at the time of passage of this Ordinance to less than thirty (30) feet at the ground story level; provided, however, that in no case shall the width of said side yard be less than eight (8) feet.

~~505.2.3 – Other Buildings.~~ For any building other than a dwelling, in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers in excess of fifty (50), or for any telephone exchange, police or fire station, the width of each side yard shall not be less than twelve (12) feet, and in addition thereto the width of each side yard shall be increased four (4) feet for each twenty-five (25) persons or major fraction thereof, in excess of fifty (50), for the accommodation of whom the building is designed, arranged, remodeled, or normally used, except that for portions of such building of fire resistant construction and entirely without movable windows or other openings, an increase of only two (2) feet for each twenty-five (25) persons or major fraction thereof in excess of fifty (50) shall be required.

**505.3 – Rear Yard Requirement Setback.** In a Residence A District there shall be a rear yard on every lot. Rear setbacks shall be twenty (20) feet, with an additional four (4) feet for each building story over one (1).

**505.3.1 – Minimum Rear Yard.** The minimum rear yard shall be twenty (20) feet in depth as measured at right angles from the rear lot line to the nearest part of the principle building on each lot upon which a one-story principal building is located. On lots occupied by other than one-story principal buildings, the minimum depth of the required rear yard shall be increased by four (4) feet for each additional story. The depth of a rear yard abutting upon a street shall be not less than the depth of the front yard required for a building of the same size and kind on an adjoining lot fronting on such rear street. **Other**



**Buildings.** For any building other than a dwelling in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers greater than fifty (50), the rear setback shall be increased by four (4) feet for each twenty-five (25) persons or major fraction thereof, greater than fifty (50).

~~505.3.2 Other Buildings. On a lot occupied by a building other than a dwelling, in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons in numbers in excess of fifty (50), the depth of the rear yard shall be increased by four (4) feet for each twenty-five (25) persons or major fraction thereof, in excess of fifty (50).~~

~~505.4 Through Lots and Corner Lots. Through lots and corners lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

~~505.5~~ **505.4** – Other Requirements.

~~505.5.1~~ **505.4.1** – Storage. Storage of a boat, motor home, camper, utility trailer or other recreational vehicle or equipment is limited to rear and side yard only. Storage shall mean parking the vehicle or equipment in an area unused for the purpose for which it was designed for a period of thirty (30) consecutive days or more.

~~505.5.2~~ **505.4.2** – Lots Along Railroad Right-of-Way or Property. Any lot created or recorded after October 1, 2003, that is adjacent to or along a railroad right-of-way, shall not be used for any residential purpose unless it has a depth of at least two hundred fifty (250) feet.

...

**509.1 – Separation Distancing.** Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on adjacent ~~lot~~ **lots** or accessory building on the same lot.

**509.2 – Front Yard Space.** ~~Detached~~ accessory buildings ~~may~~ **shall** not occupy front yard space.

**509.3 – Rear Yard Area, Setbacks.** Accessory buildings ~~and portions thereof may occupy up to fifty (50) percent of the required rear yard space except, where a rear yard abuts for its full width upon a street, said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot and abutting on such street.~~ **Rear setback for accessory buildings is five (5) feet.**

**509.4 – Side Yard, Setbacks.** ~~No portion of any accessory building shall approach nearer to a side lot line than three (3) feet nor nearer to a rear lot line than five (5) feet.~~ **Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

**509.5 – Accessory Height.** Accessory buildings **building height** shall not exceed eighteen (18) feet in height from ground floor to mean height or the height of the principal building, whichever is less.

...

~~513.3 Street Side Side Yards. All flanking street side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.~~

~~513.4~~ **513.3** – Maintenance. All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

...

Section 605 – Yards and Setbacks.

~~605.1 – Front Yard Requirement~~ **Setback.** ~~In a Residence B District there shall be a front yard on every lot.~~ **Front setbacks shall be twenty-five (25) feet or thirty-five (35) percent of the depth of the lot, whichever is less restrictive, but not less than fifteen (15) feet. However, for lots located on the same side of the street and between the same consecutive intersecting streets as other occupied lots of which at least fifty (50) percent have front yards in depths other than that required above, the front setback shall be not less than the average depth of those front yards.**

~~605.1.1 – Front Yard.~~ Every front yard shall be at least twenty-five (25) feet or thirty-five (35) percent of the depth of the lot (whichever is least restrictive) as measured at right angles from the front lot line to the nearest part of the principal building located on the lot, provided however, that on lots located on the same side of the street and between the same consecutive intersecting streets as other lots of which at least fifty(50) percent are occupied by uses wherein the depths of the front yard are other than that required above, the depth of the front yard shall be not less than the average depth of the front yards of such occupied lots. ~~In no case are the provisions of this section to require a front yard depth in excess of thirty-five (35) percent of the average depth of the lot nor less than fifteen (15) feet.~~ **Corner Lots, Through Lots.** On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.

~~605.1.2 – Front Yard Setback Use.~~ The front yard setback shall not **only** be used for off-street parking from April 2 to November 30 **when winter parking restrictions are in effect.**, and **The front yard** shall remain as open space, unoccupied and unobstructed from the ground upward except for landscaping, plant materials, or vehicle access drives.

~~605.2 – Side Yard Requirement~~ **Setback.** ~~In a Residence B District there shall be on each side of every lot a side yard.~~ **Side setbacks shall be calculated as ten (10) percent of the width of the lot individually, with a minimum of four (4) feet and a maximum of fifteen (15) feet. For each building story over two (2), an additional four (4) feet shall be added. Together, side setbacks shall equal twenty-five (25) percent of the lot width, but not more than forty-five (45) feet.**

~~605.2.1 – Minimum Side Yard.~~ The minimum side yard for residential structures shall be ten (10) percent of the width of the lot with a total of twenty-five (25) percent of the lot required for both side yards; provided, however, that no side yard shall have a width of less than four (4) feet and this shall be increased by four (4) feet for each story by which a building erected on a lot exceeds two (2) stories in height. And provided, however, that no minimum interior side yard shall be required to exceed fifteen (15) feet nor shall the total side yards be required to exceed forty-five (45) feet. **Other Buildings.** For any building other than a dwelling in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers greater than fifty (50), or for any telephone exchange, police or fire station, each side setback shall not be less than twelve (12) feet. Additionally, the width of each side yard shall be increased four (4) feet for each twenty-five (25) persons or fraction thereof, more than fifty (50). Except that, for portions of such building of fire-resistant construction and entirely without movable windows or other openings, an increase of only two (2) feet shall be required for each twenty-five (25) persons or fraction thereof greater than fifty (50).

~~605.2.2 – Side Yard Width~~ **Courts.** ~~The width of a side yard abutting upon a street shall not be less than the minimum front yard depth required on an adjoining interior lot fronting upon such side street but this shall not reduce the buildable width of any lot of record at the time of passage of this ordinance to less than thirty (30) feet at the ground story level; provided, however, that in no case shall the width of said side yard be less than eight (8) feet.~~ **For all residential buildings greater than thirty (30) feet in depth, side setbacks shall be increased to create side courts. Beginning at a point thirty (30) feet from the front setback, those side setbacks shall be increased by four (4) feet plus one (1) inch for each foot of such building depth greater than thirty (30) feet.”**

~~605.2.3 — Other Buildings. For any building other than a dwelling, in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers in excess of fifty (50), or for any telephone exchange, police or fire station, the width of each side yard shall not be less than twelve (12) feet, and in addition thereto the width of each side yard shall be increased four (4) feet for each twenty-five (25) persons or major fraction thereof, in excess of fifty (50), for the accommodation of whom the building is designed, arranged, remodeled, or normally used, except that for portions of such building of fire resistant construction and entirely without movable windows or other openings, an increase of only two (2) feet for each twenty-five (25) persons or major fraction thereof in excess of fifty (50) shall be required.~~

~~605.2.4 — Distance. On a lot occupied by a residential building having a greater depth than thirty (30) feet, there shall be provided, contiguous to the side yard or side lot line, an outer court or courts of such width that all portions of the building in excess of thirty (30) feet in depth shall be distant from the side lot line not less than four (4) feet plus one (1) inch for each foot of such depth in excess of thirty (30) feet.~~

~~605.3 – Rear Yard Requirement~~ **Setback.** ~~In a Residence B District there shall be a rear yard on every lot. Rear setbacks shall be twenty (20) feet, with an additional four (4) feet for each building story over one (1).~~

~~605.3.1 – Minimum Rear Yard. The minimum rear yard shall be twenty (20) feet in depth as measured at right angles from the rear lot line to the nearest part of the principle building on each lot upon which a one-story principal building is located. On lots occupied by other than one-story principal buildings, the minimum depth of the required rear yard shall be increased by four (4) feet for each additional story. The depth of a rear yard abutting upon a street shall be not less than the depth of the front yard required for a building of the same size and kind on an adjoining lot fronting on such rear street.~~ **Other Buildings. For any building other than a dwelling in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers greater than fifty (50), or for any telephone exchange, police or fire station, the rear setback shall be increased by four (4) feet for each twenty-five (25) persons or major fraction thereof, greater than fifty (50).**

~~605.3.2 — Other Buildings. On a lot occupied by a building other than a dwelling, in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons in numbers in excess of fifty (50), the depth of the rear yard shall be increased by four (4) feet for each twenty-five (25) persons or major fraction thereof, in excess of fifty (50).~~

~~605.4 — Through Lots and Corner Lots. Through lots and corners lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

~~605.5~~ **605.4 – Other Requirements.**

~~605.5.1~~ **605.4.1 – Storage.** Storage of a boat, motor home, camper, utility trailer or other recreational vehicle or equipment is limited to rear and side yard only. Storage shall mean parking the vehicle or equipment in an area unused for the purpose for which it was designed for a period of thirty (30) consecutive days or more.

~~605.5.2~~ **605.4.2 – Lots Along Railroad Right-of-Way or Property.** Any lot created or recorded after October 1, 2003, that is adjacent to or along a railroad right-of-way, shall not be used for any residential purpose unless it has a depth of at least two hundred fifty (250) feet.

...

~~609.1 – Separation~~ **Distancing.** Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on adjacent ~~lot~~ **lots** or accessory building on the same lot.

~~609.2 – Front Yard Space. Detached accessory buildings may~~ **shall** not occupy front yard space.

~~609.3 – Rear Yard Area,~~ **Setbacks.** Accessory buildings and ~~portions thereof~~ may occupy up to fifty (50) percent of the required rear yard space ~~except, where a rear yard abuts for~~

~~its full width upon a street, said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot and abutting on such street.~~ **Rear setback for accessory buildings is five (5) feet.**

**609.4 – Side Yard, Setbacks.** ~~No portion of any accessory building shall approach nearer to a side lot line than three (3) feet nor nearer to a rear lot line than five (5) feet.~~ **Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

**609.5 – Accessory Height.** ~~Accessory buildings~~ **building height** shall not exceed eighteen (18) feet in height from ground floor to mean height or the height of the principal building, whichever is less.

...

~~613.3 – Street Side Side Yards. All flanking street side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.~~

~~613.4~~ **613.3 – Maintenance.** All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

...

#### **Section 705 – Yards and Setbacks.**

**705.1 – Front Yard Requirement Setback.** ~~In a Residence C District there shall be a front yard on every lot.~~ **Front setbacks shall be twenty-five (25) feet or thirty-five (35) percent of the depth of the lot, whichever is less restrictive, but not less than fifteen (15) feet. However, for lots located on the same side of the street and between the same consecutive intersecting streets as other occupied lots of which at least fifty (50) percent have front yards in depths other than that required above, the front setback shall be not less than the average depth of those front yards.**

**705.1.1 – Front Yard.** ~~Every front yard shall be at least twenty-five (25) feet or thirty-five (35) percent of the depth of the lot (whichever is least restrictive) as measured at right angles from the front lot line to the nearest part of the principal building located on the lot, provided, however, that on lots located on the same side of the street and between the same consecutive intersecting streets as other lots of which at least fifty (50) percent are occupied by uses wherein the depth of the front yards are other than that required above, the depth of the front yard shall be not less than the average depth of the front yards of such occupied lots. In no case are the provisions of this section to require a front yard depth in excess of thirty-five (35) percent of the average depth of the lot nor less than fifteen (15) feet.~~ **Corner Lots, Through Lots. On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.**

**705.1.2 – Front Yard Setback Use.** ~~The front yard setback shall not~~ **only** be used for off-street parking from April 2 to November 30 **when winter parking restrictions are in effect.**, ~~and~~ **The front yard** shall remain as open space, unoccupied and unobstructed from the ground upward except for landscaping, plant materials, or vehicle access drives.

**705.2 – Side Yard Requirement Setback.** ~~In a Residence C District there shall be on each side of every lot a side yard.~~ **Side setbacks shall be calculated as ten (10) percent of the width of the lot individually, with a minimum of four (4) feet and a maximum of fifteen (15) feet. For each building story over two (2), an additional four (4) feet shall be added. Together, side setbacks shall equal twenty-five (25) percent of the lot width, but not more than forty-five (45) feet.**

**705.2.1 – Minimum Side Yard.** ~~The minimum side yard for residential structures shall be ten (10) percent of the width of the lot with a total of twenty-five (25) percent of the width of the lot required for both side yards; provided, however, that no side yard shall have a~~

~~width of less than four (4) feet and this shall be increased by four (4) feet for each story by which a building erected on a lot exceeds two (2) stories in height.~~ **Other Buildings.** For any building other than a dwelling in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers greater than fifty (50), or for any telephone exchange, police or fire station, each side setback shall not be less than twelve (12) feet. Additionally, the width of each side yard shall be increased four (4) feet for each twenty-five (25) persons or fraction thereof, more than fifty (50). Except that, for portions of such building of fire-resistant construction and entirely without movable windows or other openings, an increase of only two (2) feet shall be required for each twenty-five (25) persons or fraction thereof greater than fifty (50).

~~705.2.2 – Side Yard Width~~ **Courts.** ~~The width of a side yard abutting upon a street shall not be less than the minimum front yard depth required on an adjoining interior lot fronting upon such side street but this shall not reduce the buildable width of any lot of record at the time of the passage of this Ordinance to less than thirty (30) feet at the ground story level; provided however, that in no case shall the width of said side yard be less than eight (8) feet.~~ **For all residential buildings greater than thirty (30) feet in depth, side setbacks shall be increased to create side courts. Beginning at a point thirty (30) feet from the front setback, those side setbacks shall be increased by four (4) feet plus one (1) inch for each foot of such building depth greater than thirty (30) feet.**

~~705.2.3 – Other Buildings.~~ For any building other than a dwelling, in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers in excess of fifty (50), or for any telephone exchange, police or fire station, the width of each side yard shall be increased by four (4) feet for each twenty-five (25) persons or major fraction thereof, in excess of fifty (50).

~~705.2.4 – Depth.~~ On a lot occupied by a residential building having a greater depth than thirty (30) feet, there shall be provided, contiguous to the side yard or side lot line, an outer court or courts of such width that all portions of the building in excess of thirty (30) feet in depth shall be distant from the side lot line not less than four (4) feet plus one (1) inch for each foot of such depth in excess of thirty (30) feet.

~~705.3 – Rear Yard Requirement~~ **Setback.** In a Residence C District there shall be a rear yard on every lot. **Rear setbacks shall be twenty (20) feet, with an additional four (4) feet for each building story over one (1).**

~~705.3.1 – Minimum Rear Yard.~~ The minimum rear yard shall be twenty (20) feet in depth as measured at right angles from the rear lot line to the nearest part of the principal building on each lot upon which a one-story principal building is located. On lots occupied by other than one-story principal buildings, the minimum depth of the required rear yard shall be increased by four (4) feet for each additional story. The depth of a rear yard abutting upon a street shall be not less than the depth of the front yard required for a building of the same size and kind of an adjoining lot fronting on such rear street. **Other Buildings.** For any building other than a dwelling in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons, in numbers greater than fifty (50), or for any telephone exchange, police or fire station, the rear setback shall be increased by four (4) feet for each twenty-five (25) persons or major fraction thereof, greater than fifty (50).

~~705.3.2 – Other Buildings.~~ On a lot occupied by a building other than a dwelling, in which persons congregate, or which is designed, arranged, remodeled, or normally used for the congregation of persons in numbers in excess of fifty (50), the depth of the rear yard shall be increased in addition to other required increased (increases), herein, four (4) feet for each twenty-five (25) persons or major fraction thereof, in excess of fifty (50), for the accommodation of whom the building is designed, arranged, remodeled, or normally used, except that for portions of such building entirely of fire-resistant construction and entirely without movable windows or other openings an increase of only two (2) feet for each twenty-five (25) persons or major fraction thereof in excess of fifty (50) shall be required.

~~705.4 — Through Lots and Corner Lots. Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

~~705.5~~ **705.4** – Other Requirements.

~~705.5.1~~ **705.4.1** – Storage. Storage of a boat, motor home, camper, utility trailer or other recreational vehicle or equipment is limited to rear and side yard only. Storage shall mean parking the vehicle or equipment in an area unused for the purpose for which it was designed for a period of thirty (30) consecutive days or more.

~~705.5.2~~ **705.4.2** – Lots Along Railroad Right-of-Way or Property. Any lot created or recorded after October 1, 2003, that is adjacent to or along a railroad right-of-way, shall not be used for any residential purpose unless it has a depth of at least two hundred fifty (250) feet.

...

~~709.1 – Separation~~ **Distancing**. Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on adjacent ~~lot~~ **lots** or accessory building on the same lot.

~~709.2 – Front Yard Space~~. Accessory buildings ~~may~~ **shall** not occupy front yard space.

~~709.3 – Rear Yard Area~~, **Setbacks**. Accessory buildings ~~and portions thereof may occupy up to fifty (50) percent of the required rear yard space except, where a rear yard abuts for its full width upon a street, said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot and abutting on such street.~~ **Rear setback for accessory buildings is five (5) feet.**

~~709.4 – Side Yard~~, **Setbacks**. ~~No portion of any accessory building shall approach nearer to a side lot line than three (3) feet nor nearer to a rear lot line than five (5) feet. Accessory buildings may occupy side yards.~~ **Side setback for accessory buildings is three (3) feet.**

~~709.5 – Accessory Height~~. Accessory buildings ~~building height~~ shall not exceed eighteen (18) feet in height from ground floor to mean height or the height of the principal building, whichever is less.

...

~~713.3 — Street Side Side Yards~~. All flanking street side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.

~~713.4~~ **713.3** – Maintenance. All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

...

Section 905 – **Yards and Setbacks**.

