



## CITY COUNCIL MEETING AGENDA

September 21, 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, September 21, 2023, at 7:00 p.m.**

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE

APPROVAL/CORRECTION(S) TO MINUTES – Regular Meeting – September 7, 2023

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION(S)

BRIEF PUBLIC COMMENT(S)

PUBLIC HEARINGS

- 1. Public Hearing – Resolution No. 23-20 – Transfer Industrial Facility Exemption Certificate (IFE) 2014-198 – Manager.**  
**Explanation:** Administration is requesting the City Council conduct a public hearing to approve Resolution No. 23-20 to transfer IFE certificate 2014-198 from Bells Brewery Inc. to New Belgium Brewing Company, Inc.
- 2. Public Hearing – Resolution No. 23-21 – Transfer Industrial Facility Exemption Certificate (IFE) 2015-142 – Manager.**  
**Explanation:** Administration is requesting the City Council conduct a public hearing to approve Resolution No. 23-21 to transfer IFE certificate 2015-142 from Bells Brewery Inc. to New Belgium Brewing Company, Inc.

UNFINISHED BUSINESS – None

NEW BUSINESS

- 1. Approval – John Deere Lawn Mower Parts – Public Works.**

**Explanation:** Administration is requesting City Council approval to donate parts to the Michigan State Police for a John Deere lawn mower that is used at the Gun Range.

APPOINTMENTS

BOARD, COMMISSION, AND COMMITTEE REPORTS

GENERAL PUBLIC COMMENT

ANNOUNCEMENTS

ADJOURNMENT

Respectfully Submitted,

A handwritten signature in blue ink that reads "James R. McNeil".

James R. McNeil  
City Manager

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, September 7, 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.

DuBord moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from August 17, 2023, as submitted.

**ADJUSTMENTS TO THE AGENDA**

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

**CONFLICT OF INTEREST DECLARATION** – None

**BRIEF PUBLIC COMMENT** – None

**PUBLIC HEARINGS** – None

**UNFINISHED BUSINESS** – None

**NEW BUSINESS**

**NB-1 Approval – Service Agreement with DSTech – IT/City Clerk**

Administration requested City Council approval of the Service Agreement with DSTech.

**NB-1** Moore moved, DuBord seconded, to approve of the Service Agreement with DSTech.

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

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

**MOTION CARRIED.**

**NB-2 Approval – Resolution No. 23-18 – Players de Noc – Nonprofit Organization – Manager.**

Jesse Traub, President of Players de Noc sought City Council approval of Resolution No. 23-18 that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a Charitable Gaming License from the State of Michigan.

**NB-2** “By Council Member DuBord, seconded by Council Member Flath;

**RESOLUTION 23-18**

**A RESOLUTION FOR CHARITABLE GAMING LICENSES FOR PURPOSES OF  
BEING RECOGNIZED AS A NON-PROFIT ORGANIZATION**

**WHEREAS**, at the Regular meeting of the City of Escanaba called to order by Mayor Ammel on the 7th day of September 2023, at 7:00 p.m. the following resolution was offered:

**WHEREAS**, moved by DuBord and supported by Flath that the request from Players de Noc, county of Delta, asking that they be recognized as a nonprofit organization operation in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Escanaba hereby approves the Players de Noc for Charitable Gaming License.

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

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

**RESOLUTION DECLARED ADOPTED.”**

**NB-3 Approval – Use of Public Space – Ludington Street – Escanaba High School Homecoming Parade – Manager.**

The Escanaba School District sought approval to use Ludington Street on Friday, September 29, 2023, from 5:00 p.m. to 6:00 p.m., for their annual Homecoming Parade. Administration recommended approval provided the following conditions were met: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event.

**NB-3** Moore moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve

a request from the Escanaba School District to use Ludington Street on Friday, September 29, 2023, from 5:00 p.m. to 6:00 p.m., for their annual Homecoming Parade, provided the following conditions were met: 1) Proper insurance was provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event.

