

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, November 21, 2019**

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

Present: Mayor Marc D. Tall, Council Members, Ralph B. Blasier, Tyler D. DuBord, Karen S. Moore, and Peggy O'Connell.

Absent: None

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

City Clerk DeMay led Council in the Pledge of Allegiance.

O'Connell moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from November 7, 2019, and Special Meeting Minutes from November 11, 2019, as submitted.

ADJUSTMENTS TO THE AGENDA

Moore moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to remove **NB-5** from the agenda and postpone until there is complete information.

Blasier moved, O'Connell seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as amended.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS

PH-1 Second Reading, Public Hearing and Adoption of Ordinance No. 1215, An Ordinance to Amend Chapter XIII of Appendix A as Codified Under the Code of Ordinances with the addition of Self-Storage Units.

Administration requested the City Council to consider approval and adoption of Ordinance No. 1215 An Ordinance to Amend Chapter XIII of Appendix A as Codified Under the Code of Ordinances with the addition of Self Storage Units. The Planning Commission recommended that Self-Storage Units be added to the list of Principal Uses Permitted by Right in the F – Light Manufacturing (Chapter 13).

This being a public hearing, Mayor Tall asked if there was any public comment.

Hearing no public comment, Mayor Tall closed the public hearing and the following resolution was made:

PH-1 “By Council Member Blasier, seconded by Council Member O’Connell;

Resolved, That Ordinance No. 1215, An Ordinance to Amend Chapter XIII of Appendix A as Codified Under the Code of Ordinances, 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. 1215 adopted by title:

“AN ORDINANCE TO AMEND CHAPTER XIII OF APPENDIX A AS CODIFIED UNDER THE CODE OF ORDINANCES”

Full text in Ordinance Record “K”.

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

Ayes: Blasier, O’Connell, Moore, DuBord, Mayor Tall

Nays: None

RESOLUTION DECLARED ADOPTED.”

PH-2 Second Reading, Public Hearing and Adoption of Ordinance No. 1216, An Ordinance to Amend Chapter XV of Appendix A as Codified Under the Code of Ordinances with the addition of Self Storage Units.

Administration requested the City Council to consider approval and adoption of Ordinance No. 1216 An Ordinance to Amend Chapter XV of Appendix A as Codified Under the Code of Ordinances with the addition of Self Storage Units. The Planning Commission recommended that Self-Storage Units be added to the list of Principal Uses Permitted by Right in the G – Heavy Manufacturing (Chapter 15).

This being a public hearing, Mayor Tall asked if there was any public comment.

Hearing no public comment, Mayor Tall closed the public hearing and the following resolution was made:

PH-2 “By Council Member O’Connell, seconded by Council Member Blasier;

Resolved, That Ordinance No. 1216, An Ordinance to Amend Chapter XV of Appendix A as Codified Under the Code of Ordinances, 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. 1216 adopted by title:

"AN ORDINANCE TO AMEND CHAPTER XV OF APPENDIX A AS CODIFIED UNDER THE CODE OF ORDINANCES"

Full text in Ordinance Record "K".

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

Ayes: O'Connell, Blasier, Moore, DuBord, Mayor Tall
Nays: None

RESOLUTION DECLARED ADOPTED."

UNFINISHED BUSINESS – None

NEW BUSINESS

NB-1 Approval - Resolution - City Election from the Delta County Board of Canvassers – Clerk.

Administration sought Council approval of a resolution to approve the election outcomes as certified by the Delta County Board of Canvassers. This resolution was a requirement stated in the City Charter, Chapter III, Section 12 that the City Clerk must give notice of the November 5, 2019, City Council Election results.

NB-1 "By Council Member O'Connell, seconded by Council Member Blasier;

RESOLUTION NO. 19-20

CITY ELECTION FROM THE DELTA COUNTY BOARD OF CANVASSERS

Whereas, In accordance with the provisions of section 12 of Chapter III of the City Charter and Section 168.30a of Michigan Election Law, the Delta County Board of Canvassers, herewith certify that at a session of the Delta County Board of Canvassers held on Tuesday, November 19, 2019, at the City Hall at 9:00 a.m., the returns of the inspectors of the four (4) voting precincts and the Absent Voter Counting Boards of the City of Escanaba for the regular City Council Election held on November 5, 2019, were carefully examined and tabulated, and find that the returns were as follows:

**STATEMENT OF VOTES CAST IN THE REGULAR CITY ELECTION
HELD ON TUESDAY, NOVEMBER 5, 2019
FOR THE NAMED PERSONS LISTED HEREWITH, AS FOLLOWS:**

CITY COUNCIL ELECTION RESULTS				
PRECINCTS	Beauchamp	DuBord	Moore	Sattem
CITY HALL - 1	116	183	156	99
EARLY CHILDHOOD CENTER - 2	161	226	202	150
CATHERING BONIFAS CIVIC CENTER - 3	135	171	120	95
CHRIST THE KING LUTHERAN CHURCH - 4	62	71	52	31
AV COUNTING BD - 1	72	73	88	46
AV COUNTING BD - 2	223	235	301	170
AV COUNTING BD - 3	156	108	164	108
AV COUNTING BD - 4	52	47	64	36
TOTAL	977	1,114	1,147	735

Whereas, That Tyler D. DuBord and Karen S. Moore, having received a sufficient number of votes, were elected to the office of Escanaba City Council.