~~905.1 – Front Yard Requirement~~ **Setback**. This front yard ~~lot~~ **setbacks** shall be at least twenty-five (25) feet or thirty-five (35) percent of the depth of the lot ~~(whichever is least restrictive) as measured at right angles from the front lot line to the nearest part of the principal building located on the lot, provided,~~ **whichever is less restrictive, but not less than fifteen (15) feet**. However, ~~that on~~ **for** lots located on the same side of the street and between the same consecutive intersecting streets as other occupied lots of which at least fifty (50) percent ~~are occupied by uses wherein the~~ **have** front yards in depths are other than that required above, the ~~depth of the front yard~~ **front setback** shall be not less than the average depth of those front yards of such occupied lots. ~~In no case are the provisions of this section to require a front yard depth in excess of thirty-five (35) percent of the average depth of the lot nor less than fifteen (15) feet.~~

905.1.1 – **Principal Use Corner Lots, Through Lots.** ~~When the nonconforming principal use is of a residential nature the requirements of the nearest Residential District shall apply.~~ **On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.**

905.2 – **Side Yard Requirement Setback.** ~~In a Local Business District there shall be two (2) side yards on each lot. The minimum side yard shall be at least ten (10) percent of the width of the lot, with a total of twenty-five (25) percent of the width of the lot required for both side yards, provided, however, that no side yard shall be less than four (4) feet in width and that the minimum width of each side lot shall be increased by four (4) feet for each story by which the building exceeds two (2) stories in height.~~ **Side setbacks shall be calculated as ten (10) percent of the width of the lot individually, with a minimum of four (4) feet and a maximum of fifteen (15) feet. For each building story over two (2), an additional four (4) feet shall be added. Together, side setbacks shall equal twenty-five (25) percent of the lot width, but not more than forty-five (45) feet.**

905.2.1 – ~~Side Yard Width.~~ ~~The width of a side yard abutting upon a street shall not be less than the minimum front yard depth required on an adjoining interior lot fronting upon such side street but this shall not reduce the buildable width of any lot of record at the time of the passage of this Ordinance to less than thirty (30) feet at the ground story level; provided, however, that in no case shall the width of said side yard be less than eight (8) feet.~~

905.3 – **Rear Yard Requirement Setback.** ~~The minimum rear yard shall be twenty (20) feet in depth as measured at right angles from the rear lot line to the nearest part of the principal building on each lot upon which a one-story principal building is located. On lots occupied by other than one-story principal buildings, the minimum depth of the required rear yard shall be increased by four (4) feet for each additional story.~~ **Rear setbacks shall be twenty (20) feet, with an additional four (4) feet for each building story over one (1).**

905.3.1 – ~~Depth.~~ ~~The depth of a rear yard abutting upon a street shall not be less than the depth of the front yard required for a building of the same size and kind on an adjoining lot fronting on such rear street.~~

905.4 – ~~Through Lots and Corner Lots.~~ ~~Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

...

909.1 – **General Distancing.** ~~The following is a list of Accessory Buildings/Private Garages requirement for a Local Business District:~~

- ~~A. Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on adjacent lot or accessory building on the same lot.~~
- ~~B. Accessory buildings may not occupy front yard space.~~
- ~~C. Accessory buildings and portions thereof may occupy up to fifty (50) percent of the required rear yard space except, where a rear yard abuts for its full width upon a street, said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot and abutting on such street.~~
- ~~D. No portion of any accessory building and/or private garage shall approach nearer to a side lot line than three (3) feet nor nearer to a rear lot line than five (5) feet.~~
- ~~E. Accessory buildings shall not exceed eighteen (18) feet in height from ground floor to mean height or the height of the principal building, whichever is less.~~
- ~~F. Exterior Finish. Accessory buildings shall be compatible in design and appearance to the principal building. Shipping containers shall be either painted or covered in a siding material that would typically be utilized for a principal building.~~

**Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on adjacent lot or accessory building on the same lot.**

**909.2 – Front Yard. Accessory buildings shall not occupy front yard space.**

**909.3 – Rear Yard, Setbacks. Accessory buildings may occupy up to fifty (50) percent of the required rear yard space. Rear setback for accessory buildings is five (5) feet.**

**909.4 – Side Yard, Setbacks. Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

**909.5 – Height. Accessory building height shall not exceed eighteen (18) feet or the height of the principal building, whichever is less.**

**909.6 – Exterior Finish. Accessory buildings shall be compatible in design and appearance to the principal building. Shipping containers shall be either painted or covered in a siding material that would typically be utilized for a principal building.**

...

~~912.3 – Street-Side Side Yards. All flanking street-side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.~~

~~912.4~~ **912.3 – Maintenance.** All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

...

#### Section 1005 – **Yards and Setbacks.**

~~1005.1 – Front Yard Requirement~~ **Setback. Front setbacks shall be zero (0) feet for non-residential uses.**

~~1005.1.1 – Front Yard. No front yard is required where the principal use is of a commercial nature, except where the commercial use is on the same side of the street in a block zoned for both commercial and residential uses, in which case the front yard requirement for the residential zone concerned shall govern, provided, however, that relief from this requirement may be obtained in certain cases as prescribed in Chapter 3, Board of Zoning Appeals.~~

~~1005.1.2~~ **1005.1.1 – Front Yard Requirement Residential Uses.** When the principal use is of a residential nature the requirements of the nearest residential district shall apply. **On a lot occupied by a residential primary use, the front setback requirements of the nearest zoning districts A, B, or C shall apply.**

~~1005.2 – Side Yard Requirement~~ **Setback. Side setbacks shall be zero (0) feet for non-residential uses.**

~~1005.2.1 – Commercial Nature. No side yards are required when the principal use is of a commercial nature.~~

~~1005.2.2~~ **1005.2.1 – Residential Nature Uses.** When the principal use is of a residential nature the requirements of the nearest residential district shall apply. **On a lot occupied by a residential primary use, the side setback requirements of the nearest zoning districts A, B, or C shall apply.**

~~1005.3 – Rear Yard Requirement~~ **Setback.** In a Commercial District there shall be a rear yard of at least twenty-five (25) feet in depth on every lot as measured at right angles from the rear lot line to the nearest part of the principal building. **Rear setbacks shall be twenty-five (25) feet.**

~~1005.4 – Through Lots and Corner Lots. Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

...

Section 1009.1 – ~~Separation~~ **Distancing.** Accessory buildings shall be at least ten (10) feet from any dwelling situated on the same lot and at least six (6) feet from any other building on adjacent ~~lot~~ **lots** or accessory building on the same lot.



1009.2 – ~~Front Yard Space~~. Accessory buildings ~~may~~ **shall** not occupy front yard space.

1009.3 – ~~Rear Yard Space~~, **Setbacks**. Accessory buildings ~~and portions thereof~~ may occupy up to fifty (50) percent of the required rear yard space ~~except where a rear yard abuts for its full width upon a street said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot and abutting on such street.~~ **Rear setback for accessory buildings is five (5) feet.**

1009.4 – **Side Yard, Setbacks**. No portion of an accessory building shall approach nearer to a side yard or rear lot line than three (3) feet nor nearer to a rear lot line than five (5) feet. **Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

1009.5 – **Accessory Height**. Accessory buildings **building height** shall not exceed eighteen (18) feet in height from ground floor to mean height or the height of the principal building, whichever is less.

...

~~1011.3 – Street-Side Side Yards. All flanking street-side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.~~

~~1011.4~~ **1011.3** – Maintenance. All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

~~1011.5~~ **1011.4** – Screening. The Planning Commission at their discretion may require vehicle storage areas be screened from abutting property and from public view from a public street.

...

#### Section 1305 – **Yards and Setbacks.**

1305.1 – ~~Front Yard Requirement~~ **Setback**. In a Light Manufacturing District there shall be a front yard on every lot. This front yard shall be at least twenty (20) feet in depth as measured at right angles from the front lot line to the nearest part of the principal building located on the lot. Front setbacks shall be twenty (20) feet.

**1305.1.1 – Corner Lots, Through Lots. On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.**

1305.2 – ~~Side Yard Requirement~~ **Setback**. In a Light Manufacturing District there shall be two (2) side yards on each lot. The minimum side yard shall be at least ten (10) percent of the width of the lot, with a total of twenty-five (25) percent of the width of the lot required for both side yards, provided, however, that no side yard shall be less than four (4) feet in width and that the minimum width of each side lot shall be increased by two (2) feet for each story by which the building exceeds two (2) stories in height, and, provided however, that no minimum side yard shall be required to exceed twenty (20) feet or shall be total side yard be required to exceed fifty (50) feet. **Side setbacks shall be calculated as ten (10) percent of the width of the lot individually, with a minimum of four (4) feet and a maximum of twenty (20) feet. For each building story over two (2), an additional four (4) feet shall be added. Together, side setbacks shall equal twenty-five (25) percent of the lot width, but not more than fifty (50) feet.**

1305.3 – ~~Rear Yard Requirement~~ **Setback**. In a Light Manufacturing District there shall be a rear yard on every lot. The minimum rear yard shall be twenty (20) feet in depth as measured at right angles from the rear lot line to the nearest part of the principal building on each lot upon which a one-story principal building is located. On lots occupied by other than one-story principal buildings, the minimum depth of the required rear yard shall be increased by four (4) feet for each additional story. The depth of a rear yard abutting upon

~~a street shall not be less than the depth of the front yard required for a building of the same size and kind on an adjoining lot fronting on such rear street.~~ **Rear setbacks shall be twenty (20) feet, with an additional four (4) feet for each building story over one (1).**

~~1305.4 – Through Lots and Corner Lots. Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

...

1309.1 – ~~Distances~~ **Distancing**. Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on an adjacent lot **lots** or accessory building on the same lot.

1309.2 – ~~Front Yard Space~~. Accessory buildings ~~may~~ **shall** not occupy front yard space.

1309.3 – ~~Rear Yard Space~~, **Setbacks**. Accessory buildings ~~and portions thereof may occupy up to fifty (50) percent of the required rear yard space except where a rear yard abuts for its full width upon a street, said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot abutting on such street.~~ **Rear setback for accessory buildings is five (5) feet.**

1309.4 – **Side Yard**, Setbacks. ~~No portion of an accessory building shall approach nearer to a side rear lot line than three (3) feet nor nearer to a rear lot line than five (5) feet.~~ **Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

1309.5 – **Accessory Height**. Accessory buildings **building height** shall not exceed thirty (30) feet in height from ground floor to mean height.

...

~~1311.3 – Street Side Side Yards. All flanking street side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.~~

~~1311.4~~ **1311.3** – Maintenance. All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

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#### Section 1405 – **Yards and Setbacks.**

1405.1 – ~~Front Yard Requirement~~ **Setback**. ~~In an Industrial Park District there shall be a front yard on every lot. This front yard lot shall be at least twenty (20) feet in depth as measured at right angles from the front lot line to the nearest part of the principal building located on the lot. Front setbacks shall be twenty (20) feet.~~

**1405.1.1 –Corner Lots, Through Lots. On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.**

1405.2 – ~~Side Yard Requirement~~ **Setback**. ~~In an Industrial Park District there shall be two (2) side yards on each lot. The minimum side yard shall be at least ten (10) percent of the width of the lot, with a total of twenty-five (25) percent of the width of the lot required for both side yards, provide, however, that no side yard shall be less than four (4) feet in width and that the minimum width of each side lot shall be increased by two (2) feet for every story by which the building exceeds two (2) stories in height, and, provided however, that no minimum side yard shall be required to exceed twenty (20) feet nor shall the total side yard be required to exceed fifty (50) feet. On corner lots, the side yard adjacent to the street shall have the same setback as the front yard requirements.~~ **Side setbacks shall be calculated as ten (10) percent of the width of the lot individually, with a minimum of four (4) feet and a maximum of twenty (20) feet. For each building**

**story over two (2), an additional two (2) feet shall be added. Together, side setbacks shall equal twenty-five (25) percent of the lot width, but not more than fifty (50) feet.**

~~1405.3 – Rear Yard Requirement~~ **Setback.** ~~In an Industrial Park District there shall be rear yard on every lot. The minimum rear yard shall be twenty (20) feet in depth as measured at right angles from the rear lot line to the nearest part of the principal building on each lot upon which a one-story principal building is located. On lots occupied by other than one-story principal buildings, the minimum depth of the required rear yard shall be increased by four (4) feet for each additional story.~~ **Rear setbacks shall be twenty (20) feet, with an additional four (4) feet for each building story over one (1).**

~~1405.4 – Through Lots and Corner Lots.~~ ~~Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

...

~~1409.1 – Front Yard Space.~~ ~~Accessory buildings may not occupy front yard space.~~ **Distancing. Accessory buildings shall be at least ten (10) feet from any primary building situation on the same lot and at least six (6) feet from any other building on an adjacent lot lots or from an accessory building on the same lot.**

~~1409.2 – Rear Yard Space.~~ ~~Accessory buildings and portions thereof may occupy up to fifty (50) percent of the depth of the required rear yard space except where a rear yard abuts for its full width upon a street, said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required to the same lot and abutting on such street.~~ **Front Yard. Accessory buildings shall not occupy front yard space.**

~~1409.3 – Accessory Height.~~ ~~Accessory buildings shall not exceed thirty (30) feet in height from ground floor to mean height or the height of the principal building, whichever is less.~~ **Rear Yard, Setbacks. Accessory buildings may occupy up to fifty (50) percent of the required rear yard space.**

~~1409.4 – Separation.~~ ~~Accessory buildings shall be at least ten (10) feet from any primary building situation on the same lot and at least six (6) feet from any other building on an adjacent lot or from an accessory building on the same lot.~~ **Side Yard, Setbacks. Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

~~1409.5 – Setbacks.~~ ~~No portion of any accessory building shall approach nearer to a side lot line than three (3) feet nor nearer to a rear lot line than five (5) feet.~~ **Height. Accessory building height shall not exceed eighteen (18) feet or the height of the principal building, whichever is less.**

...

~~1411.3 – Street Side Side Yards.~~ ~~All flanking street side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.~~

~~1411.4~~ **1411.3 – Maintenance.** ~~All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.~~

...

## **Section 1505 – Yards and Setbacks.**

~~1505.1 – Front Yard Requirement~~ **Setback.** ~~In a Heavy Manufacturing District there shall be a front yard on every lot. This front yard shall be at least twenty (20) feet in depth as measured at right angles from the front lot line to the nearest part of the structures, stockpiles or outdoor equipment and material storage located on the lot.~~ **Front setbacks shall be twenty (20) feet. This also applies to materials stockpiles & storage areas and outdoor equipment storage areas.**

**1505.1.1 – Corner Lots, Through Lots.** On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.

~~1505.2 – Side Yard Requirement~~ **Setback.** In a Heavy Manufacturing District there shall be two (2) side yards on every lot. The minimum side yard shall be twenty (20) feet as measured from the nearest part of the principal building to the side lot line. Accessory buildings or material stockpiles may be located up to ten (10) feet of the side lot line. **Side setbacks shall be twenty (20) feet. For materials stockpiles & storage areas and outdoor equipment storage areas, a side setback of ten (10) feet shall apply.**

~~1505.3 – Rear Yard Requirement~~ **Setback.** In a Heavy Manufacturing District there shall be a rear yard on every lot. The minimum rear yard shall be twenty (20) feet in depth as measured from the rear lot line to the nearest part of the principal building on each lot upon which a one-story principal building is located, provided, however, that the owner of a lot in either of these districts may elect to provide for an open court of at least three hundred (300) square feet to be used for loading and unloading purposes. The minimum dimension of such court shall be ten (10) feet. **Rear setbacks shall be twenty (20) feet.**

~~1505.4 – Through Lots and Corner Lots.~~ Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.

...

~~1510.3 – Street Side Side Yards.~~ All flanking street-side side yards shall be completely landscaped, except for those areas occupied by utilities, access driveways, paved walks, walls and structures.

~~1510.4~~ **1510.3 – Maintenance.** All live landscaping required by this Ordinance shall be properly maintained. All dead or dying landscaping shall be replaced immediately and all sodded areas mowed, fertilized, and irrigated on a regular basis.

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#### Section 1605 – Yards and Setbacks.

~~1605.1 – Front Yard Requirement~~ **Setback.** In an Open Space District there shall be a front yard on every parcel. **Front setbacks shall be thirty (30) feet. However, for lots located on the same side of the street within two hundred (200) feet of other occupied lots, the front setback shall equal the average depth of those front yards. This also applies to parking areas.**

~~1605.1.1 – Building~~ **Corner Lots, Through Lots.** No new building or building addition shall be erected closer to the street than average setback of the buildings within two hundred (200) feet on either side. Where there are no buildings, the minimum setback is thirty (30) feet. **On a corner lot or through lot, setbacks which are taken from front lot lines other than the primary front lot line shall not reduce the buildable width of any lot to less than thirty (30) feet. However, such setbacks shall be eight (8) feet minimum.**

~~1605.1.2 – Parking Area.~~ Behind or to the side of the principal building and setback a distance equal to the setback of the principal building or twenty-five (25) feet, whichever is greater. For through lots, parking may be provided streetward of the principal building on the street that carries less traffic, but in no case closer than twenty-five (25) feet from the front property line.

~~1605.2 – Side Yard Requirement~~ **Setback.** In an Open Space District there shall be on each side of every parcel a side yard. **Side setbacks shall be ten (10) feet. This also applies to parking areas.**

~~1605.2.1 – Minimum Side Yard.~~ The minimum side yard in an Open Space District shall be ten (10) feet. The total side yard for an Open Space District shall not be less than twenty (20) feet.

~~1605.2.2 — Parking Area. If contiguous to a Residential District, a minimum of ten (10) feet. Otherwise, five (5) feet. If shared parking is developed, these setbacks would affect only the perimeter of the combined parcels.~~

~~1605.3 – Rear Yard Requirement~~ **Setback.** ~~In an Open Space District there shall be a rear yard on every parcel.~~ **Rear setbacks shall be thirty (30) feet.**

~~1605.3.1 — Building. No new building or building addition shall be erected without having a thirty-foot rear yard.~~

~~1605.4 — Through Lots and Corner Lots. Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

...

#### Section 2105 – **Yards and Setbacks.**

~~2105.1 – Front Yard Setback. The required front yard setback must be zero (0) to five (5) feet.~~ **Front setbacks shall be zero (0) feet minimum, and five (5) feet maximum.**

~~2105.2 – Side Yard Setback. No side yards are required.~~ **Side setbacks shall be zero (0) feet.**

~~2105.3 – Rear Yard Setback. In a Central Commercial District there shall be a rear yard of at least twenty-five (25) feet in depth on every lot as measured at right angles from the rear lot line to the nearest part of the principal building.~~ **Rear setbacks shall be twenty-five (25) feet.**

~~2105.4 — Through Lots and Corner Lots. Through lots and corner lots having a frontage on two (2) streets shall provide the required setback on both streets.~~

...

~~2109.1 – Distances~~ **Distancing.** Accessory buildings shall be at least ten (10) feet from any primary building situated on the same lot and at least six (6) feet from any other building on adjacent lot **lots** or accessory building on the same lot.