**NB-4 Approval – Resolution No. 23-19 – Designated Street Administrator – Manager.**

Administration sought City Council approval of Resolution No. 23-19 naming the City Manager, James McNeil, as the designated street administrator.

**NB-4** “By Council Member Flath, seconded by Council Member DuBord;

**Resolution 23-19**

**RESOLUTION FOR DESIGNATION OF STREET ADMINISTRATOR**

**Whereas**, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

**Therefore, be it resolved**, that this Honorable Body designate James McNeil as the single Street Administrator for the City of Escanaba in all transactions with the State Transportation Department as provided in Section 13 of the Act.

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

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

Nays: None

**RESOLUTION DECLARED ADOPTED.”**

**NB-5 Approval – Setting of Public Hearing – Industrial Facility Exemption Certificate (IFE) – Transfer Application – Manager.**

Administration requested City Council set a public hearing for the regular meeting of September 21, 2023, to consider of an application to transfer IFE certificate 2014-198 from Bell's Brewery Inc. to New Belgium Brewing Company, Inc.

**NB-5** DuBord moved, Moore seconded, **CARRIED UNANIMOUSLY**, to set a public hearing for the regular meeting of September 21, 2023, to consider of an application to transfer IFE certificate 2014-198 from Bell's Brewery Inc. to New Belgium Brewing

Company, Inc.

**NB-6 Approval – Setting of Public Hearing – Industrial Facility Exemption Certificate (IFE) – Transfer Application – Manager.**

Administration requested City Council set a public hearing for the regular meeting of September 21, 2023, to consider of an application to transfer IFE certificate 2015-142 from Bell's Brewery Inc. to New Belgium Brewing Company, Inc.

**NB-6** DuBord moved, Flath seconded, **CARRIED UNANIMOUSLY**, to set a public hearing for the regular meeting of September 21, 2023, to consider of an application to transfer IFE certificate 2015-142 from Bell's Brewery Inc. to New Belgium Brewing Company, Inc.

**NB-7 Approval – Amended Fiscal Year 2023-2024 Master Fee Schedule – Manager.**

Administration requested City Council approval of an amended FY 2023-2024 Master Fee Schedule.

**NB-7** DuBord moved, Beauchamp seconded, to approve an amended FY 2023-2024 Master Fee Schedule.

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 – Westside Substation Improvements – Electric.**

Administration sought City Council approval to hire EPS Engineering to provide engineering design services & provide relay panels for the Westside Substation Improvement project for the amount of \$644,700. This was a budgeted project for the 2023/24 fiscal year.

**NB-8** DuBord moved, Beauchamp seconded, to approve to hire EPS Engineering to provide engineering design services & provide relay panels for the Westside Substation Improvement project for the amount of \$644,700.

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

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

Nays: None

**MOTION CARRIED.**

**NB-9 Approval – SCADA Upgrade – Electric.**

Administration sought City Council approval to hire EPS Engineering to provide hardware, software, and programming services for the SCADA Upgrade project for the amount of \$230,090. This was a budgeted item for the 2023/24 fiscal year.

**NB-9** Moore moved, Flath seconded, to approve to hire EPS Engineering to provide hardware, software, and programming services for the SCADA Upgrade project for the amount of \$230,090.

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

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

Nays: None

**MOTION CARRIED.**

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

**BOARD, COMMISSION, AND COMMITTEE REPORTS**

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

**GENERAL PUBLIC COMMENT**

- William Blitz – discussed fireworks in the city limits over labor day.

**ANNOUNCEMENTS**

- City crews are in the final preparations to get started on the Stephenson project.
- Friday September 29<sup>th</sup> Homecoming Parade!
- Labor Day festivities went very well. Thank you to everyone involved.

Hearing no further public comment, Flath moved, DuBord seconded, the Council adjourned at 7:50 p.m.

Respectfully submitted,

Phil DeMay  
City Clerk

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

Agenda Item: PH-1  
Date: 09-21-2023

## City Council Agenda Item Request

Date: 09/15/2023

Name: James McNeil

Department: Manager

Item: Resolution - Industrial Facility Exemption Certificate (IFE) - Transfer Application

Meeting date requested: 09/21/2023

Explanation for request:

Administration is requesting the City Council conduct a public hearing to approve Resolution No. 23-20 to transfer IFE certificate 2014-198 from Bells Brewery Inc. to New Belgium Brewing Company, Inc.

