

**OFFICIAL PROCEEDINGS  
CITY COUNCIL  
CITY OF ESCANABA, MICHIGAN  
Regular Council Meeting  
Thursday, August 1, 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, Ronald J. Beauchamp, Ralph B. Blasier, Michael R. Sattem, 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.

Beauchamp moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to change a paragraph of the Regular Meeting minutes from July 16, 2019.

Beauchamp moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from July 16, 2019, as amended by council.

**ADJUSTMENTS TO THE AGENDA**

O'Connell moved, Sattem 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 - Annual Service Agreement - William Bonifas Fine Arts Center.**

The William Bonifas Fine Arts Center sought Council approval of their 2019-20 service agreement in the amount of \$5,000. Under the terms of the agreement, the center will provide a minimum of 8 exhibits in the Alice Powers Gallery, a minimum of 4 plays, 25 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 appropriation was included in the current fiscal year budget.

**NB-1** O’Connell moved, Blasier seconded, to approve William Bonifas Fine Arts Center 2019-20 service agreement in the amount of \$5,000.

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

Ayes: O’Connell, Blasier, Beauchamp, Sattem, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-2 Approval – Use of Public Space - Ludington Street – Pulling for Honor.**

Network de Noc BNI (Business Networking Intl.) requested approval to use Ludington Street on Saturday, September 28, 2019, from 7:00 a.m. to 5:00 p.m. for setup, and 8:00 a.m. to 4:00 p.m. for Pulling for Honor (fundraiser for U.P. Honor Flight). Administration recommends 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, and 3) The event sponsors pay for any overtime labor costs that may be incurred.

**NB-2** O’Connell moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve a request from Network de Noc BNI (Business Networking Intl.) to use Ludington Street on Saturday, September 28, 2019, from 7:00 a.m. to 5:00 p.m. for setup, and 8:00 a.m. to 4:00 p.m. for Pulling for Honor (fundraiser for U.P. Honor Flight).

**NB-3 Approval – Use of Public Space – Soccer Field Area inside of Ludington Park – Bay de Noc Brewers.**

The Bay de Noc Brewers sought approval to use the Soccer Field Area inside of Ludington Park from Thursday, October 10, 2019 at 12:00p.m. through Sunday, October 13, 2019 at 12:00p.m. for their annual Uptoberfest event (event would take place on Saturday, October 12, 2019 from 2:00 p.m. until 7:00 p.m.). 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, and 3.) The event sponsors pay for any overtime labor costs that may be incurred.

**NB-3** Blasier moved, O’Connell seconded, **CARRIED UNANIMOUSLY**, to approve a request from the Bay de Noc Brewers to use the Soccer Field Area inside of Ludington Park from Thursday, October 10, 2019 at 12:00 Noon through Sunday, October 13, 2019 at Noon for their annual Uptoberfest event (event would take place on Saturday, October 12, 2019 from 2:00 p.m. until 7:00 p.m.).

- *Council Member Sattem Abstained from this motion.*

**NB-4 Approval – Solar Facility Mowing – Electric Department.**

On July 16th the Electric Department contacted 9 mowing contractors regarding the mowing at the solar facility. Two proposals were received. Administration sought Council approval to accept the Solar Facility Mowing proposal received from Dan's Lawn and Landscape of Gladstone, MI for the cost of \$960.00 per cutting.

**NB-4** Blasier moved, Sattem seconded, to approve to accept the Solar Facility Mowing proposal received from Dan's Lawn and Landscape of Gladstone, MI for the cost of \$960.00 per cutting.

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

Ayes: Blasier, Sattem, Beauchamp, O'Connell, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-5 Approval – Pole Testing – Electric Department.**

Administration sought Council approval to hire Karcz Utility Services of Pulaski, WI to do testing and treatment of wooden poles for 2019 in an amount not to exceed \$14,000. Funds for this request were included in the current year operating budget.

**NB-5** Sattem moved, Beauchamp seconded, to approve to hire Karcz Utility Services of Pulaski, WI to do testing and treatment of wooden poles for 2019 in an amount not to exceed \$14,000.

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

Ayes: Sattem, Beauchamp, O'Connell, Blasier, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-6 Approval – Sidewalk Construction Bid – Public Works.**

Administration sought Council approval to accept the 2019/20 Sidewalk Construction bid from Warn Construction of Rapid River, MI, for the unit prices as stated.

**NB-6** Blasier moved, Beauchamp seconded, to approve to accept the 2019/20 Sidewalk Construction bid from Warn Construction of Rapid River, MI, for the unit prices as stated.