~~2109.2 – Front Yard Space.~~ Accessory buildings ~~may~~ **shall** not occupy front yard space.

~~2109.3 – Side Yard Space. Accessory buildings and portions thereof may not occupy side yard space.~~ **Rear Yard, Setbacks. Accessory buildings may occupy up to fifty (50) percent of the required rear yard space. Rear setback for accessory buildings is five (5) feet.**

~~2109.4 – Rear Yard Space. Accessory buildings and portions thereof may occupy up to fifty (50) percent of the required rear yard space except where a rear yard abuts for its full width upon a street said buildings and portions thereof shall not occupy any of the required minimum rear yard space. On a corner lot, accessory buildings shall not occupy any part of that portion of the rear yard lying nearer to the street than the width of the side yard required for the same lot and abutting on such street.~~ **Side Yard, Setbacks. Accessory buildings may occupy side yards. Side setback for accessory buildings is three (3) feet.**

~~2109.5 – Accessory Height. Accessory buildings~~ **building height** shall not exceed eighteen (18) feet ~~in height from ground floor to mean height or the height of the principal building, whichever is less.~~

~~2109.7 — Setbacks. No portion of any accessory building shall approach nearer to a side lot line than three (3) feet nor nearer to a rear lot line than five (5) feet.~~

## **CHAPTER II** **SAVINGS CLAUSE**

If any section, subsection, sentence, clause, or phrase of this Ordinance is held to be unconstitutional, such decision shall not affect the validity of the remainder 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 other Ordinances or parts thereof in conflict with 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:

\_\_\_\_\_  
Laura Genovich, City Attorney

\_\_\_\_\_  
Mark Ammel, Mayor

Ordinance No. \_\_\_\_\_

ATTEST:

Date Approved: \_\_\_\_\_

Date Published: \_\_\_\_\_

\_\_\_\_\_  
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 \_\_\_\_\_ and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on \_\_\_\_\_, and 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

Agenda Item: NB-3  
Date: 07/06/2023

## City Council Agenda Item Request

Date: June 26, 2023

Name: James McNeil

Department: Manager

Item: Special Event Application - UPtobberfest

Meeting date requested: 07/06/2023

Explanation for request:

Administration is recommending approval of a Special Event Application submitted by the Bay de Noc Brewers/United Way of Delta County to host UPtobberfest in Ludington Park on Saturday October 14, 2023.

**CITY OF ESCANABA - SPECIAL EVENT APPLICATION**  
**Festivals, Parades, Races, Walkathons, Temporary Road Closures**

**DATE(S) OF EVENT:** October 14, 2023  
Day of Week, Month, Day, Year (Example: Saturday, October 29, 2016)

**NAME OF EVENT:** Uptoberfest

**CONTACT INFORMATION:** (Please print clearly – Incomplete applications may be delayed)

Organization: Bav de Noc Brewers/United Way of Delta

Contact Person: Julie Mallard Daytime Phone: [REDACTED]

Address: P O Box 1005 Evening Phone: [REDACTED]

City, State Zip: Escanaba, MI 49829 E-mail: [REDACTED]

Website: uwdelta.org Event Phone: [REDACTED]

Charitable Org #: 38-1740320 Fax: \_\_\_\_\_  
(If applicable)

Alternate Contact: Mark Ammel [REDACTED]  
(It is recommended that an alternative Name and Phone Number be provided)

Do you grant the City of Escanaba, City Manager's Office permission  
to give your telephone number to the general public? ☒ Yes ☐ No

**LOCATION:**

☒ City Park Name of Park: Ludington Park

☐ Building/Facility Name/Area: \_\_\_\_\_

☐ Road(s) Road Closure Required? ☐ Partial ☐ Full

**DATE/TIME:**

<b>EVENT TIME</b> <small>This is the time your event would be ready to accept participants or general public.</small>	<b>Event Begins</b> DATE: <u>October 14, 2023</u> TIME: <u>2:00 p.m.</u>	<b>Event Ends</b> DATE: <u>October 14, 2023</u> TIME: <u>7:00 p.m.</u>
<b>SET-UP TIME</b> <small>When you want the area reserved for your organization to ensure you have adequate time for set-up and tear-down.</small>	<b>Set-up Start</b> DATE: <u>October 12, 2023</u> TIME: <u>12:00 p.m.</u>	<b>Tear-down End</b> DATE: <u>October 15, 2023</u> TIME: <u>4:00 p.m.</u>

The collection, use and disclosure of personally identifying information submitted on this form will be used to facilitate the request to host a special event within the City of Escanaba. Applicants may, from time to time, be contacted by the city or a City-contracted third-party for the express purposes of gathering information about the proposed event, assessing satisfaction and/or obtaining feedback on services related to special events. Questions about this collection should be directed to the City Manager.



## EVENT DETAILS – TYPE OF EVENT:

☐ Parade

☐ Cycling

☒ Festival/Event

☐ Run

☐ Walkathon

☐ Other (specify): \_\_\_\_\_

## ESTIMATED ATTENDANCE: (Please estimate all that apply)

Participants: # 1000

Wheelchair Accessible: ☒ Yes ☐ No

Bands: # 1

For events on City Property are you seeking approval to charge:

Admission: ☒ Yes ☐ No

Parking: ☐ Yes ☒ No

Vehicles/Floats: # \_\_\_\_\_

Volunteers: # 200

This event is: ☒ Open to the Public

☐ For Invited Guests Only

## EVENT ELEMENTS: (Complete to ensure proper permits are processed)

Power Requirements: ☒ Yes ☐ No

☐ No

Fireworks: ☐ Yes ☒ No

Sound Amplification: ☒ Yes ☐ No

☐ No

Alcohol: ☒ Yes ☐ No

Access to power if possible: ☒ Yes ☐ No

☐ No

Live Music: ☒ Yes ☐ No

☐ No

Tents/Temp. Structures: ☒ Yes ☐ No

☐ No

Size of Tent(s): 20x40, 20x10 (multiple)

Amusement Rides: ☐ Yes ☒ No

☒ No

Provider: Stenbera Brothers, Inc.

Inflatables: ☐ Yes ☒ No

☒ No

Provider: \_\_\_\_\_

## FOOD AND BEVERAGE:

Will there be Food and Non-Alcoholic Beverages sold? ☒ Yes ☐ No (Continue to next page)

Food Stand locations: ☐ Indoor ☒ Outdoor ☐ Indoor and Outdoor

What types of food will the Food Stands be selling? (Check all that apply)

☐ Chicken / Seafood

☐ Soups / Chili

☒ Other Foods (Please list)

☐ Rice / Pasta Dishes

☐ Salad

Meats, cheeses, ar

☒ Soda / Chips / Candy

☒ Other Meats

Soda, coffee, water

☐ Hotdogs / Hamburgers

☐ Baked Goods

**RESERVATION FEES:** (Check applicable box(es))

Ludington Park – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Ludington Park – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Ludington Park – Bandshell (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Ludington Park – Bandshell (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Ludington Park – Gazebo (2 Hour Block)	<input type="checkbox"/> \$50 (Resident)	<input type="checkbox"/> \$75 (Non-Resident)
Other Picnic or Gathering Area (Full Day)	<input type="checkbox"/> \$35	
John D. Besse Park – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
John D. Besse Park – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Lemerand Field – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Lemerand Field – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Lemerand Field – Entire Complex (Full Day)	<input type="checkbox"/> \$250	

\*\*\* Half-Day Reservations Cut-off Time is 4:00PM. Half-day reservations can be made before or after 4:00PM.

**EVENTS REQUESTING ROAD CLOSURE:**

Road closures must be approved by City Council. Once City Council has approved your road closure, changes cannot be made to your route without notification to the City Manager as a secondary Council Approval will have to be sought.

A detailed map of road closures **MUST** be included. Applicants must notify abutting properties of the closure at least 14 Days in advance of the event. This notification letter must be approved by the City Manager's Office. If there are any SPECIAL REQUESTS that you would like the City to consider, please outline them on a separate piece of paper and attach.

**DEFINE THE CLOSURE LIMITS – ATTACH A DETAILED MAP**

I have read and understood the Special Events Application.

I will notify the City Manager's Office of any changes to my event application at least fourteen (14) days in advance of the event.

I have received a copy, read and understand the contents of the City of Escanaba Policy and Procedures No. 060101-10 – Alcohol in Public Places (if applicable).

  
Event Organizer Signature

Julie Mallard  
Print Name

\_\_\_\_\_  
Date



Agenda Item: NB-4  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 06/28/2023

Name: James McNeil

Department: Manager

Item: Special Event Application - Pulling for Honor

Meeting date requested: 07/06/2023

Explanation for request:

Scott Knauf with Honor Flight is requesting approval to use Ludington Street from 14th Street to 16th Street on Saturday, August 5, 2023, from 12:00 p.m. to 5:30 p.m. for setup, and 2:00 p.m. to 5:00 p.m., for Pulling for Honor (fundraiser for U.P. Honor Flight. Administration is recommending approval of the request contingent upon the following: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, and 2) event sponsors provide all labor material and clean up at the conclusion of the event.



**CITY OF ESCANABA - SPECIAL EVENT APPLICATION**  
**Festivals, Parades, Races, Walkathons, Temporary Road Closures**

**DATE(S) OF EVENT:** Saturday, August 5, 2023  
Day of Week, Month, Day, Year (Example: Saturday, October 29, 2016)

**NAME OF EVENT:** Pulling For Honor

**CONTACT INFORMATION:** (Please print clearly – Incomplete applications may be delayed)

Organization: UP Honor Flight

Contact Person: Scott Knauf Daytime Phone: [REDACTED]

Address: 7508 J Road Evening Phone: [REDACTED]

City, State Zip: Gladstone, MI 49837 E-mail: [REDACTED]

Website: UP Honor Flight Event Phone: [REDACTED]

Charitable Org #: [REDACTED] Fax: [REDACTED]  
(If applicable)

Alternate Contact: [REDACTED]  
(It is recommended that an alternative Name and Phone Number be provided)

Do you grant the City of Escanaba, City Manager's Office permission  
to give your telephone number to the general public? ☒ Yes ☐ No

**LOCATION:**

☐ City Park Name of Park: [REDACTED]  
☐ Building/Facility Name/Area: [REDACTED]  
☒ Road(s) Road Closure Required? ☒ Partial ☐ Full

**DATE/TIME:**

<b>EVENT TIME</b> <small>This is the time your event would be ready to accept participants or general public.</small>	<b>Event Begins</b> DATE: <u>August 5, 2023</u> TIME: <u>2:00 pm</u>	<b>Event Ends</b> DATE: <u>August 5, 2023</u> TIME: <u>5:00 pm</u>
<b>SET-UP TIME</b> <small>When you want the area reserved for your organization to ensure you have adequate time for set-up and tear-down.</small>	<b>Set-up Start</b> DATE: <u>August 5, 2023</u> TIME: <u>12:00 pm</u>	<b>Tear-down End</b> DATE: <u>August 5, 2023</u> TIME: <u>5:30 pm</u>

The collection, use and disclosure of personally identifying information submitted on this form will be used to facilitate the request to host a special event within the City of Escanaba. Applicants may, from time to time, be contacted by the city or a City-contracted third-party for the express purposes of gathering information about the proposed event, assessing satisfaction and/or obtaining feedback on services related to special events. Questions about this collection should be directed to the City Manager.

## EVENT DETAILS – TYPE OF EVENT:

☐ Parade☐ Cycling☒ Festival/Event☐ Run☐ Walkathon☐ Other (specify): \_\_\_\_\_

## ESTIMATED ATTENDANCE: (Please estimate all that apply)

Participants: # 120Wheelchair Accessible: ☒ Yes ☐ No

Bands: # \_\_\_\_\_

For events on City Property are you seeking approval to charge:

Vehicles/Floats: # 1Admission: ☐ Yes ☒ NoVolunteers: # 20Parking: ☐ Yes ☒ NoGeneral Public: # 200This event is: ☐ Open to the Public☐ For Invited Guests Only

## EVENT ELEMENTS: (Complete to ensure proper permits are processed)

Power Requirements: ☒ Yes ☐ NoFireworks: ☐ Yes ☐ NoSound Amplification: ☒ Yes ☐ NoAlcohol: ☐ Yes ☒ NoAccess to power if possible: ☒ Yes ☐ NoLive Music: ☐ Yes ☒ NoTents/Temp. Structures: ☐ Yes ☒ No

Size of Tent(s): \_\_\_\_\_

Amusement Rides: ☐ Yes ☒ No

Provider: \_\_\_\_\_

Inflatables: ☐ Yes ☒ No

Provider: \_\_\_\_\_

## FOOD AND BEVERAGE:

Will there be Food and Non-Alcoholic Beverages sold? ☒ Yes ☐ No (Continue to next page)Food Stand locations: ☐ Indoor ☒ Outdoor ☐ Indoor and Outdoor

What types of food will the Food Stands be selling? (Check all that apply)

☐ Chicken / Seafood☐ Soups / Chili☐ Other Foods (Please list)☐ Rice / Pasta Dishes☐ Salad☒ Soda / Chips / Candy☒ Other Meats☒ Hotdogs / Hamburgers☐ Baked Goods

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**RESERVATION FEES:** (Check applicable box(es))

Ludington Park – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Ludington Park – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Ludington Park – Bandshell (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Ludington Park – Bandshell (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Ludington Park – Gazebo (2 Hour Block)	<input type="checkbox"/> \$50 (Resident)	<input type="checkbox"/> \$75 (Non-Resident)
Other Picnic or Gathering Area (Full Day)	<input type="checkbox"/> \$35	
John D. Besse Park – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
John D. Besse Park – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Lemerand Field – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Lemerand Field – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Lemerand Field – Entire Complex (Full Day)	<input type="checkbox"/> \$250	

\*\*\* Half-Day Reservations Cut-off Time is 4:00PM. Half-day reservations can be made before or after 4:00PM.

**EVENTS REQUESTING ROAD CLOSURE:**

Road closures must be approved by City Council. Once City Council has approved your road closure, changes cannot be made to your route without notification to the City Manager as a secondary Council Approval will have to be sought.

A detailed map of road closures **MUST** be included. Applicants must notify abutting properties of the closure at least 14 Days in advance of the event. This notification letter must be approved by the City Manager's Office. If there are any SPECIAL REQUESTS that you would like the City to consider, please outline them on a separate piece of paper and attach.

**DEFINE THE CLOSURE LIMITS – ATTACH A DETAILED MAP**

Close off 1400 block and 1500 block of  
Ludington Street (Race Drive and  
Farmers Market)

I have read and understood the Special Events Application.

I will notify the City Manager's Office of any changes to my event application at least fourteen (14) days in advance of the event.

I have received a copy, read and understand the contents of the City of Escanaba Policy and Procedures No. 060101-10 – Alcohol in Public Places (if applicable).

Scott Knauf  
Event Organizer Signature

Scott Knauf  
Print Name

6-27-23  
Date

Agenda Item: NB-5  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 6/28/23

Name: Jeff Lampi

Department: Water

Item: ARPA Project - Division A - LSLR

Meeting date requested: 7/6/23

Explanation for request:

Administration is requesting City Council's approval to hire and retain the professional services of Oberstar , Inc. of Marquette, Michigan with regard to the City of Escanaba's ARPA Project - Division A - Lead Service Line Replacement in an amount not to exceed \$8,089,228, including a 6% contingency.

Attached is a letter from Darren Poink, P.E. from C2AE outlining the scope of services.

ARPA funding has been secured and all expenses for engineering and construction costs will be reimbursed through the ARPA Grant.



# MEMO

**To: James McNeil, City Manager**

**From: Jeff Lampi, W & WW Supt.**

**Date: 6/28/2023**

**Re: Division A – ARPA LSL**

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Division A of the ARPA grant will include the following quantities of work. (Half-width paving, with Curb from Spring Points)

	<b>Grant Funded Water Department Work</b>
Cost (Dollars)	\$8,089,228.00
LSL Replacements	525
Curb and Gutter (Feet)	14,000
Sidewalk (Square Feet)	41,000
HMA Pavement (Tons)	3,350
Driveway & Alley Aprons (Square Feet)	12,000

Additional information which is in support of but not part of this request:

Because there are several areas of work being planned. The Water Department will conduct preliminary work on flushing hydrants and working valves. Doing this will ensure the project area perimeter valves are operational and in working order. Any defective valves or hydrants identified will be replaced or repaired.

It is unfortunate that this preliminary work will create many disturbances in potable water usage this summer. However, they will also lessen many of these concerns and problems next year as the contractor conducts the work outlined in Div A.



June 27, 2023

Mr. Jeff Lampi  
Water and Wastewater Superintendent  
City of Escanaba  
PO Box 948  
Escanaba, MI 49829

Re: City of Escanaba – ARPA Project: Division A: Lead Impacted Service Line Replacement  
DWSRF No. 7511A Project Number 22-0320  
Award Recommendation

Dear Mr. Lampi,

On June 15, 2023, the City of Escanaba received bids for its Escanaba ARPA Lead Service Line Replacement Project. A total of two (2) bids were received for the work. The bids are summarized below, and a Bid Tabulation is attached.

#### UNIT PRICE BASE BIDS

Bidder	Total Base Bid
Oberstar, Inc.	\$7,589,617.00 Corrected (\$7,619,786.00 read)
Mid City Corp.	\$8,543,309.95 Corrected (\$8,543,045.03 read)

Both bids from Oberstar, Inc. and Mid City Corp. are within budget amount including contingencies. Despite a competitive bid environment, several bidders declined to bid on this project, focusing on other projects instead. However, we believe that Oberstar bid received was accurate and competitive given the current bidding environment.

The apparent low bid based on the Unit Price Base Bid is Oberstar, Inc.

#### ALTERNATES

The bid package for Division A Project emphasized replacement of lead impacted services, which is a priority of the City. Therefore, no deductive alternates were proposed for the project. Bids included construction quantity and pricing for all roads listed in the base bid. Alternate 1 is a material substitution which the combination of base bid and alternate does not result in a shift in apparent low bidder.

In the event remaining funds become available during construction such as remaining contingency money, additional service lines will be investigated and added to the project.



#### EVALUATED EQUIPMENT BIDS

No Equipment is proposed for this project.

#### SUBCONTRACTORS

Paving Subcontractor

Payne and Dolan, Walbec Group – Gladstone, MI

Concrete Subcontractor

Arrow Constructions – Negaunee, MI

#### AWARD RECOMMENDATION

We have reviewed the bids and information included with each bid. We offer the following Engineer's recommendation regarding the award:

It is recommended that the Award of the construction contract be based on the Unit Price Base Bid. Based on adjustments, the low bid was submitted by Oberstar, Inc. of Marquette, Michigan, in the amount of \$7,589,617.00. We have reviewed the bid and find only minor irregularities. We have discussed past experience with the contractor and their named subcontractors. Oberstar, Inc. has adequate experience and resources to complete this project in compliance with the Contract Documents.