Minutes of a regular meeting of the City Council of City of Escanaba, held on September 21, 2023, at the City Hall, 410 Ludington Street, in Escanaba, Michigan, at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by

\_\_\_\_\_  
And supported by

**Resolution 23-20 Approving Transfer of Industrial  
Facilities Exemption Certificate 2014-198 For New Belgium Brewing Company, Inc.**

**WHEREAS**, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 17, 2013, this City Council by resolution established Bell's Industrial Development District; and

**WHEREAS**, the City of Escanaba approved an application from Bell's Brewery, Inc. requesting an Industrial Facilities Exemption Certificate 2014-198 for real and personal investments located at 3525 Airport Road, Escanaba, MI 49829; and

**WHEREAS**, New Belgium Brewing Company, Inc. has filed an application for a transfer of Industrial Facilities Exemption Certificate 2014-198 with respect to real property of \$1,770,000 and personal property of \$1,800,000 of a New Facility located within the Bells' Industrial Development District; and

**WHEREAS**, the applicant, the Assessor, and a representative of the affected taxing units were given written notice of the transfer application and were offered an opportunity to be heard on said application; and

**WHEREAS**, New Belgium Brewing Company, Inc. has substantially met all the requirements under Public Act 198 of 1974 for the transfer of Industrial Facilities Exemption Certificate 2014-198; and

**WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Escanaba, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and

**NOW, THEREFORE, BE IT RESOLVED BY** the City Council of City of Escanaba that:

1. The City Council finds and determines that the granting of the transfer of an Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously



granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, **shall not have the effect of substantially impeding the operation of City of Escanaba, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in City of Escanaba.**

2. The application from New Belgium Brewing Company, Inc. for a transfer of Industrial Facilities Exemption Certificate 2014-198, with respect to a New Facility on the following described parcel of real property situated within the Bell's Industrial Development District to wit:

Bell's Industrial Development District: 051-420-3501-300-021 – FROM THE NE CORNER OF NW1/4 OF SW1/4 OF SECTION 1 T.38N.,R.23W. THENCE MEASURE S.89°55'21"W. ALONG THE NORTH LINE OF SAID NW1/4 OF SW1/4 A DISTANCE OF 710.30 FEET, THENCE MEASURE S.00°41'57"W. PARALLEL WITH THE WEST LINE OF SAID NW1/4 OF SW1/4 A DISTANCE OF 86.33 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF AIRPORT ROAD AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED, THENCE S.89°06'02"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 135.50 FEET TO THE WESTERLY LINE OF A WETLANDS AREA, THENCE S.09°20'13"E. A DISTANCE OF 36.99 FEET, THENCE S.28°46'04"E. A DISTANCE OF 80.56 FEET, THENCE S.77°29'10"E. A DISTANCE OF 106.93 FEET, THENCE N.61°47'07"E. A DISTANCE OF 35.82 FEET, THENCE S.43°43'24"E. A DISTANCE OF 41.59 FEET, THENCE S.36°45'14"E. A DISTANCE OF 85.24 FEET, THENCE S.15°17'47"E. A DISTANCE OF 35.35 FEET, THENCE S.21°31'28"W. A DISTANCE OF 84.55 FEET, THENCE S.43°53'55"E. A DISTANCE OF 64.64 FEET, THENCE N.89°47'34"E. A DISTANCE OF 66.98 FEET, THENCE S.76°06'20"E. A DISTANCE OF 45.69 FEET, THENCE S.42°53'58"E. A DISTANCE OF 87.77 FEET, THENCE S.62°06'28"E. A DISTANCE OF 48.71 FEET, THENCE S.09°29'02"E. A DISTANCE OF 58.89 FEET, THENCE S.16°23'59"E. ALL BEING ALONG SAID WESTERLY LINE A DISTANCE OF 26.28 FEET, THENCE N.89°06'02"W. PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 657.05 FEET, THENCE N.00°41'57"E. PARALLEL WITH SAID WEST LINE A DISTANCE OF 544.00 FEET TO THE POINT OF BEGINNING. CONTAINING 5.10 ACRES. (3525 AIRPORT ROAD) be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall remain in force for the remaining years approved under Industrial Facilities Exemption certificate 2014-198 with an end date of 12/30/2026.

