

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, July 6, 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, City Clerk Phil DeMay, Department Heads, media, and members of the public.

City Clerk DeMay led Council in the Pledge of Allegiance.

Flath moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from June 15, 2023, as submitted.

Flath moved, DuBord seconded, **CARRIED UNANIMOUSLY**, to approve Special Meeting minutes from June 29, 2023, as submitted.

ADJUSTMENTS TO THE AGENDA

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

CONFLICT OF INTEREST DECLARATION

- Council Member Moore – Old Business item number one because she is the Executive Director of Enhance Escanaba.
- Mayor Ammel – New Business item number three because he is part of the organization committee.

BRIEF PUBLIC COMMENT

- Ann Fix – discussed the garden proposal on Sand Point.

PUBLIC HEARINGS – None

UNFINISHED BUSINESS

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

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

UB-1 DuBord moved, Beauchamp seconded, to approve a request from Enhance Escanaba to build and maintain a garden on Sand Point along with adding an escrow account to the contract for future maintenance.

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

Ayes: DuBord, Beauchamp, Flath, Mayor Ammel

Nays: None

Abstain: Moore

MOTION CARRIED.

NEW BUSINESS

NB-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.

The Planning Commission requested 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 requested that the City Council set August 3, 2023, for the second reading, public hearing adoption of Ordinance No. 1282.

NB-1 Flath moved, Beauchamp seconded, to consider this the first reading of Ordinance No. 1282, An Ordinance to Amend Marihuana Establishment Distancing Regulations within the Zoning Ordinance and to set August 3, 2023, for the second reading, public hearing adoption of Ordinance No. 1282.

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

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

Nays: None

MOTION CARRIED.

NB-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.

The Planning Commission requested 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 requested that the City Council set August 3, 2023, for the second reading, public hearing adoption of Ordinance No. 1283.

NB-2 DuBord moved, Moore seconded, to consider this the first reading of Ordinance No. 1283, An Ordinance to Amend Setback-Related Language within the Zoning Ordinance and to set August 3, 2023, for the second reading, public hearing adoption of Ordinance No. 1283.

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 – Request for use of Ludington Park for Annual UPtobberfest Celebration – Administration.

Administration recommended 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. 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-3 Moore moved, Flath seconded, **CARRIED UNANIMOUSLY**, to approve 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, 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.

Abstain: Mayor Ammel

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

Scott Knauf with Honor Flight requested 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 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, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve

a request from Scott Knauf with Honor Flight 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), 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 – ARPA Project – Division A – LSLR – Water.

Administration requested 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.

NB-5 Moore moved, Beauchamp seconded, to approve 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.

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

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

MOTION CARRIED.

NB-6 Approval – ARPA Project – Division B – Watermain Improvement Project – Water.

Administration requested 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.

NB-6 DuBord moved, Flath seconded, to approve 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.

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

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

MOTION CARRIED.

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

Administration requested 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 was available and budgeted for this type of use within the Water Fund Budget for Professional Services.

NB-7 DuBord moved, Beauchamp seconded, to approve 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.

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

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

MOTION CARRIED.

NB-8 Approval – WTP Asphalt Patching – Water.

Administration requested 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 was budgeted and available.

NB-8 Moore moved, Beauchamp seconded, to approve 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.

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 – Water Treatment Plant Generator Installation – Water.

Administration requested City Council approval to hire and retain the services of Master Electric, Inc. of Escanaba, Michigan for installation of a 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 was needed for contingencies such as concrete pad, site prep, and demolition of existing generator for a total of \$52,000.00. Money was available and budgeted for this service.

NB-9 DuBord moved, Moore seconded, to approve to hire and retain the services of Master Electric, Inc. of Escanaba, Michigan for installation of a new generator for the Water Treatment Plant in an amount not to exceed \$42,000.00, which includes monies for contingencies for installation, also an additional \$10,000.00 for contingencies such as concrete pad, site prep, and demolition of existing generator for a total of \$52,000.00.

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

The Downtown Partners in Business requested the City Council to 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.

NB-10 Flath moved, Moore seconded, **CARRIED UNANIMOUSLY**, to approve a request from The Downtown Partners in Business for 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, contingent upon the following: 1) event sponsors provide all labor material and clean up at the conclusion of the event.

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

BOARD, COMMISSION, AND COMMITTEE REPORTS

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

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS

- Ludington Park looked fantastic for the July 4TH festivities on July 1st.
- Public Works and crew did an outstanding job cleaning up after Saturday’s event.
- Recreation did a great job getting everything set up and for the Independence Day Celebration.

Hearing no further public comment, Flath moved, DuBord seconded, the Council adjourned at 8:01 p.m.

Respectfully submitted,

Phil DeMay
City Clerk

Approved: _____
Mark Ammel, Mayor