#### PROJECT BUDGET SUMMARY

The ARPA DWSRF project is a full 100% grant funded project that includes both Division A (LSLR) and Division B (Watermain) work. The amount the City is receiving in ARPA grant is \$20 million. Bids for Division A and Division B were obtained separately to allow for added competition and/or contractor availability. A separate recommendation will be provided for the Division B component of the project.

The total amount of the recommended low bid is \$7,589,617.00 Base Bid. Allocation of ARPA grant for Division A is as follows:

Construction Bid:	\$7,589,617.00
Engineering Services:	\$ 737,240.00
Contingency (6%):	\$ 499,611.00
	\$8,826,468.00 Division A Project Total Grant Allocation

The remaining ARPA grant allowance is \$11,173,532.00, which is adequate funding to complete the work detailed in the scope of work for Division B (Watermain) project.

It is our recommendation that the City of Escanaba resolve to award the contract to Oberstar, Inc. in the amount of \$7,589,617.00 based on the attached unit price bid.

ARPA funding has been secured and expense reimbursements for engineering and construction costs are readily available as needed to begin work.



Please contact us if any questions arise.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DPionk', written over the printed name.

Darren Pionk, PE  
Project Manager



# BID TABULATION

22-0320 Lead Service Replacement Project Division A

City of Escanaba

Escanaba, MI 49829

June 15, 2023

Item		Description	Unit	Quant.	Oberstar, Inc.		Mid City Corporation	
					1900 Industrial Parkway		12930 W. Custer Ave	
					Marquette, MI		Butler, WI	
					Cost	Total	Cost	Total
General Items								
101		General Requirements, Bonds, Insurances and Mobilization (Limited to maximum of 5% of total base bid)	LS	1	\$350,000.00	\$350,000.00	\$380,000.00	\$380,000.00
102		Maintenance of Traffic	LS	1	\$65,000.00	\$65,000.00	\$75,000.00	\$75,000.00
103		Preconstruction Audiovisual Coverage	LS	1	\$55,000.00	\$55,000.00	\$25,000.00	\$25,000.00
104		Project Clean Up (Year 1)	LS	1	\$20,000.00	\$20,000.00	\$1,000.00	\$1,000.00
105		Project Clean Up (Year 2)	LS	1	\$20,000.00	\$20,000.00	\$1,000.00	\$1,000.00
106		Project Sign	LS	1	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00
Water Only Related Items								
201		Water Service, Building Penetration	EA	481	\$240.00	\$115,440.00	\$350.00	\$168,350.00
202		Water Service, Interior Plumbing Connection	EA	481	\$875.00	\$420,875.00	\$1,000.00	\$481,000.00
203		Corporation Stop, 1"	EA	507	\$480.00	\$243,360.00	\$1,700.00	\$861,900.00
204		Curb Stop and Box, 1"	EA	524	\$820.00	\$429,680.00	\$1,700.00	\$890,800.00
205		Corporation Stop, Greater than 1 inch, Assembly	EA	10	\$1,550.00	\$15,500.00	\$2,750.00	\$27,500.00
206		Water Service, Copper, Type K, 1 inch	LF	30,169	\$91.00	\$2,745,379.00	\$86.00	\$2,594,534.00
207		Water Service, HDPE, 1.25 inch	LF	1,205	\$92.00	\$110,860.00	\$80.00	\$96,400.00
208		Water Service, Copper, Type K, 2 inch	LF	60	\$175.00	\$10,500.00	\$175.00	\$10,500.00
209		Water Service, Connect to Existing	EA	90	\$235.00	\$21,150.00	\$1,350.00	\$121,500.00
210		Water Service, Meter Pit	EA	20	\$3,300.00	\$66,000.00	\$1,500.00	\$30,000.00
211		Insulation	LF	800	\$16.00	\$12,800.00	\$5.00	\$4,000.00
212		Exploratory Excavation	EA	45	\$400.00	\$18,000.00	\$1,000.00	\$45,000.00
213		Temporary Water Service to Critical Customer During Installation	EA	20	\$450.00	\$9,000.00	\$350.00	\$7,000.00
214		Water Service, Copper, Type K, 1.5 inch	LF	40	\$160.00	\$6,400.00	\$150.00	\$6,000.00
Restoration Items								
301		Pavt, Rem, Modified	SY	27,533	\$3.00	\$82,599.00	\$6.00	\$165,198.00



302	Curb, Rem.	LF	1,769	\$7.00	\$12,383.00	\$8.00	\$14,152.00
303	Curb and Gutter, Rem.	LF	12,150	\$7.00	\$85,050.00	\$8.00	\$97,200.00
304	Curb, Conc, Det E2, Modified	LF	1,769	\$33.00	\$58,377.00	\$29.70	\$52,539.30
305	Curb, Conc, Det C2, Modified	LF	12,150	\$35.00	\$425,250.00	\$32.45	\$394,267.50
306	HMA, 5E1	TON	1,677	\$270.00	\$452,790.00	\$270.00	\$452,790.00
307	HMA, 4E1	TON	1,677	\$220.00	\$368,940.00	\$220.00	\$368,940.00
308	Hand Patching	TON	879	\$370.00	\$325,230.00	\$370.00	\$325,230.00
309	Aggregate Base, 9-inch	SY	17,926	\$14.00	\$250,964.00	\$11.00	\$197,186.00
310	Sidewalk, Conc., 4-inch	SF	36,717	\$11.00	\$403,887.00	\$9.41	\$345,506.97
311	Sidewalk, Conc., 6-inch	SF	4,464	\$13.00	\$58,032.00	\$11.61	\$51,827.04
312	Concrete, Pavt, Non-reinf, 6-inch	SF	11,803	\$13.00	\$153,439.00	\$10.73	\$126,646.19
313	Excavation, Rock	CY	25	\$350.00	\$8,750.00	\$250.00	\$6,250.00
314	Dr Structure Cover, Adj, Case 1	EA	19	\$975.00	\$18,525.00	\$1,250.00	\$23,750.00
315	Gate Box, Adj, Case 1	EA	10	\$410.00	\$4,100.00	\$275.00	\$2,750.00
316	Restoration, Turf Establishment	SY	11,009	\$8.00	\$88,072.00	\$2.55	\$28,072.95
317	Water Service, Misc, Site Restoration Allowance, \$600	EA	90	\$600.00	\$54,000.00	\$600.00	\$54,000.00
318	Approach, CI II, 8 inch	SY	119	\$15.00	\$1,785.00	\$80.00	\$9,520.00
Base Bid Total of All Unit Price Items					\$7,589,617.00		\$8,543,309.95
				From bid form:	\$7,619,786.00	From bid form:	\$8,543,045.03
Alternate # 1 - Water Service Pipe Material Alternate							
Base Bid Unit Prices to be applied to quantities below, unless otherwise indicated.							
Item No.	Description	Unit	Estimated Quantity	Add	Deduct	Add	Deduct
8237001	Water Service, HDPE, 1.25 inch	FT	1,205		\$110,860.00		\$96,400.00
8237001	Water Service, PEXa, 1.25 inch, w/ Tracer Wire	FT	1,205	\$110,860.00		\$120,500.00	
TOTAL ALTERNATE #1					\$0.00		\$24,100.00
TOTAL BID				\$7,589,617.00		\$8,567,409.95	

Indicates math error



Additional Bids Received

None

I certify that this is a true and correct tabulation of the bids received by the City of Escanaba, Delta County, Michigan on Thursday, June 15, 2023.

Darren Pionk, PE

June 27, 2023

Agenda Item: NB-6  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 6/28/23

Name: Jeff Lampi

Department: Water

Item: ARPA Project - Division B - Watermain Improvement Project

Meeting date requested: 7/6/23

Explanation for request:

Administration is requesting City Council's approval to hire and retain the professional services of Oberstar , Inc. of Marquette, Michigan with regard to the City of Escanaba's ARPA Project - Division B - Watermain Improvement Project in an amount not to exceed \$9,326,972.64, including construction and a 6% contingency, along with Non-Participating Funds in the amount of \$1,645,576.72, including construction and a 6% contingency, for a total of \$10,972,549.36.

Attached is a letter from Darren Poink, P.E. from C2AE outlining the scope of services.

ARPA funding has been secured and all expenses for engineering and construction costs will be reimbursed through the ARPA Grant.

Non-Participating Funds will be DPW major and local street funds and will not be reimbursable.



# MEMO

**To: James McNeil, City Manager**  
**From: Jeff Lampi, W & WW Supt.**  
**Date: 6/28/2023**  
**Re: Division B – ARPA Watermain & LSL**

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Division B of the ARPA grant will include the following quantities of work. (Full-width paving, with Curb & Gutter, and ADA intersections.)

	<b>Grant Funded Water Department Work</b>	<b>Non-Participating DPW / Street Fund</b>
Cost (Dollars)	\$9,326,972.64	\$1,645,576.72
Watermain (Feet)	15,250	
LSL Replacements	275	
Curb and Gutter (Feet)	10,125	9,800
Sidewalk (Square Feet)	38,000	9,300
HMA Pavement (Tons)	4,000	3,250
ADA ramps @ Intersections	Every affected Intersection	
Storm Sewer Catch Basins	50	Several
Sanitary Sewer Manhole	1	

Additional information which is in support of but not part of this request:

Because there are several areas of work being planned. The Water Department will conduct preliminary work on flushing hydrants and working valves. Doing this will ensure the project area perimeter valves are operational and in working order. Any defective valves or hydrants identified will be replaced or repaired.

It is unfortunate that this preliminary work will create many disturbances in potable water usage this summer. However, they will also lessen many of these concerns and problems next year as the contractor conducts the work outlined in Div B.

# MEMO

**To: James McNeil, City Manager**

**From: Wendy Taavola, Engineering/Public Works**

**Date: 6/28/2023**

**Re: Division B – ARPA Watermain & LSL --Non-Participating Costs**

---

I am requesting approval of non-participating costs associated with the ARPA watermain grant contract. Non-participating costs include the removal of E2 curb and replacement with C2 curb and gutter, ADA ramp compliance upgrades, and asphalt pavement to complete each project area full width. ARPA includes half width curb and paving restoration as part of the grant. The Engineering/Public Works Department has worked with the Water Department to include PASER ratings in deciding the project locations for this grant work. These roadways have PASER ratings of 5 or less. The breakdown of costs, including a 6% contingency, per major and local street fund is as follows:

Local: \$1,487,926.24

Major: \$157,651.15



June 27, 2023

Mr. Jeff Lampi  
Water and Wastewater Superintendent  
City of Escanaba  
PO Box 948  
Escanaba, MI 49829

Re: City of Escanaba – ARPA Project: Division B: Watermain Improvement Project  
DWSRF No. 7511A Project Number 22-0320  
Award Recommendation

Dear Mr. Lampi,

On June 15, 2023, the City of Escanaba received bids for its Escanaba ARPA Watermain Improvement Project. A total of four (4) bids were received for the work. The bids are summarized below, and a Bid Tabulation is attached.

#### UNIT PRICE BASE BIDS

Bidder	Total Base Bid	
Oberstar, Inc.	\$7,123,050.75 Corrected	(\$7,237,387.75 read)
Barley Trucking and Excavating, Inc.	\$7,656,070.92 Corrected	(\$7,665,795.64 read)
Mid City Corp.	\$9,250,003.79 Corrected	(\$9,302,440.33 read)
Payne and Dolan, Inc.	\$9,417,585.00 Corrected	(\$9,417,585.00 read)

The two low bids are within \$533,020 (7.48%) of each other and the difference between high and low bid was \$2,294,534.25 or (32.2%). Both bids from Oberstar, Inc. and Barley Trucking and Excavating, Inc. are within budget amount including contingencies. Bids from Mid City Corp. and Payne and Dolan, Inc. are above the funding amount for the project. Despite a competitive bid environment, two other bidders declined to bid on this project, focusing on other projects instead. However, we believe that Oberstar bid received was accurate and competitive given the current bidding environment.

The apparent low bid based on the Unit Price Base Bid is Oberstar, Inc.

#### ALTERNATES

The Bid included five (5) additive Alternates which could be declined to reduce project construction costs. It is recommended that all additive Alternates 1 through 5 be accepted. Note that the alternates were very competitive between the contractors and that no combination of alternates accepted would result in a shift in the apparent low bidder.



Additive Alternate 1 Sheet 206 and 207	Oberstar, Inc. \$1,528,317.39	Recommendation Accept
Additive Alternate 2 Sheet 218	\$678,577.98	Accept
Additive Alternate 3 Sheet 219	\$239,357.81	Accept
Additive Alternate 4 Sheet 203 and 204	\$708,471.51	Accept
Additive Alternate 5	No Change in Price	Accept
Base Bid plus Alternates		
Bidder	Total Base Bid + Alternates	
Oberstar, Inc.	\$10,277,775.44    Corrected	
Barley Trucking and Excavating, Inc.	\$10,897,257.08    Corrected	
Mid City Corp.	\$13,362,450.41    Corrected	
Payne and Dolan, Inc.	\$13,515,205.92    Corrected	

The apparent low bid based on the Unit Price Base Bid plus Alternates (1-5) is Oberstar, Inc.

#### EVALUATED EQUIPMENT BIDS

No Equipment is proposed for this project.

#### SUBCONTRACTORS

Paving Subcontractor                      Payne and Dolan, Walbec Group – Gladstone, MI

Concrete Subcontractor                      Arrow Constructions – Negaunee, MI

#### AWARD RECOMMENDATION

We have reviewed the bids and information included with each bid. We offer the following Engineer's recommendation regarding the award:

It is recommended that the Award of the construction contract be based on the Unit Price Base Bid plus Alternates 1 through 5. Based on adjustments, the low bid was submitted by Oberstar, Inc. of Marquette, Michigan, in the amount of \$10,277,775.44. We have reviewed the bid and find only minor irregularities. We have discussed past experience with the contractor and their named subcontractors. Oberstar, Inc. has adequate experience and resources to complete this project in compliance with the Contract Documents.



#### PROJECT BUDGET SUMMARY

The ARPA DWSRF project is a full 100% grant funded project that includes both Division A (LSLR) and Division B (Watermain) work. The amount the City is receiving in ARPA grant is \$20 million. Bids for Division A and Division B were obtained separately to allow for added competition and/or contractor availability. A separate recommendation will be provided for Division A component of the project.

Division B (Watermain) project also includes Non-Participating funding from the City of Escanaba Department of Public Works. The Non-Participating funding is for reconstruction of roads full width (curb line to curb line) and includes intersection ADA ramp construction work.

The total amount of the recommended low bid is \$10,277,775.44. Allocation of ARPA grant for Division B and Non Participating funds is as follows:

	Total	Participating (ARPA)	Non-Participating (DPW)
Construction Bid:	\$10,277,775.44	\$8,725,343.44	\$1,552,432.00
Engineering Services:	\$1,301,810.00	\$1,301,810.00	\$0.00
Contingency (6%):	\$694,773.92	\$601,629.20	\$93,144.72
Total:	\$12,274,359.36	\$10,628,782.64	\$1,645,576.72

ARPA Funding:                      Division A: \$8,826,468.00  
   Division B: \$10,628,782.64  
   \$19,455,250.64 Total ARPA (\$544,749.36 remaining for extra LSLR work)

It is our recommendation that the City of Escanaba resolve to award the contract to Oberstar, Inc. in the amount of \$10,277,775.44 that includes Alternates 1 through 5 in their entirety based on the attached unit price bid.

ARPA funding has been secured and expense reimbursements for engineering and construction costs are readily available as needed to begin work.

Please contact us if any questions arise.

Sincerely,  
C2AE

A handwritten signature in blue ink, appearing to read 'DPionk', written over a light blue circular stamp.

Darren Pionk, PE  
Project Manager



# BID TABULATION

22-0320 Water Main Improvements Division B

City of Escanaba

Escanaba, MI 49829

June 15, 2023

Item	Description	Unit	Quant.								
General Items				Oberstar, Inc.		Barley Trucking & Excavating, Inc.		Mid City Corporation		Payne & Dolan, Inc.	
				1900 Industrial Parkway		1824 10th Ave.		12930 W. Custer Ave.		801 Clark Drive	
				Marquette, MI		Menominee, MI		Butler, WI		Gladstone, MI	
				Cost	Total	Cost	Total	Cost	Total	Cost	Total
1100001	Mobilization, Max	LS	1	\$350,000.00	\$350,000.00	\$313,670.96	\$313,670.96	\$400,000.00	\$400,000.00	\$640,000.00	\$640,000.00
1047051	Project Sign	LS	1	\$2,500.00	\$2,500.00	\$2,220.37	\$2,220.37	\$1,000.00	\$1,000.00	\$1,850.00	\$1,850.00
1047051	Audio-Visual Record	LS	1	\$25,000.00	\$25,000.00	\$63,994.75	\$63,994.75	\$35,000.00	\$35,000.00	\$17,500.00	\$17,500.00
1047051	Maintenance of Traffic	LS	1	\$120,000.00	\$120,000.00	\$223,447.54	\$223,447.54	\$100,000.00	\$100,000.00	\$200,000.00	\$200,000.00
1047051	Mobilization for Directional Drilling	LS	1	\$15,000.00	\$15,000.00	\$42,007.06	\$42,007.06	\$10,000.00	\$10,000.00	\$4,625.00	\$4,625.00
1047051	Environmental Mitigation	LS	1	\$25,000.00	\$25,000.00	\$116,419.56	\$116,419.56	\$50,000.00	\$50,000.00	\$20,100.00	\$20,100.00
Water Related Work Items											
2020002	Tree, Rem, 19 inch to 36 inch	EA	3	\$2,000.00	\$6,000.00	\$2,220.37	\$6,661.11	\$1,200.00	\$3,600.00	\$2,910.00	\$8,730.00
2020004	Tree, Rem, 6 inch to 18 inch	EA	3	\$1,500.00	\$4,500.00	\$1,260.21	\$3,780.63	\$800.00	\$2,400.00	\$1,940.00	\$5,820.00
2020006	Stump, Rem, 19 inch to 36 inch	EA	3	\$1,300.00	\$3,900.00	\$660.11	\$1,980.33	\$350.00	\$1,050.00	\$2,910.00	\$8,730.00
2020008	Stump, Rem, 6 inch to 18 inch	EA	3	\$1,000.00	\$3,000.00	\$420.07	\$1,260.21	\$250.00	\$750.00	\$1,940.00	\$5,820.00
2030011	Dr Structure, Rem	EA	6	\$500.00	\$3,000.00	\$270.05	\$1,620.30	\$500.00	\$3,000.00	\$1,750.00	\$10,500.00
2040020	Curb and Gutter, Rem	FT	15,414	\$6.00	\$92,484.00	\$3.72	\$57,340.08	\$8.00	\$123,312.00	\$11.50	\$177,261.00
2040045	Masonry and Conc Structure, Rem	CYD	10	\$250.00	\$2,500.00	\$330.06	\$3,300.60	\$500.00	\$5,000.00	\$2,300.00	\$23,000.00
2040050	Pavt, Rem	SYD	2,814	\$4.00	\$11,256.00	\$3.90	\$10,974.60	\$8.00	\$22,512.00	\$26.00	\$73,164.00
2040055	Sidewalk, Rem	SYD	2,202	\$4.00	\$8,808.00	\$3.00	\$6,606.00	\$10.00	\$22,020.00	\$46.00	\$101,292.00
2047050	Exploratory Investigation	EA	13	\$350.00	\$4,550.00	\$952.42	\$12,381.46	\$850.00	\$11,050.00	\$2,200.00	\$28,600.00
2050016	Excavation, Earth	CYD	4,666	\$8.00	\$37,328.00	\$13.32	\$62,151.12	\$30.00	\$139,980.00	\$52.25	\$243,798.50
2057001	Additional Cost for Work in Hydrocarbon Impacted Areas	FT	1,180	\$10.00	\$11,800.00	\$18.00	\$21,240.00	\$35.00	\$41,300.00	\$55.25	\$65,195.00
2080012	Erosion Control, Check Dam, Stone	FT	25	\$30.00	\$750.00	\$37.16	\$929.00	\$125.00	\$3,125.00	\$200.00	\$5,000.00
3020008	Aggregate Base, 3 Inch	SYD	2,373	\$9.00	\$21,357.00	\$3.84	\$9,112.32	\$8.00	\$18,984.00	\$40.00	\$94,920.00
3020022	Aggregate Base, 9 Inch	SYD	17,474	\$12.00	\$209,688.00	\$11.22	\$196,058.28	\$18.00	\$314,532.00	\$17.00	\$297,058.00
3020050	Aggregate Base, Conditioning	SYD	11,598	\$8.00	\$92,784.00	\$4.19	\$48,595.62	\$5.00	\$57,990.00	\$10.00	\$115,980.00
3060013	Aggregate Surface Cse, 9 inch	SYD	3,350	\$12.00	\$40,200.00	\$11.13	\$37,285.50	\$24.00	\$80,400.00	\$22.00	\$73,700.00
3062002	Intersection Maintenance	EA	28	\$1,000.00	\$28,000.00	\$1,236.21	\$34,613.88	\$500.00	\$14,000.00	\$2,650.00	\$74,200.00