AYES:

NAYS:

#### **RESOLUTION DECLARED ADOPTED.**

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of City of Escanaba, County of Delta, Michigan, at a regular meeting held on September 21, 2023.

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Clerk's Signature

Agenda Item: PH-2  
Date: 09-21-2023

## City Council Agenda Item Request

Date: 09/15/2023

Name: James McNeil

Department: Manager

Item: Resolution - Industrial Facility Exemption Certificate (IFE) - Transfer Application

Meeting date requested: 09/21/2023

Explanation for request:

Administration is requesting the City Council conduct a public hearing to approve Resolution No. 23-21 to transfer IFE certificate 2015-142 from Bells Brewery Inc. to New Belgium Brewing Company, Inc.

Minutes of a regular meeting of the City Council of City of Escanaba, held on September 21, 2023, at the City Hall, 410 Ludington Street, in Escanaba, Michigan, at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by

\_\_\_\_\_  
And supported by

**Resolution 23-21 Approving Transfer of Industrial  
Facilities Exemption Certificate 2015-142 For New Belgium Brewing Company, Inc.**

**WHEREAS**, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 17, 2013, this City Council by resolution established Bell's Industrial Development District; and

**WHEREAS**, the City of Escanaba approved an application from Bell's Brewery, Inc. requesting an Industrial Facilities Exemption Certificate 2015-142 for real and personal investments located at 3525 Airport Road, Escanaba, MI 49829; and

**WHEREAS**, New Belgium Brewing Company, Inc. has filed an application for a transfer of Industrial Facilities Exemption Certificate 2015-142 with respect to real property of \$1,000,000 and personal property of \$850,000 of a New Facility located within the Bell's Industrial Development District; and

**WHEREAS**, the applicant, the Assessor, and a representative of the affected taxing units were given written notice of the transfer application and were offered an opportunity to be heard on said application; and

**WHEREAS**, New Belgium Brewing Company, Inc. has substantially met all the requirements under Public Act 198 of 1974 for the transfer of Industrial Facilities Exemption Certificate 2015-142; and

**WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Escanaba, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and

**NOW, THEREFORE, BE IT RESOLVED BY** the City Council of City of Escanaba that:

1. The City Council finds and determines that the granting of the transfer of an Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously

granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, **shall not have the effect of substantially impeding the operation of City of Escanaba, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in City of Escanaba.**

2. The application from New Belgium Brewing Company, Inc. for a transfer of Industrial Facilities Exemption Certificate 2015-142, with respect to a New Facility on the following described parcel of real property situated within the Bell's Industrial Development District to wit:

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3. The Industrial Facilities Exemption Certificate when issued shall remain in force for the remaining years approved under Industrial Facilities Exemption certificate 2015-142 with an end date of 12/30/2027).

AYES:

NAYS:

#### **RESOLUTION DECLARED ADOPTED.**

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council of City of Escanaba, County of Delta, Michigan, at a regular meeting held on September 21, 2023.

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Clerk's Signature

Agenda Item: NB-1  
Date: 09-21-2023

## City Council Agenda Item Request

Date: 9-14-23

Name: Kent Dubord

Department: Public Works

Item: John Deere Lawn Mower Parts

Meeting date requested: 9-21-23

Explanation for request:

Request to donate parts to the Michigan State Police for a John Deere lawn mower that is used at the Gun Range. The mower is the State's, but grass is cut by Public Safety and the Michigan State Police. The parts include mower deck belts, wheels, bearings, mower deck parts, blades, pulleys, and other miscellaneous parts.