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

Ayes: Blasier, Beauchamp, O’Connell, Sattem, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-7 Approval – Curbing Bid – Public Works.**

Administration sought Council approval to accept the 2019/20 Curbing bid from Bacco Construction Company, Inc. of Iron Mountain, MI, for the unit prices as stated.

**NB-7** Sattem moved, O’Connell seconded, to approval to accept the 2019/20 Curbing bid from Bacco Construction Company, Inc. of Iron Mountain, MI, for the unit prices as stated.

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

Ayes: Sattem, O’Connell, Beauchamp, Blasier, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-8 Approval – Paving Bid – Public Works.**

Administration sought Council approval to accept the 2019/20 Paving bid from Payne & Dolan, Inc. of Gladstone, MI, for the unit prices as stated.

**NB-8** Blasier moved, O’Connell seconded, to approve to accept the 2019/20 Paving bid from Payne & Dolan, Inc. of Gladstone, MI, for the unit prices as stated.

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

Ayes: Blasier, O’Connell, Beauchamp, Sattem, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-9 Approval – Mutual Aid Agreement – UPPCO – Electric Department.**

Administration sought Council approval to enter into a Mutual Aid Agreement with UPPCO.

**NB-9** O’Connell moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve to enter into a Mutual Aid Agreement with UPPCO.

**NB-10 First Reading of Ordinance No. 1212, - An Ordinance to Amend Chapter IV Community Development as Codified Under the Code of Ordinances, to provide for expansion of the Richter Historic District and Setting the Date of Thursday, August 15, 2019, for Second Reading, Public Hearing, and Adoption.**

Administration requested the City Council to consider this the first reading of Ordinance No. 1212, - An Ordinance to Amend Chapter IV Community Development as Codified Under the Code of Ordinances, to provide for expansion of the Richter Historic District. Additionally, Administration requested that the City Council set August 15, 2019, for the second reading, public hearing and adoption of Ordinance No. 1212.

**NB-10** Sattem moved, O’Connell seconded, to consider this the first reading of Ordinance No. 1212, An Ordinance to Amend Chapter IV Community Development as Codified Under the Code of Ordinances and to set August 15, 2019, for the second reading, public hearing and adoption of Ordinance No. 1212.

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

Ayes: Sattem, O’Connell, Beauchamp, Blasier, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-11 First Reading of Ordinance No. 1213, - An Ordinance To Amend Chapter V Dog Ordinance as Codified Under the Code of Ordinances, and Setting the Date of Thursday, August 15, 2019, for Second Reading, Public Hearing, and Adoption.**

Administration requested the City Council to consider this the first reading of Ordinance No. 1213, An Ordinance to Amend Chapter V Dog Ordinance as Codified Under the Code of Ordinances. Additionally, Administration requested that the City Council set August 15, 2019, for the second reading, public hearing and adoption of Ordinance No. 1213.

**NB-11** Blasier moved, Tall seconded, **CARRIED UNANIMOUSLY**, to postpone the first reading of Ordinance No. 1213 to August 15, 2019 Regular City Council Meeting, for the City Attorney to revise language to define the word “controlled” in the proposed amended ordinance.

**NB-12 Approval – Appraisal 200 – 230 Ludington Street – Assessor.**

Administration sought Council approval to hire Mr. Piazza to conduct an appraisal of 200 – 230 Ludington Street (Chamber of Commerce and adjacent land to the east) at a cost not to exceed \$5,000.

**NB-12** Beauchamp moved, O’Connell seconded, for approval to hire Mr. Piazza to conduct an appraisal of 200 – 230 Ludington Street (Chamber of Commerce and adjacent land to the east) at a cost not to exceed \$5,000.

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

Ayes: Beauchamp, O’Connell, Blasier, Sattem, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-13 Approval – Investment Management Agreement – First Bank.**

The Treasurer has placed our Surplus Funds and Retirement Funds with First Bank for Investment Management. Policy states that decision is within the Treasurer’s scope of responsibility. The City’s Purchasing Policy also states that Professional Service agreements must be approved by Council. Administration sought Council approval for First Bank to manage and supervise our investment accounts.

**NB-13** Beauchamp moved, Sattem seconded, to put out a RFP (Request For Proposal) to manage and supervise our investment accounts.