3070008	Approach, CI 1, 6 inch	SYD	83	\$16.00	\$1,328.00	\$9.03	\$749.49	\$95.00	\$7,885.00	\$175.00	\$14,525.00
3070126	Shld, CI II, 4 inch	SYD	40	\$16.00	\$640.00	\$8.29	\$331.60	\$9.00	\$360.00	\$100.00	\$4,000.00
4021260	Trench Undercut and Backfill	CYD	50	\$40.00	\$2,000.00	\$53.31	\$2,665.50	\$200.00	\$10,000.00	\$275.00	\$13,750.00
4027001	Sewer, CL A, 6 inch to 12 inch, Tr Det B, Modified	FT	525	\$65.00	\$34,125.00	\$81.47	\$42,771.75	\$150.00	\$78,750.00	\$262.00	\$137,550.00
4027050	Sewer, Connect to Existing, 6 inch to 12 inch	EA	75	\$250.00	\$18,750.00	\$331.00	\$24,825.00	\$150.00	\$11,250.00	\$1,000.00	\$75,000.00
4030005	Dr Structure, Adj, Case 1	EA	103	\$850.00	\$87,550.00	\$414.07	\$42,649.21	\$1,250.00	\$128,750.00	\$900.00	\$92,700.00
4030010	Dr Structure Cover, Type B	EA	2	\$1,400.00	\$2,800.00	\$1,057.37	\$2,114.74	\$1,000.00	\$2,000.00	\$1,100.00	\$2,200.00
4030050	Dr Structure Cover, Type K	EA	6	\$1,800.00	\$10,800.00	\$1,421.30	\$8,527.80	\$1,000.00	\$6,000.00	\$1,400.00	\$8,400.00
4030200	Dr Structure, 24 inch dia	EA	6	\$3,500.00	\$21,000.00	\$1,930.75	\$11,584.50	\$1,000.00	\$6,000.00	\$3,500.00	\$21,000.00
5010005	HMA Surface, Rem	SYD	15,333	\$2.75	\$42,165.75	\$4.06	\$62,251.98	\$8.00	\$122,664.00	\$5.50	\$84,331.50
5010025	Hand Patching	TON	12	\$550.00	\$6,600.00	\$700.92	\$8,411.04	\$545.00	\$6,540.00	\$500.00	\$6,000.00
5012024	HMA, 4E1	TON	2,396	\$178.00	\$426,488.00	\$223.05	\$534,427.80	\$185.30	\$443,978.80	\$170.00	\$407,320.00
5012036	HMA, 5E1	TON	2,396	\$197.00	\$472,012.00	\$226.84	\$543,508.64	\$206.01	\$493,599.96	\$189.00	\$452,844.00
5017011	HMA Surface, Rem, Modified	SYD	13,706	\$6.00	\$82,236.00	\$3.34	\$45,778.04	\$8.00	\$109,648.00	\$6.00	\$82,236.00
8010005	Driveway, Nonreinf Conc, 6 inch	SYD	1,271	\$105.00	\$133,455.00	\$116.42	\$147,969.82	\$103.55	\$131,612.05	\$110.00	\$139,810.00
8027001	Curb and Gutter, Conc, Det C2, Modified	FT	13,171	\$32.00	\$421,472.00	\$33.23	\$437,672.33	\$29.43	\$387,622.53	\$30.00	\$395,130.00
8027001	Driveway Opening, Conc, Det M, Modified	FT	1,067	\$32.00	\$34,144.00	\$32.82	\$35,018.94	\$29.43	\$31,401.81	\$30.00	\$32,010.00
8030010	Detectable Warning Surface	FT	893	\$55.00	\$49,115.00	\$60.01	\$53,588.93	\$54.50	\$48,668.50	\$50.50	\$45,096.50
8030030	Curb Ramp Opening, Conc	FT	1,184	\$33.00	\$39,072.00	\$32.41	\$38,373.44	\$29.43	\$34,845.12	\$40.00	\$47,360.00
8030044	Sidewalk, Conc, 4 inch	SFT	19,796	\$11.00	\$217,756.00	\$10.66	\$211,025.36	\$9.32	\$184,498.72	\$10.50	\$207,858.00
8030046	Sidewalk, Conc, 6 inch	SFT	13,240	\$13.00	\$172,120.00	\$12.70	\$168,148.00	\$11.17	\$147,890.80	\$12.50	\$165,500.00
8030100	Steps, Conc	CYD	5	\$3,000.00	\$15,000.00	\$3,000.50	\$15,002.50	\$2,725.00	\$13,625.00	\$2,515.00	\$12,575.00
8070095	Post, Mailbox	EA	3	\$300.00	\$900.00	\$144.02	\$432.06	\$250.00	\$750.00	\$300.00	\$900.00
8100402	Sign, Type III, Erect, Salvage	EA	49	\$125.00	\$6,125.00	\$120.02	\$5,880.98	\$500.00	\$24,500.00	\$100.00	\$4,900.00
8167011	Restoration, Turf Establishment	SYD	6,135	\$8.00	\$49,080.00	\$9.23	\$56,626.05	\$5.50	\$33,742.50	\$50.00	\$306,750.00
8237050	Gate Valve and Box, 6 inch, Modified	EA	39	\$2,000.00	\$78,000.00	\$2,281.94	\$88,995.66	\$1,750.00	\$68,250.00	\$2,750.00	\$107,250.00
8237050	Gate Valve and Box, 8 inch, Modified	EA	53	\$2,500.00	\$132,500.00	\$3,175.04	\$168,277.12	\$2,500.00	\$132,500.00	\$3,250.00	\$172,250.00
8237050	Gate Valve and Box, 10 inch, Modified	EA	2	\$3,500.00	\$7,000.00	\$4,554.86	\$9,109.72	\$3,625.00	\$7,250.00	\$5,000.00	\$10,000.00
8237050	Gate Valve and Box, 12 inch, Modified	EA	4	\$4,020.00	\$16,080.00	\$5,748.10	\$22,992.40	\$4,520.00	\$18,080.00	\$8,250.00	\$33,000.00
8230091	Hydrant, Rem	EA	25	\$485.00	\$12,125.00	\$583.30	\$14,582.50	\$750.00	\$18,750.00	\$980.50	\$24,512.50
8230151	Water Main, DI, 6 inch, Tr Det G	FT	1,500	\$96.00	\$144,000.00	\$95.33	\$142,995.00	\$190.00	\$285,000.00	\$86.50	\$129,750.00
8230156	Water Main, DI, 8 inch, Tr Det G	FT	8,535	\$99.00	\$844,965.00	\$120.00	\$1,024,200.00	\$200.00	\$1,707,000.00	\$110.00	\$938,850.00
8230161	Water Main, DI, 10 inch, Tr Det G	FT	75	\$205.00	\$15,375.00	\$143.52	\$10,764.00	\$240.00	\$18,000.00	\$190.00	\$14,250.00
8230166	Water Main, DI, 12 inch, Tr Det G	FT	90	\$210.00	\$18,900.00	\$180.01	\$16,200.90	\$260.00	\$23,400.00	\$270.00	\$24,300.00
8230264	Live Tap, 8 inch by 12 inch	EA	1	\$8,000.00	\$8,000.00	\$7,111.83	\$7,111.83	\$4,000.00	\$4,000.00	\$7,500.00	\$7,500.00



8230411	Gate Box, Reconst, Case 1	EA	5	\$400.00	\$2,000.00	\$498.08	\$2,490.40	\$1,500.00	\$7,500.00	\$980.00	\$4,900.00
8230431	Gate Box, Adj, Case 1	EA	5	\$400.00	\$2,000.00	\$120.02	\$600.10	\$800.00	\$4,000.00	\$980.00	\$4,900.00
8230440	Polyethylene Encasement	FT	200	\$9.00	\$1,800.00	\$1.98	\$396.00	\$5.00	\$1,000.00	\$13.00	\$2,600.00
8237001	Water Main, DI, 4 inch, Tr Det G	FT	10	\$250.00	\$2,500.00	\$234.62	\$2,346.20	\$200.00	\$2,000.00	\$660.00	\$6,600.00
8237001	Water Main, PE, 8 inch, Directional Drill	FT	395	\$300.00	\$118,500.00	\$347.12	\$137,112.40	\$200.00	\$79,000.00	\$260.00	\$102,700.00
8237001	Water Service, Copper, Type K, 1 inch	FT	11,926	\$97.00	\$1,156,822.00	\$99.52	\$1,186,875.52	\$86.00	\$1,025,636.00	\$109.00	\$1,299,934.00
8237001	Insulation	FT	160	\$17.00	\$2,720.00	\$10.50	\$1,680.00	\$10.00	\$1,600.00	\$59.00	\$9,440.00
8237001	Water Main, Abandon-in-Place	FT	1,785	\$8.00	\$14,280.00	\$24.41	\$43,571.85	\$40.00	\$71,400.00	\$16.00	\$28,560.00
8237001	Water Service, HDPE, 1.25 inch	FT	1,030	\$97.00	\$99,910.00	\$125.81	\$129,584.30	\$80.00	\$82,400.00	\$105.00	\$108,150.00
8237050	Water Service, Temp	EA	127	\$720.00	\$91,440.00	\$450.08	\$57,160.16	\$1,750.00	\$222,250.00	\$2,010.00	\$255,270.00
8237050	Water Service, Temp, Connection at Curb Stop	EA	10	\$425.00	\$4,250.00	\$996.95	\$9,969.50	\$2,000.00	\$20,000.00	\$1,800.00	\$18,000.00
8237050	Curb Stop and Box, 2 inch	EA	10	\$1,550.00	\$15,500.00	\$1,290.98	\$12,909.80	\$2,750.00	\$27,500.00	\$820.00	\$8,200.00
8237050	Curb Stop and Box, 1 inch	EA	158	\$750.00	\$118,500.00	\$536.03	\$84,692.74	\$1,700.00	\$268,600.00	\$650.00	\$102,700.00
8237050	Corporation Stop, Greater than 1 inch, Assembly	EA	10	\$1,550.00	\$15,500.00	\$517.06	\$5,170.60	\$2,500.00	\$25,000.00	\$1,815.00	\$18,150.00
8237050	Corporation Stop, 1 inch	EA	177	\$460.00	\$81,420.00	\$259.96	\$46,012.92	\$1,700.00	\$300,900.00	\$925.00	\$163,725.00
8237050	Fire Hydrant, Modified	EA	26	\$6,400.00	\$166,400.00	\$8,018.40	\$208,478.40	\$6,250.00	\$162,500.00	\$5,500.00	\$143,000.00
8237050	Water Main, DI, Slip Joint, Hydrocarbon Resist Gasket, 8 inch	EA	10	\$60.00	\$600.00	\$110.90	\$1,109.00	\$50.00	\$500.00	\$83.50	\$835.00
8237050	Water Main, DI, Slip Joint, Restrained, Hydrocarbon Resist Gasket, 8 inch	EA	10	\$300.00	\$3,000.00	\$396.16	\$3,961.60	\$300.00	\$3,000.00	\$545.75	\$5,457.50
8237050	Water Main, DI, Mech Joint, Hydrocarbon Resist Gasket, 8 inch	EA	20	\$65.00	\$1,300.00	\$99.45	\$1,989.00	\$50.00	\$1,000.00	\$79.75	\$1,595.00
8237050	Connect to Ex Water Main, 12 inch	EA	4	\$6,000.00	\$24,000.00	\$4,087.17	\$16,348.68	\$8,500.00	\$34,000.00	\$7,675.00	\$30,700.00
8237050	Connect to Ex Water Main, 10 inch	EA	1	\$5,500.00	\$5,500.00	\$3,752.58	\$3,752.58	\$8,000.00	\$8,000.00	\$8,800.00	\$8,800.00
8237050	Connect to Ex Water Main, 8 inch	EA	11	\$4,500.00	\$49,500.00	\$4,490.73	\$49,398.03	\$7,500.00	\$82,500.00	\$5,450.00	\$59,950.00
8237050	Connect to Ex Water Main, 6 inch	EA	31	\$3,900.00	\$120,900.00	\$2,933.19	\$90,928.89	\$7,000.00	\$217,000.00	\$4,550.00	\$141,050.00
8237050	Connect to Ex Water Main, 4 inch	EA	4	\$4,100.00	\$16,400.00	\$2,902.65	\$11,610.60	\$6,500.00	\$26,000.00	\$3,700.00	\$14,800.00
8237050	Connect to Ex Water Main or Service, 1-1/4 inch to 2 inch	EA	5	\$1,200.00	\$6,000.00	\$207.17	\$1,035.85	\$3,000.00	\$15,000.00	\$2,500.00	\$12,500.00
8237050	Water Service, Connect to Existing	EA	37	\$500.00	\$18,500.00	\$168.36	\$6,229.32	\$1,350.00	\$49,950.00	\$1,650.00	\$61,050.00
8237050	Water Main, Conflict, 8 inch	EA	10	\$3,200.00	\$32,000.00	\$6,435.72	\$64,357.20	\$7,500.00	\$75,000.00	\$6,575.00	\$65,750.00
8237050	Gate Box, Rem	EA	3	\$350.00	\$1,050.00	\$210.04	\$630.12	\$500.00	\$1,500.00	\$980.50	\$2,941.50
8237050	Water Service, Building Penetration	EA	153	\$250.00	\$38,250.00	\$312.05	\$47,743.65	\$350.00	\$53,550.00	\$450.00	\$68,850.00
8237050	Water Service, Interior Plumbing Connection	EA	153	\$925.00	\$141,525.00	\$588.10	\$89,979.30	\$1,000.00	\$153,000.00	\$815.00	\$124,695.00
8237050	Water Service, 1 inch, Meter Pit	EA	5	\$3,300.00	\$16,500.00	\$8,666.06	\$43,330.30	\$1,500.00	\$7,500.00	\$2,065.00	\$10,325.00
8237050	Water Service, Misc. Site Restoration Allowance, \$600.00	EA	19	\$600.00	\$11,400.00	\$600.00	\$11,400.00	\$600.00	\$11,400.00	\$695.00	\$13,205.00
TOTAL BASE BID: Total of All Unit Price Items				\$7,123,050.75		\$7,656,070.92		\$9,250,003.79		\$9,417,585.00	
				From bid form:	\$7,237,387.75	From bid form:	\$7,655,795.64	From bid form:	\$9,302,440.33	From bid form:	\$9,417,585.00