NOW THEREFOR BE IT RESOLVED, that the Escanaba City Council accepts the Delta County Board of Canvassers certification of the November 5, 2019, City Council Election results.

Ayes: O’Connell, Blasier, Moore, DuBord, Mayor Tall
Nays: None

RESOLUTION DECLARED ADOPTED.”

NB-2 Approval – MERS Participation Agreement Amendment – Controller.

Administration sought Council approval of an amendment to the MERS 457 Participation Agreement. The City Manager’s new contract provides for a 10% contribution into a 457 deferred compensation account paid by the City. The MERS 457 plan needed to be amended to allow for the employer contributions.

NB-2 Blasier moved, O’Connell seconded, **CARRIED UNANIMOUSLY**, to postpone the amendment to the MERS 457 Participation Agreement until all council members review the City Managers new contract.

NB-3 Approval – Pre Construction Inspection for Asbestos, Lead, & Cadmium – Wastewater.

Administration sought Council approval to retain and hire Pearson Asbestos Abatement, Inc., of Escanaba, MI to conduct the work as outlined in the attached specification sheet at a cost not to exceed \$6,000.00.

NB-3 O’Connell moved, DuBord seconded, to approve to retain and hire Pearson Asbestos Abatement, Inc., of Escanaba, MI to conduct the work as outlined in the attached specification sheet at a cost not to exceed \$6,000.00.

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

Ayes: O’Connell, DuBord, Moore, Blasier, Mayor Tall
Nays: None

MOTION CARRIED.

NB-4 First Reading of Ordinance No. 1217, An Ordinance Amending Ordinance No. 1028, by Adding Chapter 22 to Provide Provisions for the Regulation for Safe, Effective and Efficient Use of Wind Energy Systems and Setting the Date of Thursday, December 5, 2019, for Second Reading, Public Hearing, and Adoption.

Administration requested the City Council to consider this the first reading of Ordinance No. 1217, An Ordinance Amending Ordinance No. 1028, by Adding Chapter 22 to Provide Provisions for the Regulation for Safe, Effective and Efficient Use of Wind Energy Systems. Additionally, Administration requested that the City Council set December 5, 2019, for the second reading, public hearing and adoption of Ordinance No. 1217.

NB-4 Blasier moved, O’Connell seconded, **CARRIED UNANIMOUSLY**, to consider this the first reading of Ordinance No. 1217, An Ordinance Amending Ordinance No. 1028, by Adding Chapter 22 to Provide Provisions for the Regulation for Safe, Effective and Efficient Use of Wind Energy Systems and to set December 5, 2019, for the second reading, public hearing and adoption of Ordinance No. 1217.

NB-5 Approval – Consideration of Request to Purchase City-Owned Parcel (Partial).

Administration received a request from a resident to purchase a small carved-out section of a city-owned parcel adjacent to their residential lot. This parcel was zoned residential and is part of the City’s 5-year Rec Plan. There has been migratory bird grant moneys spent on this lot.

NB-5 Moore moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to remove **New Business Item #5** from the agenda and postpone until there is complete information regarding the request to purchase city owned parcel.

NB-6 Closed Session – Update on the Dark Store Issue – Manager.

Administration sought to go into Closed Session to update City Council on the Dark Store Issue.

Blasier moved, O’Connell seconded, to go into Closed Session.

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

Ayes: Blasier, O’Connell, Moore, DuBord, Mayor Tall
Nays: None

MOTION CARRIED.

The time was 7:21 p.m.

Blasier moved, O’Connell seconded, to come back into open session.

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

Ayes: Blasier, O’Connell, Moore, DuBord, Mayor Tall
Nays: None

MOTION CARRIED.

The time was 8:10 p.m.

No Council actions were taken.

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

Mayor Tall, with Council consensus, made the following appointments:

Tracy Roberts to the Recreation Advisory Board, term expiring June 1, 2022;

Jesse Herman to the Recreation Advisory Board, term expiring June 1, 2021.

BOARD, COMMISSION, AND COMMITTEE REPORTS

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

GENERAL PUBLIC COMMENT

Ron Beauchamp – discussed the election.

Joe Kaplan – discussed the vacancies on the Recreation Advisory Board.

Jesse Herman – discussed he has applied to the Recreation Advisory Board twice and still has not heard anything.

ANNOUNCEMENTS

- Tree lighting downtown on November 26th;
- Black Friday on Tuesday on November 26th from 3:00pm – 9:00pm;
- The Delta County Animal Shelter saved 188 animals;
- December 2nd the Delta County Animal Shelter has Open House with prizes, food, and a visit from Santa Claus;
- Christmas Parade is December 6th in downtown Escanaba.

Hearing no further public comment, Blasier moved the Council adjourned at 8:11 p.m.

Respectfully submitted

Phil DeMay
City Clerk

Approved: _____
Marc D. Tall, Mayor