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

Ayes: Beauchamp, Sattem  
Nays: O’Connell, Blasier, Mayor Tall

**MOTION FAILED.**

**NB-13** O’Connell moved, Blasier seconded, to approve for First Bank to manage and supervise our investment accounts.

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

Ayes: O’Connell, Blasier, Mayor Tall  
Nays: Sattem, Beauchamp

**MOTION CARRIED.**

**NB-14 Approval – Purchase ¾ Ton Wastewater Truck.**

Administration sought Council approval to purchase a 2020, 4wd, ¾ ton regular cab “work truck configuration” from Riverside Chevy of Escanaba, MI at a cost of \$30,820.18. Also, other items to be purchased separately include; a snow plow, across the bed tool box, and amber warning lights. The total combined cost of all these items will not exceed the \$38,000, which is currently budgeted and approved, within the current 19/20 fiscal year.

**NB-14** Blasier moved, Sattem seconded, to approve to purchase a 2020, 4wd, ¾ ton regular cab “work truck configuration” from Riverside Chevy of Escanaba, MI at a cost of \$30,820.18, also, a snow plow, across the bed tool box, and amber warning lights with a combined cost not exceed \$38,000.

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

Ayes: Blasier, Sattem, Beauchamp, O’Connell, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-15 First Reading of Ordinance No. 1214, - An Ordinance to Amend Chapter 18, to reflect state statute for use of fireworks as Codified Under the Code of Ordinances, and Setting the Date of Thursday, August 15, 2019, for Second Reading, Public Hearing, and Adoption.**

Administration requested the City Council to consider this the first reading of Ordinance No. 1214, An Ordinance to Amend Chapter 18, to reflect state statute for use of fireworks as Codified Under the Code of Ordinances. Additionally, Administration requested that the City Council set August 15, 2019, for the second reading, public hearing and adoption of Ordinance No. 1214.

**NB-15** Blasier moved, Sattem seconded, to approve to consider this the first reading of Ordinance No. 1214, An Ordinance to Amend Chapter to reflect state statute for use of fireworks as Codified Under the Code of Ordinances and set August 15, 2019, for the second reading, public hearing and adoption of Ordinance No. 1214.

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

Ayes: Blasier, Sattem, Beauchamp, O’Connell, Mayor Tall  
Nays: None

**MOTION CARRIED.**

**NB-16 Approval – Donate Old Hot Stick Trailer to a Lineman’s Museum – Electric Department.**

Administration sought Council approval to donate an old, obsolete trailer that has not been used in many years to Jason Townsend to add to his collection of line construction items.

**NB-16** O’Connell moved, Beauchamp seconded, to donate an old, obsolete trailer that has not been used in many years to Jason Townsend to add to his collection of line construction items.

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

Ayes: O’Connell, Beauchamp, Blasier, Sattem, Mayor Tall  
Nays: None

**MOTION CARRIED.**

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

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

Sattem moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve to ratify the appointments by the Loan Administration Board of two of their members: Holly Thomma and Roni Beaudoin to the Northern Initiative Loan Committee.

**BOARD, COMMISSION, AND COMMITTEE REPORTS**

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

**GENERAL PUBLIC COMMENT**

Karen Flynn – would like to see less scheduling conflicts to bring in more people to the downtown sidewalk sales.



Tyler Dubord – believes there is a conflict of interest with the appointment of First Bank to manage and supervise the City of Escanaba’s investment accounts.

Kelli Van Ginhoven – said it has been 129 days since she has asked for an answer for her DDA seat denial. She is still seeking an explanation why she was denied a DDA board seat. Mrs. Van Ginhoven said she was saddened that council decided to postpone the dog ordinance and felt they should have had enough time to make a decision. She believes there is a conflict of interest with the appointment of First Bank to manage and supervise the City of Escanaba’s investment accounts.

William Gasman – said that if it’s *(First Bank managing and supervising the City of Escanaba’s investment accounts)* a conflict of interest. It’s a conflict of interest! Mr. Gasman also spoke about the negative impact that commercializing recreational marijuana would have in our unique city.

Ralph Blasier - spoke in regard to First Bank managing and supervising the City of Escanaba’s investment accounts. Mr. Blasier said that other investment companies can make the claim that they could be better and possibly cheaper fee. Blasier feels that their claim that could be better would be implausible and untestable.

## **ANNOUNCEMENTS**

- Art in the Park this weekend;
- Heard the sidewalk sales went well from other businesses;
- Bike and Classic Car Night continue 2<sup>nd</sup> Wednesday of the Month;
- Trunk or Treat will be coming up soon!
- “Fly Ball” held at U.P. State Fair Grounds August 2<sup>nd</sup> and 3<sup>rd</sup>;
- Rock the Dock this weekend;
- Golf Ball Drop this weekend.

Hearing no further public comment, the Council adjourned at 8:13 p.m.

Respectfully submitted

Phil DeMay  
City Clerk

Approved: \_\_\_\_\_  
Marc D. Tall, Mayor