Alternate # 1 (R-206/207, C-206/207) - S 18TH St, 1st Ave S To 5th Ave S											
ADDITIVE ALTERNATE											
Base Bid Unit Prices to be applied to quantities below, unless otherwise indicated.											
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount
2040020	Curb and Gutter, Rem	FT	2483	\$6.00	\$14,898.00	\$3.72	\$9,236.76	\$8.00	\$19,864.00	\$11.50	\$28,554.50
2040050	Pavt, Rem	SYD	569	\$4.00	\$2,276.00	\$3.90	\$2,219.10	\$8.00	\$4,552.00	\$26.00	\$14,794.00
2040055	Sidewalk, Rem	SYD	653	\$4.00	\$2,612.00	\$3.00	\$1,959.00	\$10.00	\$6,530.00	\$46.00	\$30,038.00
2047050	Exploratory Investigation	EA	1	\$350.00	\$350.00	\$952.42	\$952.42	\$850.00	\$850.00	\$2,200.00	\$2,200.00
2050016	Excavation, Earth	CYD	909	\$8.00	\$7,272.00	\$13.32	\$12,107.88	\$30.00	\$27,270.00	\$52.25	\$47,495.25
3020008	Aggregate Base, 3 Inch	SYD	560	\$9.00	\$5,040.00	\$3.84	\$2,150.40	\$8.00	\$4,480.00	\$40.00	\$22,400.00
3020022	Aggregate Base, 9 Inch	SYD	4311	\$12.00	\$51,732.00	\$11.22	\$48,369.42	\$18.00	\$77,598.00	\$17.00	\$73,287.00
3020050	Aggregate Base, Conditioning	SYD	2523	\$8.00	\$20,184.00	\$4.19	\$10,571.37	\$5.00	\$12,615.00	\$10.00	\$25,230.00
3062002	Intersection Maintenance	EA	5	\$1,000.00	\$5,000.00	\$1,236.21	\$6,181.05	\$500.00	\$2,500.00	\$2,650.00	\$13,250.00
4027001	Sewer, CL A, 6 inch to 12 inch, Tr Det B, Modified	FT	100	\$65.00	\$6,500.00	\$81.47	\$8,147.00	\$150.00	\$15,000.00	\$262.00	\$26,200.00
4027050	Sewer, Connect to Existing, 6 inch to 12 inch	EA	18	\$250.00	\$4,500.00	\$331.00	\$5,958.00	\$150.00	\$2,700.00	\$1,000.00	\$18,000.00
4030005	Dr Structure, Adj, Case 1	EA	20	\$850.00	\$17,000.00	\$414.07	\$8,281.40	\$1,250.00	\$25,000.00	\$900.00	\$18,000.00
5010005	HMA Surface, Rem	SYD	3636	\$2.75	\$9,999.00	\$4.06	\$14,762.16	\$8.00	\$29,088.00	\$5.50	\$19,998.00
5017011	HMA Surface, Rem, Modified	SYD	3198	\$6.00	\$19,188.00	\$3.34	\$10,681.32	\$8.00	\$25,584.00	\$6.00	\$19,188.00
5012024	HMA, 4E1	TON	564	\$178.00	\$100,392.00	\$223.05	\$125,800.20	\$185.30	\$104,509.20	\$170.00	\$95,880.00
5012036	HMA, 5E1	TON	564	\$197.00	\$111,108.00	\$226.84	\$127,937.76	\$206.01	\$116,189.64	\$189.00	\$106,596.00
8010005	Driveway, Nonreinf Conc, 6 inch	SYD	239	\$105.00	\$25,095.00	\$116.42	\$27,824.38	\$103.55	\$24,748.45	\$110.00	\$26,290.00
8027001	Curb and Gutter, Conc, Det C2, Modified	FT	3088	\$32.00	\$98,816.00	\$33.23	\$102,614.24	\$29.43	\$90,879.84	\$30.00	\$92,640.00
8027001	Driveway Opening, Conc, Det M, Modified	FT	272	\$32.00	\$8,704.00	\$32.82	\$8,927.04	\$29.43	\$8,004.96	\$30.00	\$8,160.00
8030010	Detectable Warning Surface	FT	216	\$55.00	\$11,880.00	\$60.01	\$12,962.16	\$54.50	\$11,772.00	\$50.50	\$10,908.00
8030030	Curb Ramp Opening, Conc	FT	288	\$33.00	\$9,504.00	\$32.41	\$9,334.08	\$29.43	\$8,475.84	\$40.00	\$11,520.00
8030044	Sidewalk, Conc, 4 inch	SFT	5878	\$11.00	\$64,658.00	\$10.66	\$62,659.48	\$9.32	\$54,782.96	\$10.50	\$61,719.00
8030046	Sidewalk, Conc, 6 inch	SFT	2974	\$13.00	\$38,662.00	\$12.70	\$37,769.80	\$11.17	\$33,219.58	\$12.50	\$37,175.00
8100402	Sign, Type III, Erect, Salvage	EA	8	\$125.00	\$1,000.00	\$120.02	\$960.16	\$500.00	\$4,000.00	\$100.00	\$800.00
8167011	Restoration, Turf Establishment	SYD	1,531	\$8.00	\$12,248.39	\$9.23	\$14,131.58	\$5.50	\$8,420.77	\$50.00	\$76,552.44
8237050	Gate Valve and Box, 6 inch, Modified	EA	5	\$2,000.00	\$10,000.00	\$2,281.94	\$11,409.70	\$1,750.00	\$8,750.00	\$2,750.00	\$13,750.00
8237050	Gate Valve and Box, 8 inch, Modified	EA	11	\$2,500.00	\$27,500.00	\$3,175.04	\$34,925.44	\$2,500.00	\$27,500.00	\$3,250.00	\$35,750.00
8237050	Gate Valve and Box, 12 inch, Modified	EA	2	\$4,020.00	\$8,040.00	\$5,748.10	\$11,496.20	\$4,520.00	\$9,040.00	\$8,250.00	\$16,500.00
8230091	Hydrant, Rem	EA	5	\$485.00	\$2,425.00	\$583.30	\$2,916.50	\$750.00	\$3,750.00	\$980.50	\$4,902.50
8230151	Water Main, DI, 6 inch, Tr Det G	FT	90	\$96.00	\$8,640.00	\$95.33	\$8,579.70	\$190.00	\$17,100.00	\$86.50	\$7,785.00



8230156	Water Main, DI, 8 inch, Tr Det G	FT	1925	\$99.00	\$190,575.00	\$120.00	\$231,000.00	\$200.00	\$385,000.00	\$110.00	\$211,750.00
8230166	Water Main, DI, 12 inch, Tr Det G	FT	30	\$210.00	\$6,300.00	\$180.01	\$5,400.30	\$260.00	\$7,800.00	\$270.00	\$8,100.00
8237001	Water Main, DI, 4 inch, Tr Det G	FT	10	\$250.00	\$2,500.00	\$234.62	\$2,346.20	\$200.00	\$2,000.00	\$660.00	\$6,600.00
8237001	Water Service, Copper, Type K, 1 inch	FT	3685	\$97.00	\$357,445.00	\$99.52	\$366,731.20	\$86.00	\$316,910.00	\$109.00	\$401,665.00
8237001	Insulation	FT	32	\$17.00	\$544.00	\$10.50	\$336.00	\$10.00	\$320.00	\$59.00	\$1,888.00
8237001	Water Service, HDPE, 1.25 inch	FT	120	\$97.00	\$11,640.00	\$125.81	\$15,097.20	\$80.00	\$9,600.00	\$105.00	\$12,600.00
8237050	Water Service, Temp	EA	84	\$720.00	\$60,480.00	\$450.08	\$37,806.72	\$1,750.00	\$147,000.00	\$2,010.00	\$168,840.00
8237050	Curb Stop and Box, 2 inch	EA	1	\$1,550.00	\$1,550.00	\$1,290.98	\$1,290.98	\$2,750.00	\$2,750.00	\$820.00	\$820.00
8237050	Curb Stop and Box, 1 inch	EA	49	\$750.00	\$36,750.00	\$536.03	\$26,265.47	\$1,700.00	\$83,300.00	\$650.00	\$31,850.00
8237050	Corporation Stop, Greater than 1 inch, Assembly	EA	1	\$1,550.00	\$1,550.00	\$517.06	\$517.06	\$2,500.00	\$2,500.00	\$1,815.00	\$1,815.00
8237050	Corporation Stop, 1 inch	EA	56	\$460.00	\$25,760.00	\$259.96	\$14,557.76	\$1,700.00	\$95,200.00	\$925.00	\$51,800.00
8237050	Fire Hydrant, Modified	EA	5	\$6,400.00	\$32,000.00	\$8,018.40	\$40,092.00	\$6,250.00	\$31,250.00	\$5,500.00	\$27,500.00
8237050	Connect to Ex Water Main, 12 inch	EA	2	\$6,000.00	\$12,000.00	\$4,087.17	\$8,174.34	\$8,500.00	\$17,000.00	\$7,675.00	\$15,350.00
8237050	Connect to Ex Water Main, 6 inch	EA	3	\$3,900.00	\$11,700.00	\$2,933.19	\$8,799.57	\$7,000.00	\$21,000.00	\$4,550.00	\$13,650.00
8237050	Connect to Ex Water Main, 4 inch	EA	2	\$4,100.00	\$8,200.00	\$2,902.65	\$5,805.30	\$6,500.00	\$13,000.00	\$3,700.00	\$7,400.00
8237050	Water Service, Connect to Existing	EA	8	\$500.00	\$4,000.00	\$168.36	\$1,346.88	\$1,350.00	\$10,800.00	\$1,650.00	\$13,200.00
8237050	Gate Box, Rem	EA	2	\$350.00	\$700.00	\$210.04	\$420.08	\$500.00	\$1,000.00	\$980.50	\$1,961.00
8237050	Water Service, Building Penetration	EA	48	\$250.00	\$12,000.00	\$312.05	\$14,978.40	\$350.00	\$16,800.00	\$450.00	\$21,600.00
8237050	Water Service, Interior Plumbing Connection	EA	48	\$925.00	\$44,400.00	\$588.10	\$28,228.80	\$1,000.00	\$48,000.00	\$815.00	\$39,120.00
8237050	Water Service, Misc. Site Restoration Allowance, \$600.00	EA	5	\$600.00	\$3,000.00	\$600.00	\$3,000.00	\$600.00	\$3,000.00	\$695.00	\$3,475.00
TOTAL ALTERNATE # 1				\$1,528,317.39		\$1,554,019.96		\$1,999,004.24		\$2,006,546.69	

Alternate # 2 (R-218, C-218) - Bay St And 6th Ave S from S 8th St to S 9th St			
ADDITIVE ALTERNATE			
Base Bid Unit Prices to be applied to quantities below, unless otherwise indicated.			
Item No.	Description	Unit	Estimated Quantity
2040020	Curb and Gutter, Rem	FT	1822
2040050	Pavt, Rem	SYD	597
2040055	Sidewalk, Rem	SYD	193
2047050	Exploratory Investigation	EA	3
2050016	Excavation, Earth	CYD	552
3020008	Aggregate Base, 3 Inch	SYD	282
3020022	Aggregate Base, 9 Inch	SYD	2383
3020050	Aggregate Base, Conditioning	SYD	1163

Bid Unit Price	Bid Amount
\$6.00	\$10,932.00
\$4.00	\$2,388.00
\$4.00	\$772.00
\$350.00	\$1,050.00
\$8.00	\$4,416.00
\$9.00	\$2,539.50
\$12.00	\$28,596.00
\$8.00	\$9,304.00

Bid Unit Price	Bid Amount
\$3.72	\$6,777.84
\$3.90	\$2,328.30
\$3.00	\$579.00
\$952.42	\$2,857.26
\$13.32	\$7,352.64
\$3.84	\$1,083.52
\$11.22	\$26,737.26
\$4.19	\$4,872.97

Bid Unit Price	Bid Amount
\$8.00	\$14,576.00
\$8.00	\$4,776.00
\$10.00	\$1,930.00
\$850.00	\$2,550.00
\$30.00	\$16,560.00
\$8.00	\$2,257.33
\$18.00	\$42,894.00
\$5.00	\$5,815.00

Bid Unit Price	Bid Amount
\$11.50	\$20,953.00
\$26.00	\$15,522.00
\$46.00	\$8,878.00
\$2,200.00	\$6,600.00
\$52.25	\$28,842.00
\$40.00	\$11,286.67
\$17.00	\$40,511.00
\$10.00	\$11,630.00



3062002	Intersection Maintenance	EA	6	\$1,000.00	\$6,000.00	\$1,236.21	\$7,417.26	\$500.00	\$3,000.00	\$2,650.00	\$15,900.00
4027001	Sewer, CL A, 6 inch to 12 inch, Tr Det B, Modified	FT	10	\$65.00	\$650.00	\$81.47	\$814.70	\$150.00	\$1,500.00	\$262.00	\$2,620.00
4027050	Sewer, Connect to Existing, 6 inch to 12 inch	EA	2	\$250.00	\$500.00	\$331.00	\$662.00	\$150.00	\$300.00	\$1,000.00	\$2,000.00
4030005	Dr Structure, Adj, Case 1	EA	3	\$850.00	\$2,550.00	\$414.07	\$1,242.21	\$1,250.00	\$3,750.00	\$900.00	\$2,700.00
5010025	Hand Patching	TON	20	\$550.00	\$11,000.00	\$700.92	\$14,018.40	\$545.00	\$10,900.00	\$500.00	\$10,000.00
5010005	HMA Surface, Rem	SYD	2208	\$2.75	\$6,072.00	\$4.06	\$8,964.48	\$8.00	\$17,664.00	\$5.50	\$12,144.00
5012024	HMA, 4E1	TON	292	\$178.00	\$51,976.00	\$223.05	\$65,130.60	\$185.30	\$54,107.60	\$170.00	\$49,640.00
5012036	HMA, 5E1	TON	292	\$197.00	\$57,524.00	\$226.84	\$66,237.28	\$206.01	\$60,154.92	\$189.00	\$55,188.00
5017011	HMA Surface, Rem, Modified	SYD	1338	\$6.00	\$8,028.00	\$3.34	\$4,468.92	\$8.00	\$10,704.00	\$6.00	\$8,028.00
8010005	Driveway, Nonreinf Conc, 6 inch	SYD	347	\$105.00	\$36,435.00	\$116.42	\$40,397.74	\$103.55	\$35,931.85	\$110.00	\$38,170.00
8027001	Curb and Gutter, Conc, Det C2, Modified	FT	1345	\$32.00	\$43,040.00	\$33.23	\$44,694.35	\$29.43	\$39,583.35	\$30.00	\$40,350.00
8027001	Driveway Opening, Conc, Det M, Modified	FT	348	\$32.00	\$11,136.00	\$32.82	\$11,421.36	\$29.43	\$10,241.64	\$30.00	\$10,440.00
8030010	Detectable Warning Surface	FT	114	\$55.00	\$6,270.00	\$60.01	\$6,841.14	\$54.50	\$6,213.00	\$50.50	\$5,757.00
8030030	Curb Ramp Opening, Conc	FT	144	\$33.00	\$4,752.00	\$32.41	\$4,667.04	\$29.43	\$4,237.92	\$40.00	\$5,760.00
8030044	Sidewalk, Conc, 4 inch	SFT	1581	\$11.00	\$17,391.00	\$10.66	\$16,853.46	\$9.32	\$14,734.92	\$10.50	\$16,600.50
8030046	Sidewalk, Conc, 6 inch	SFT	2192	\$13.00	\$28,496.00	\$12.70	\$27,838.40	\$11.17	\$24,484.64	\$12.50	\$27,400.00
8100402	Sign, Type III, Erect, Salvage	EA	6	\$125.00	\$750.00	\$120.02	\$720.12	\$500.00	\$3,000.00	\$100.00	\$600.00
8167011	Restoration, Turf Establishment	SYD	564	\$8.00	\$4,515.48	\$9.23	\$5,209.73	\$5.50	\$3,104.39	\$50.00	\$28,221.72
8237050	Gate Valve and Box, 6 inch, Modified	EA	3	\$2,000.00	\$6,000.00	\$2,281.94	\$6,845.82	\$1,750.00	\$5,250.00	\$2,750.00	\$8,250.00
8237050	Gate Valve and Box, 8 inch, Modified	EA	9	\$2,500.00	\$22,500.00	\$3,175.04	\$28,575.36	\$2,500.00	\$22,500.00	\$3,250.00	\$29,250.00
8230091	Hydrant, Rem	EA	2	\$485.00	\$970.00	\$583.30	\$1,166.60	\$750.00	\$1,500.00	\$980.50	\$1,961.00
8230151	Water Main, DI, 6 inch, Tr Det G	FT	40	\$96.00	\$3,840.00	\$95.33	\$3,813.20	\$190.00	\$7,600.00	\$86.50	\$3,460.00
8230156	Water Main, DI, 8 inch, Tr Det G	FT	1005	\$99.00	\$99,495.00	\$120.00	\$120,600.00	\$200.00	\$201,000.00	\$110.00	\$110,550.00
8230262	Live Tap, 6 inch by 16 inch	EA	1	\$8,400.00	\$8,400.00	\$8,402.59	\$8,402.59	\$5,000.00	\$5,000.00	\$8,250.00	\$8,250.00
8230265	Live Tap, 8 inch by 16 inch	EA	2	\$8,800.00	\$17,600.00	\$9,266.42	\$18,532.84	\$5,250.00	\$10,500.00	\$10,250.00	\$20,500.00
8237001	Water Service, Copper, Type K, 1 inch	FT	630	\$97.00	\$61,110.00	\$99.52	\$62,697.60	\$86.00	\$54,180.00	\$109.00	\$68,670.00
8237001	Water Service, HDPE, 1.25 inch	FT	100	\$97.00	\$9,700.00	\$125.81	\$12,581.00	\$80.00	\$8,000.00	\$105.00	\$10,500.00
8237050	Curb Stop and Box, 2 inch	EA	1	\$1,550.00	\$1,550.00	\$1,290.98	\$1,290.98	\$2,750.00	\$2,750.00	\$820.00	\$820.00
8237050	Curb Stop and Box, 1 inch	EA	8	\$750.00	\$6,000.00	\$536.03	\$4,288.24	\$1,700.00	\$13,600.00	\$650.00	\$5,200.00
8237050	Corporation Stop, Greater than 1 inch, Assembly	EA	1	\$1,550.00	\$1,550.00	\$517.06	\$517.06	\$2,500.00	\$2,500.00	\$1,815.00	\$1,815.00
8237050	Corporation Stop, 1 inch	EA	8	\$460.00	\$3,680.00	\$259.96	\$2,079.68	\$1,700.00	\$13,600.00	\$925.00	\$7,400.00
8237050	Fire Hydrant, Modified	EA	3	\$6,400.00	\$19,200.00	\$8,018.40	\$24,055.20	\$6,250.00	\$18,750.00	\$5,500.00	\$16,500.00
8237050	Connect to Ex Water Main, 6 inch	EA	3	\$3,900.00	\$11,700.00	\$2,933.19	\$8,799.57	\$7,000.00	\$21,000.00	\$4,550.00	\$13,650.00
8237050	Connect to Ex Water Main, 4 inch	EA	3	\$4,100.00	\$12,300.00	\$2,902.65	\$8,707.95	\$6,500.00	\$19,500.00	\$3,700.00	\$11,100.00
8237050	Water Service, Connect to Existing	EA	3	\$500.00	\$1,500.00	\$168.36	\$505.08	\$1,350.00	\$4,050.00	\$1,650.00	\$4,950.00



8237050	Water Service, Building Penetration	EA	6	\$250.00	\$1,500.00	\$312.05	\$1,872.30	\$350.00	\$2,100.00	\$450.00	\$2,700.00
8237050	Water Service, Interior Plumbing Connection	EA	6	\$925.00	\$5,550.00	\$588.10	\$3,528.60	\$1,000.00	\$6,000.00	\$815.00	\$4,890.00
8237050	Water Service, Misc. Site Restoration Allowance, \$600.00	EA	6	\$600.00	\$3,600.00	\$600.00	\$3,600.00	\$600.00	\$3,600.00	\$695.00	\$4,170.00
8252037	Sanitary Sewer, PVC, 8 inch, Tr Det B2	FT	20	\$105.00	\$2,100.00	\$136.22	\$2,724.40	\$550.00	\$11,000.00	\$180.00	\$3,600.00
8252072	Sanitary Structure, 48 inch dia	EA	1	\$6,000.00	\$6,000.00	\$7,637.04	\$7,637.04	\$5,000.00	\$5,000.00	\$6,675.00	\$6,675.00
8252105	Sanitary Structure, Rem	EA	1	\$525.00	\$525.00	\$420.07	\$420.07	\$1,000.00	\$1,000.00	\$2,100.00	\$2,100.00
8252122	Sanitary Sewer, Serv Lead, PVC, 6 inch	FT	130	\$90.00	\$11,700.00	\$88.97	\$11,566.10	\$300.00	\$39,000.00	\$100.00	\$13,000.00
8252130	Sanitary Sewer, Cleanout, 6 inch	EA	1	\$675.00	\$675.00	\$553.13	\$553.13	\$250.00	\$250.00	\$1,900.00	\$1,900.00
8257050	Sanitary Sewer, Connect to Existing, 4 inch to 6 inch Lateral	EA	2	\$500.00	\$1,000.00	\$166.35	\$332.70	\$500.00	\$1,000.00	\$1,700.00	\$3,400.00
8257050	Sanitary Sewer, Connect to Existing, 8 inch	EA	1	\$650.00	\$650.00	\$327.82	\$327.82	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00
8257050	Sanitary Sewer, Wye Branch, 8 inch by 6 inch	EA	2	\$550.00	\$1,100.00	\$351.78	\$703.56	\$1,500.00	\$3,000.00	\$3,650.00	\$7,300.00
TOTAL ALTERNATE # 2				\$678,577.98		\$726,912.47		\$879,200.56		\$850,802.89	

Alternate # 3 (R-219, C-219) - S 5th St From 1St Ave S to 2nd Ave S			
ADDITIVE ALTERNATE			
Base Bid Unit Prices to be applied to quantities below, unless otherwise indicated.			
Item No.	Description	Unit	Estimated Quantity
2040020	Curb and Gutter, Rem	FT	864
2040050	Pavt, Rem	SYD	97
2040055	Sidewalk, Rem	SYD	75
2050016	Excavation, Earth	CYD	299
3020008	Aggregate Base, 3 Inch	SYD	136
3020022	Aggregate Base, 9 Inch	SYD	1296
3062002	Intersection Maintenance	EA	3
4027001	Sewer, CL A, 6 inch to 12 inch, Tr Det B, Modified	FT	50
4027050	Sewer, Connect to Existing, 6 inch to 12 inch	EA	6
4030005	Dr Structure, Adj, Case 1	EA	5
5010005	HMA Surface, Rem	SYD	1194
5012024	HMA, 4E1	TON	107
5012036	HMA, 5E1	TON	107
8010005	Driveway, Nonreinf Conc, 6 inch	SYD	65
8027001	Curb and Gutter, Conc, Det C2, Modified	FT	629
8027001	Curb, Conc, Det E2, Modified	FT	126
8027001	Driveway Opening, Conc, Det M, Modified	FT	61

Bid Unit Price	Bid Amount
\$6.00	\$5,184.00
\$4.00	\$388.00
\$4.00	\$300.00
\$8.00	\$2,388.00
\$9.00	\$1,224.00
\$12.00	\$15,552.00
\$1,000.00	\$3,000.00
\$65.00	\$3,250.00
\$250.00	\$1,500.00
\$850.00	\$4,250.00
\$2.75	\$3,283.50
\$178.00	\$19,046.00
\$197.00	\$21,079.00
\$105.00	\$6,825.00
\$32.00	\$20,128.00
\$37.00	\$4,662.00
\$32.00	\$1,952.00

Bid Unit Price	Bid Amount
\$3.72	\$3,214.08
\$3.90	\$378.30
\$3.00	\$225.00
\$13.32	\$3,976.02
\$3.84	\$522.24
\$11.22	\$14,541.12
\$1,236.21	\$3,708.63
\$81.47	\$4,073.50
\$331.00	\$1,986.00
\$414.07	\$2,070.35
\$4.06	\$4,847.64
\$223.05	\$23,866.35
\$226.84	\$24,271.88
\$116.42	\$7,567.30
\$33.23	\$20,901.67
\$32.41	\$4,083.66
\$32.82	\$2,002.02

Bid Unit Price	Bid Amount
\$8.00	\$6,912.00
\$8.00	\$776.00
\$10.00	\$750.00
\$30.00	\$8,955.00
\$8.00	\$1,088.00
\$18.00	\$23,328.00
\$500.00	\$1,500.00
\$150.00	\$7,500.00
\$150.00	\$900.00
\$1,250.00	\$6,250.00
\$8.00	\$9,552.00
\$185.30	\$19,827.10
\$206.01	\$22,043.07
\$103.55	\$6,730.75
\$29.43	\$18,511.47
\$35.00	\$4,410.00
\$29.43	\$1,795.23

Bid Unit Price	Bid Amount
\$11.50	\$9,936.00
\$26.00	\$2,522.00
\$46.00	\$3,450.00
\$52.25	\$15,596.63
\$40.00	\$5,440.00
\$17.00	\$22,032.00
\$2,650.00	\$7,950.00
\$262.00	\$13,100.00
\$1,000.00	\$6,000.00
\$900.00	\$4,500.00
\$5.50	\$6,567.00
\$170.00	\$18,190.00
\$189.00	\$20,223.00
\$110.00	\$7,150.00
\$30.00	\$18,870.00
\$35.00	\$4,410.00
\$30.00	\$1,830.00



8030010	Detectable Warning Surface	FT	36	\$55.00	\$1,980.00	\$60.01	\$2,160.36	\$54.50	\$1,962.00	\$50.50	\$1,818.00
8030030	Curb Ramp Opening, Conc	FT	48	\$33.00	\$1,584.00	\$32.41	\$1,555.68	\$29.43	\$1,412.64	\$40.00	\$1,920.00
8030044	Sidewalk, Conc, 4 inch	SFT	678	\$11.00	\$7,458.00	\$10.66	\$7,227.48	\$9.32	\$6,318.96	\$10.50	\$7,119.00
8030046	Sidewalk, Conc, 6 inch	SFT	372	\$13.00	\$4,836.00	\$12.70	\$4,724.40	\$11.17	\$4,155.24	\$12.50	\$4,650.00
8100402	Sign, Type III, Erect, Salvage	EA	4	\$125.00	\$500.00	\$120.02	\$480.08	\$500.00	\$2,000.00	\$100.00	\$400.00
8167011	Restoration, Turf Establishment	SYD	227	\$8.00	\$1,813.31	\$9.23	\$2,092.10	\$5.50	\$1,246.65	\$50.00	\$11,333.17
8237050	Gate Valve and Box, 6 inch, Modified	EA	1	\$2,000.00	\$2,000.00	\$2,281.94	\$2,281.94	\$1,750.00	\$1,750.00	\$2,750.00	\$2,750.00
8237050	Gate Valve and Box, 8 inch, Modified	EA	7	\$2,500.00	\$17,500.00	\$3,175.04	\$22,225.28	\$2,500.00	\$17,500.00	\$3,250.00	\$22,750.00
8230091	Hydrant, Rem	EA	1	\$485.00	\$485.00	\$583.30	\$583.30	\$750.00	\$750.00	\$980.50	\$980.50
8230151	Water Main, DI, 6 inch, Tr Det G	FT	20	\$96.00	\$1,920.00	\$95.33	\$1,906.60	\$190.00	\$3,800.00	\$86.50	\$1,730.00
8230156	Water Main, DI, 8 inch, Tr Det G	FT	415	\$99.00	\$41,085.00	\$120.00	\$49,800.00	\$200.00	\$83,000.00	\$110.00	\$45,650.00
8237001	Water Service, Copper, Type K, 1 inch	FT	85	\$97.00	\$8,245.00	\$99.52	\$8,459.20	\$86.00	\$7,310.00	\$109.00	\$9,265.00
8237050	Water Service, Temp	EA	3	\$720.00	\$2,160.00	\$450.08	\$1,350.24	\$1,750.00	\$5,250.00	\$2,010.00	\$6,030.00
8237050	Curb Stop and Box, 1 inch	EA	3	\$750.00	\$2,250.00	\$536.03	\$1,608.09	\$1,700.00	\$5,100.00	\$650.00	\$1,950.00
8237050	Corporation Stop, 1 inch	EA	3	\$460.00	\$1,380.00	\$259.96	\$779.88	\$1,700.00	\$5,100.00	\$925.00	\$2,775.00
8237050	Fire Hydrant, Modified	EA	1	\$6,400.00	\$6,400.00	\$8,018.40	\$8,018.40	\$6,250.00	\$6,250.00	\$5,500.00	\$5,500.00
8237050	Connect to Ex Water Main, 8 inch	EA	2	\$4,500.00	\$9,000.00	\$4,490.73	\$8,981.46	\$7,500.00	\$15,000.00	\$5,450.00	\$10,900.00
8237050	Connect to Ex Water Main, 6 inch	EA	2	\$3,900.00	\$7,800.00	\$2,933.19	\$5,866.38	\$7,000.00	\$14,000.00	\$4,550.00	\$9,100.00
8237050	Connect to Ex Water Main, 4 inch	EA	1	\$4,100.00	\$4,100.00	\$2,902.65	\$2,902.65	\$6,500.00	\$6,500.00	\$3,700.00	\$3,700.00
8237050	Water Service, Connect to Existing	EA	1	\$500.00	\$500.00	\$168.36	\$168.36	\$1,350.00	\$1,350.00	\$1,650.00	\$1,650.00
8237050	Water Service, Building Penetration	EA	2	\$250.00	\$500.00	\$312.05	\$624.10	\$350.00	\$700.00	\$450.00	\$900.00
8237050	Water Service, Interior Plumbing Connection	EA	2	\$925.00	\$1,850.00	\$588.10	\$1,176.20	\$1,000.00	\$2,000.00	\$815.00	\$1,630.00
TOTAL ALTERNATE # 3				\$239,357.81		\$257,207.94		\$333,284.11		\$322,267.29	

Alternate # 4 (R-203/204, C-203/204) - N 20th St, N 21st St, and 16th Ave N											
ADDITIVE ALTERNATE											
Base Bid Unit Prices to be applied to quantities below, unless otherwise indicated.											
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount
2040020	Curb and Gutter, Rem	FT	1636	\$6.00	\$9,816.00	\$3.72	\$6,085.92	\$8.00	\$13,088.00	\$11.50	\$18,814.00
2040050	Pavt, Rem	SYD	117	\$4.00	\$468.00	\$3.90	\$456.30	\$8.00	\$936.00	\$26.00	\$3,042.00
2040055	Sidewalk, Rem	SYD	28	\$4.00	\$112.00	\$3.00	\$84.00	\$10.00	\$280.00	\$46.00	\$1,288.00
2050016	Excavation, Earth	CYD	470	\$8.00	\$3,756.00	\$13.32	\$6,253.74	\$30.00	\$14,085.00	\$52.25	\$24,531.38
3020008	Aggregate Base, 3 Inch	SYD	269	\$9.00	\$2,424.00	\$3.84	\$1,034.24	\$8.00	\$2,154.67	\$40.00	\$10,773.33
3020022	Aggregate Base, 9 Inch	SYD	2030	\$12.00	\$24,360.00	\$11.22	\$22,776.60	\$18.00	\$36,540.00	\$17.00	\$34,510.00





3020050	Aggregate Base, Conditioning	SYD	1307	\$8.00	\$10,456.00	\$4.19	\$5,476.33	\$5.00	\$6,535.00	\$10.00	\$13,070.00
3062002	Intersection Maintenance	EA	5	\$1,000.00	\$5,000.00	\$1,236.21	\$6,181.05	\$500.00	\$2,500.00	\$2,650.00	\$13,250.00
4027001	Sewer, CL A, 6 inch to 12 inch, Tr Det B, Modified	FT	40	\$65.00	\$2,600.00	\$81.47	\$3,258.80	\$150.00	\$6,000.00	\$262.00	\$10,480.00
4027050	Sewer, Connect to Existing, 6 inch to 12 inch	EA	6	\$250.00	\$1,500.00	\$331.00	\$1,986.00	\$150.00	\$900.00	\$1,000.00	\$6,000.00
4030005	Dr Structure, Adj, Case 1	EA	9	\$850.00	\$7,650.00	\$414.07	\$3,726.63	\$1,250.00	\$11,250.00	\$900.00	\$8,100.00
5010005	HMA Surface, Rem	SYD	1878	\$2.75	\$5,164.50	\$4.06	\$7,624.68	\$8.00	\$15,024.00	\$5.50	\$10,329.00
5012024	HMA, 4E1	TON	276	\$178.00	\$49,128.00	\$223.05	\$61,561.80	\$185.30	\$51,142.80	\$170.00	\$46,920.00
5012036	HMA, 5E1	TON	276	\$197.00	\$54,372.00	\$226.84	\$62,607.84	\$206.01	\$56,858.76	\$189.00	\$52,164.00
5017011	HMA Surface, Rem, Modified	SYD	1459	\$6.00	\$8,754.00	\$3.34	\$4,873.06	\$8.00	\$11,672.00	\$6.00	\$8,754.00
8010005	Driveway, Nonreinf Conc, 6 inch	SYD	98	\$105.00	\$10,290.00	\$116.42	\$11,409.16	\$103.55	\$10,147.90	\$110.00	\$10,780.00
8027001	Curb and Gutter, Conc, Det C2, Modified	FT	1552	\$32.00	\$49,664.00	\$33.23	\$51,572.96	\$29.43	\$45,675.36	\$30.00	\$46,560.00
8027001	Driveway Opening, Conc, Det M, Modified	FT	64	\$32.00	\$2,048.00	\$32.82	\$2,100.48	\$29.43	\$1,883.52	\$30.00	\$1,920.00
8030010	Detectable Warning Surface	FT	12	\$55.00	\$660.00	\$60.01	\$720.12	\$54.50	\$654.00	\$50.50	\$606.00
8030030	Curb Ramp Opening, Conc	FT	16	\$33.00	\$528.00	\$32.41	\$518.56	\$29.43	\$470.88	\$40.00	\$640.00
8030044	Sidewalk, Conc, 4 inch	SFT	255	\$11.00	\$2,805.00	\$10.66	\$2,718.30	\$9.32	\$2,376.60	\$10.50	\$2,677.50
8030046	Sidewalk, Conc, 6 inch	SFT	320	\$13.00	\$4,160.00	\$12.70	\$4,064.00	\$11.17	\$3,574.40	\$12.50	\$4,000.00
8070095	Post, Mailbox	EA	6	\$300.00	\$1,800.00	\$144.02	\$864.12	\$250.00	\$1,500.00	\$300.00	\$1,800.00
8100402	Sign, Type III, Erect, Salvage	EA	2	\$125.00	\$250.00	\$120.02	\$240.04	\$500.00	\$1,000.00	\$100.00	\$200.00
8167011	Restoration, Turf Establishment	SYD	809	\$8.00	\$6,471.01	\$9.23	\$7,465.93	\$5.50	\$4,448.82	\$50.00	\$40,443.83
8237050	Gate Valve and Box, 6 inch, Modified	EA	10	\$2,000.00	\$20,000.00	\$2,281.94	\$22,819.40	\$1,750.00	\$17,500.00	\$2,750.00	\$27,500.00
8237050	Gate Valve and Box, 12 inch, Modified	EA	5	\$4,020.00	\$20,100.00	\$5,748.10	\$28,740.50	\$4,520.00	\$22,600.00	\$8,250.00	\$41,250.00
8230091	Hydrant, Rem	EA	2	\$485.00	\$970.00	\$583.30	\$1,166.60	\$750.00	\$1,500.00	\$980.50	\$1,961.00
8230151	Water Main, DI, 6 inch, Tr Det G	FT	640	\$96.00	\$61,440.00	\$95.33	\$61,011.20	\$190.00	\$121,600.00	\$86.50	\$55,360.00
8230166	Water Main, DI, 12 inch, Tr Det G	FT	905	\$210.00	\$190,050.00	\$180.01	\$162,909.05	\$260.00	\$235,300.00	\$270.00	\$244,350.00
8230267	Live Tap, 12 inch by 16 inch	EA	1	\$11,250.00	\$11,250.00	\$11,562.77	\$11,562.77	\$6,500.00	\$6,500.00	\$14,750.00	\$14,750.00
8237001	Water Service, Copper, Type K, 1 inch	FT	710	\$97.00	\$68,870.00	\$99.52	\$70,659.20	\$86.00	\$61,060.00	\$109.00	\$77,390.00
8237050	Water Service, Temp	EA	6	\$720.00	\$4,320.00	\$450.08	\$2,700.48	\$1,750.00	\$10,500.00	\$2,010.00	\$12,060.00
8237050	Curb Stop and Box, 1 inch	EA	11	\$750.00	\$8,250.00	\$536.03	\$5,896.33	\$1,700.00	\$18,700.00	\$650.00	\$7,150.00
8237050	Corporation Stop, 1 inch	EA	11	\$460.00	\$5,060.00	\$259.96	\$2,859.56	\$1,700.00	\$18,700.00	\$925.00	\$10,175.00
8237050	Fire Hydrant, Modified	EA	5	\$6,400.00	\$32,000.00	\$8,018.40	\$40,092.00	\$6,250.00	\$31,250.00	\$5,500.00	\$27,500.00
8237050	Connect to Ex Water Main, 6 inch	EA	2	\$3,900.00	\$7,800.00	\$2,933.19	\$5,866.38	\$7,000.00	\$14,000.00	\$4,550.00	\$9,100.00
8237050	Water Service, Building Penetration	EA	11	\$250.00	\$2,750.00	\$312.05	\$3,432.55	\$350.00	\$3,850.00	\$450.00	\$4,950.00
8237050	Water Service, Interior Plumbing Connection	EA	11	\$925.00	\$10,175.00	\$588.10	\$6,469.10	\$1,000.00	\$11,000.00	\$815.00	\$8,965.00
8237050	Water Service, Misc. Site Restoration Allowance, \$600.00	EA	2	\$600.00	\$1,200.00	\$600.00	\$1,200.00	\$600.00	\$1,200.00	\$695.00	\$1,390.00
TOTAL ALTERNATE # 4				\$708,471.51		\$703,045.78		\$875,957.71		\$915,504.04	



1211 Ludington St.  
Escanaba, MI 49829  
906.233.9360  
[www.c2ae.com](http://www.c2ae.com)

Alternate # 5 - Water Service Pipe Material Alternate			
Base Bid Unit Prices to be applied to quantities below, unless otherwise indicated. Total cost and quantities added/deducted if alternate accepted.			
Item No.	Description	Unit	Estimated Quantity
8237001	Water Service, HDPE, 1.25 inch	FT	1250
8237001	Water Service, PEXa, 1.25 inch, w/ Tracer Wire	FT	1250
TOTAL ALTERNATE #5			
TOTAL BID			

AddDeduct
\$121,250.00\$121,250.00
\$121,250.00
\$0.00

AddDeduct
\$0.00

AddDeduct
\$100,000.00\$100,000.00
\$125,000.00
\$25,000.00

AddDeduct
\$131,250.00\$131,250.00
\$133,750.00
\$2,500.00

\$10,277,775.44
-----------------

\$10,897,257.08
-----------------

\$13,362,450.41
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\$13,515,205.92
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Indicates math error

### Additional Bids Received

None

I certify that this is a true and correct tabulation of the bids received by the City of Escanaba, Delta County, Michigan on Thursday, June 15, 2023.

Darren Pionk, PE

June 27, 2023

Agenda Item: NR-7  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 6/28/2023

Name: Jeff Lampi

Department: Water

Item: C2AE -- Davis Bacon Wage Review for ARPA Projects (LSLR and DWAM)

Meeting date requested: 7/6/2023

Explanation for request:

Administration is requesting for City Councils authorization to hire and retain the services of C2AE of Escanaba MI, to complete Davis Bacon Wage Review and Certification work, as per the grant agreement, at a cost not to exceed \$10,600.00.

Money is available and budgeted for this type of use within the Water Fund Budget for Professional Services.

**\*\*Please see the attached document for greater detail of the services being provided.**

This work is required to maintain compliance with the Davis Bacon Act in regards the construction activities through the American Rescue Plan Act (ARPA), and all invoicing will be conducted via actual time and effort on an hourly unit price of \$80.00.



# MEMO

**To: James McNeil, City Manager**

**From: Jeff Lampi, W & WW Supt.**

**Date: 6/28/2023**

**Re: Davis Bacon Wage Review and Certification**

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Davis Bacon Wage Review and Certification is a requirement of the ARPA Grant Agreement. We solicited bids from at least 20 certified grant administrators throughout the Upper Peninsula and Northern Michigan. Our local grant administrator, CUPPAD, was unavailable to do this work because of reduced staff and other commitments. We only received one bid, which was from C2AE.

All work will be invoiced according to actual time and effort at the rate of \$80/hour. These services will not be reimbursed through the grants, but instead be funded through monies out of the Water Fund for professional services.

I would like your support in hiring C2AE to conduct this activity.

6/27/2023 @ 2:00pm

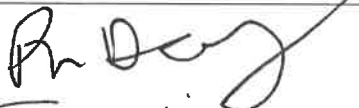
CITY OF ESCANABA  
RECORD OF BIDS

DATE BIDS OPENED: 06/27/2023

DESCRIPTION OF ITEM: Escanaba WTP Davis-Bacon Wage Review Certification ARPA Projects - 2023

NAME OF BIDDER	Davis Bacon Act Wage Compliance Rate/Hour	Total Expected Cost	Proof of Insurance
Font			
CZAE	80/hr	9,600.00	yes

PRESENT:

  
Tracy Lippens  
Tom Rittner

Agenda Item: NB-8  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 6/27/23

Name: Jeff Lampi

Department: Water

Item: WTP Asphalt Patching

Meeting date requested: 7/6/2023

Explanation for request:

Administration is requesting city council's approval to obtain the services of Midwest Asphalt and Gravel of Iron Mountain, MI to complete the needed asphalt patchwork created from work done on the water system in an of amount not to exceed \$325.00/ton.

Money is budgeted and available.

# MEMO

**To: James McNeil, City Manager**

**From: Jeff Lampi, W & WW Supt.**

**Date: 6/28/2023**

**Re: Asphalt Patching – Water/Wastewater Work**

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We solicited bids from five different vendors from throughout the Upper Peninsula to do the work of asphalt patching. Our efforts with Lead Service Line Replacements have created a large number of repairs required each year. Some patches are too large for City staff to even try to attempt. We received 2 bids, and are requesting approval to hire the low bid, Midwest Asphalt & Gravel, Inc. In hiring Midwest for outsourcing this work, it is our hopes that we can restore the city streets in a quick and efficient manner diminishing the concerns and dissatisfaction of the city residents.

Authorization of this request will allow us to bring Midwest into town 2-3 times reducing inconveniences of gravel and potholes in a timely manner.

I am expecting to have 50 to 100 such patches this year, invoiced at a unit price of \$325/ton, and most patches are around 5 tons each. We may incur costs from \$100,000 to \$175,000 in patch work. This work will be as a result of LSLR, fire hydrant replacements, valve replacements, watermain breaks, and sanitary sewer repairs.

Because there are 2 departments involved, money is budgeted and available from each department's current budget.

6/27/2023 @ 2:00 pm

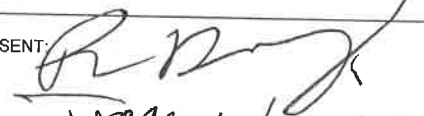

CITY OF ESCANABA  
RECORD OF BIDS

DATE BIDS OPENED: 06/27/2023

DESCRIPTION OF ITEM: Escanaba WTP Improvements - Asphalt - 2023

NAME OF BIDDER	Per Tonnage of Asphalt, with the removal of the gravel patch, creating a clean cut, installation of asphalt, and all mobilization costs included \$ PER TON	Proof of Insurance
Midwest Asphalt	325 / ton	yes
Payne & Dolan	390 / ton	yes

PRESENT:

  
Tracy Updegraff  


Agenda Item: NB-9  
Date: 07-06-2023

## City Council Agenda Item Request

Date: 6/29/2023

Name: Jeff Lampi

Department: Water Department

Item: Water Treatment Plant Generator Installation

Meeting date requested: 7/6/2023

Explanation for request:

Administration is requesting Council's approval to hire and retain the services of Master Electric, Inc. of Escanaba, Michigan for installation of new generator for the Water Treatment Plant in an amount not to exceed \$42,000.00, which includes monies for contingencies for installation. An additional \$10,000.00 will be needed for contingencies such as concrete pad, site prep, and demolition of existing generator for a total of \$52,000.00.

Money is available and budgeted for this service.

# MEMO

**To: James McNeil, City Manager**

**From: Jeff Lampi, W & WW Supt.**

**Date: 6/29/23**

**Re: WTP Generator Installation – Master Electric**

---

I am requesting your support in hiring Master Electric for installation of the Water Treatment Plant generator. This is a very important piece of equipment because it provides the redundancy needed in times of power failure. Master Electric has always been available in times of emergencies, and we have never been disappointed. They are currently the electrical subcontractor on the Water Treatment Plant Project and are working on making improvements to our switch gear in anticipation of installing the new generator.

Master Electric helped establish our specifications for bidding of the generator. They have also reviewed and approved the generator we have purchased. Therefore, I would like to retain the services of Master Electric for installation.



6/28/23

To: City of Escanaba

Attn: Jeff Lampi

Re: Electrical Proposal – Installation of new 350 KW generator and Docking station at Water Treatment Plant

We are pleased to submit this proposal for the above referenced project. Our bid is based on a walkthrough, Cat equipment submittals and the below scope.

- We Include:
  - Install new 350 KW Cat Generator, Annunciator panel, E stop and Docking station
  - Demo existing conduits and wiring
  - Provide all conduits, wire and termination for Controls and power wiring
  - Grounding per code
  - Work with Water department on shutdown sequencing schedule
  - Work with Square D as part of existing project at water plant to make automatic transfer work properly
  - Tie alarms into owner provided SCADA alarm points
  - Crane for setting of Generator and Docking station
  - Materials
  - Labor
  - Permit
  - Tax
- The following is not included for both locations:
  - Concrete slabs
  - Gas Piping
  - Fuel
  - Generator, annunciator panel, E stop, Docking station
  - Demo of generator and enclosure (chicken coop)

**Total Base Bid: \$39,853.00**

Curt Servant  
General Manager / Estimator  
2205 N. 19<sup>th</sup> St.  
Escanaba, MI 49829

Telephone (906) 786-4600  
Facsimile (906) 786-4972  
[curt@masterelectricinc.net](mailto:curt@masterelectricinc.net)  
[www.masterelectricinc.net](http://www.masterelectricinc.net)



Agenda Item: NB-10  
Date: 07-06-2023

## **City Council Agenda Item Request**

Date: 06/29/2023

Name: James McNeil

Department: Manager

Item: Use of Public Space - Ludington Street - Downtown Sidewalk Sales

Meeting date requested: 07/06/2023

Explanation for request:

The Downtown Partners in Business is requesting the City Council approve the closure of Ludington Street on July 29, 2023, from 9:00 a.m. to 5:30 p.m. for setup, and 10:00 a.m. to 5:00 p.m. for the annual "Downtown Sidewalk Day's" event.

**CITY OF ESCANABA - SPECIAL EVENT APPLICATION**  
**Festivals, Parades, Races, Walkathons, Temporary Road Closures**

DATE(S) OF EVENT: Saturday, July 29, 2023  
Day of Week, Month, Day, Year (Example: Saturday, October 29, 2016)

NAME OF EVENT: Sidewalk Sales in Downtown Escanaba

**CONTACT INFORMATION:** (Please print clearly – Incomplete applications may be delayed)

Organization: Downtown Partners in Business  
Contact Person: Lisa LaLonde Daytime Phone: [REDACTED]  
Address: 517 South 31<sup>st</sup> St. Evening Phone: \_\_\_\_\_  
City, State Zip: Escanaba MI 49829 E-mail: \_\_\_\_\_  
Website: \_\_\_\_\_ Event Phone: \_\_\_\_\_  
Charitable Org #: \_\_\_\_\_ Fax: \_\_\_\_\_  
(If applicable)

Alternate Contact: Jody Bugay [REDACTED]  
(It is recommended that an alternate name and phone number be provided)

Do you grant the City of Escanaba, City Manager's Office permission  
to give your telephone number to the general public? ☒ Yes ☐ No

**LOCATION:**

☐ City Park Name of Park: \_\_\_\_\_  
☐ Building/Facility Name/Area: \_\_\_\_\_  
☒ Road(s) Road Closure Required? ☒ Partial ☐ Full

**DATE/TIME:**

<b>EVENT TIME</b> <small>This is the time your event would be ready to accept participants or general public.</small>	<b>Event Begins</b> DATE: <u>Sat, July 29, 2023</u> TIME: <u>10am</u>	<b>Event Ends</b> DATE: <u>Sat, July 29, 2023</u> TIME: <u>5pm</u>
	<b>SET-UP TIME</b> <small>When you want the area reserved for your organization to ensure you have adequate time for set-up and tear-down.</small>	<b>Set-up Start</b> DATE: <u>Sat, July 29</u> TIME: <u>9am</u>

The collection, use and disclosure of personally identifying information submitted on this form will be used to facilitate the request to host a special event within the City of Escanaba. Applicants may, from time to time, be contacted by the city or a City-contracted third-party for the express purposes of gathering information about the proposed event, assessing satisfaction and/or obtaining feedback on services related to special events. Questions about this collection should be directed to the City Manager.

**EVENT DETAILS – TYPE OF EVENT:**☐ Parade☐ Cycling☐ Festival/Event☐ Run☐ Walkathon☒ Other (specify): Sidewalk Sales**ESTIMATED ATTENDANCE:** (Please estimate all that apply)Participants: # 20Wheelchair Accessible: ☒ Yes ☐ NoBands: # 2 City Band + other Band

For events on City Property are you seeking approval to charge:

Vehicles/Floats: # \_\_\_\_\_

Admission: ☐ Yes ☒ NoParking: ☐ Yes ☒ No

Volunteers: # \_\_\_\_\_

This event is: ☒ Open to the PublicGeneral Public: # 400☐ For Invited Guests Only**EVENT ELEMENTS:** (Complete to ensure proper permits are processed)Power Requirements: ☒ Yes☐ NoFireworks: ☐ Yes☒ NoSound Amplification: ☐ Yes☒ NoAlcohol: ☐ Yes☒ NoAccess to power if possible: ☒ Yes☒ NoLive Music: ☒ Yes☐ NoTents/Temp. Structures: ☒ Yes☐ NoSize of Tent(s): 12x12 + 10x10Amusement Rides: ☐ Yes☐ NoProvider: Individual CraftersInflatables: ☐ Yes☒ No

Provider: \_\_\_\_\_

**FOOD AND BEVERAGE:**

Will there be Food and Non-Alcoholic Beverages sold?

☐ Yes☒ No (Continue to next page)

Food Stand locations:

☐ Indoor☒ Outdoor☐ Indoor and Outdoor

What types of food will the Food Stands be selling? (Check all that apply)

☒ Chicken / Seafood☐ Soups / Chili☐ Other Foods (Please list)☐ Rice / Pasta Dishes☐ Salad*Depending on  
what vendors  
we get!*☐ Soda / Chips / Candy☐ Other Meats☒ Hotdogs / Hamburgers☒ Baked Goods

**RESERVATION FEES:** (Check applicable box(es))

Ludington Park – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Ludington Park – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Ludington Park – Bandshell (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Ludington Park – Bandshell (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Ludington Park – Gazebo (2 Hour Block)	<input type="checkbox"/> \$50 (Resident)	<input type="checkbox"/> \$75 (Non-Resident)
Other Picnic or Gathering Area (Full Day)	<input type="checkbox"/> \$35	
John D. Besse Park – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
John D. Besse Park – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Lemerand Field – Pavilion (1/2 Day)	<input type="checkbox"/> \$75 (Resident)	<input type="checkbox"/> \$100 (Non-Resident)
Lemerand Field – Pavilion (Full Day)	<input type="checkbox"/> \$100 (Resident)	<input type="checkbox"/> \$125 (Non-Resident)
Lemerand Field – Entire Complex (Full Day)	<input type="checkbox"/> \$250	

\*\*\* Half-Day Reservations Cut-off Time is 4:00PM. Half-day reservations can be made before or after 4:00PM.

**EVENTS REQUESTING ROAD CLOSURE:**

Road closures must be approved by City Council. Once City Council has approved your road closure, changes cannot be made to your route without notification to the City Manager as a secondary Council Approval will have to be sought.

A detailed map of road closures **MUST** be included. Applicants must notify abutting properties of the closure at least 14 Days in advance of the event. This notification letter must be approved by the City Manager's Office. If there are any SPECIAL REQUESTS that you would like the City to consider, please outline them on a separate piece of paper and attach.

**DEFINE THE CLOSURE LIMITS – ATTACH A DETAILED MAP**

I have read and understood the Special Events Application.

I will notify the City Manager's Office of any changed to my event application at least fourteen (14) days in advance of the event.

I have received a copy, read and understand the contents of the City of Escanaba Policy and Procedures No. 060101-10 – Alcohol in Public Places (if applicable).

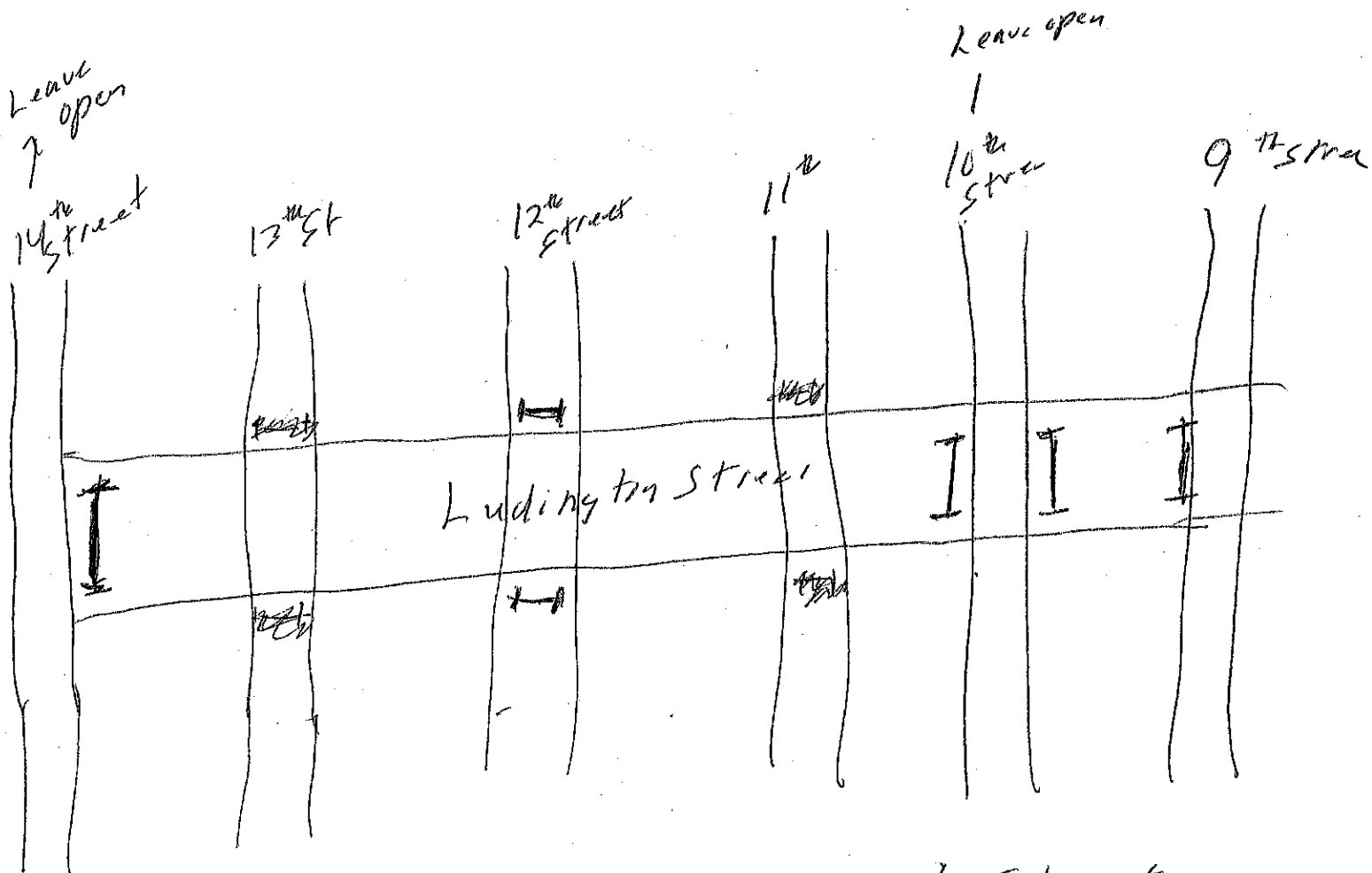
Lisa LaLonde  
Event Organizer Signature

Lisa LaLonde  
Print Name

6/29/22  
Date

# Downtown Escanaba Sidewalk Sale

Sat, July 29, 2023



Ludington Street Closed at 14<sup>th</sup> - 10<sup>th</sup> Street  
& 10<sup>th</sup> - 9<sup>th</sup> Street & Side Streets that are  
not one way Streets

Leaving 14<sup>th</sup> & 10<sup>th</sup> Street with  
flow through traffic

Close off at 9am & unclose at 5:30pm