

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, March 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, Ronald J. Beauchamp, Ralph B. Blasier, Michael R. Sattem, and Peggy O'Connell Schumann

Absent: None

Also Present: City Manager Patrick S. Jordan, City Deputy Clerk Tammy Weissert, Department Heads, media, and members of the public.

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

Schumann moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting minutes from March 7, 2019, as submitted.

ADJUSTMENTS TO THE AGENDA

Mayor Tall, along with Council consensus, suggested moving the Proclamation following Conflict of Interest Declaration.

Beauchamp moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve the Agenda as amended.

CONFLICT OF INTEREST DECLARATION

Schumann will abstain from Agenda Item #4b (Classic Car and Bike Night Events) due to her sponsoring the event and #4c (Car Show Fundraiser and Wheelin' Sportsmen Fundraiser) due to her being president of the Downtown Business Group that does the car show.

PROCLAMATION

Mayor Tall proclaimed March 21, 2019, as "National Service Recognition Day."

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS

PH-1 Public Hearing – Citizen Participation – 2019 / 2020 Fiscal Year Budget Preparation.

A public hearing was conducted to facilitate input from citizens for the City's next fiscal year budget. This was the third of five (5) scheduled public hearings.

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

Hearing no public comment, Mayor Tall closed the public hearing.

PH-2 Public Hearing – Resolution Approval - Obsolete Property Rehabilitation Act (OPRA) – Exemption – District No. 26. – 1601 Ludington Street.

Matthew Sviland, owner of 1601 Ludington Street, requested to be enrolled in the Obsolete Properties Rehabilitation Act (OPRA) (PA 146, 2000) which allows for partial exemption of property taxes for a specified period of time so that certain types of property improvements can be made. The intent of the legislation is to encourage rehabilitation of underutilized or decaying commercial or commercial/residential properties in certain designated communities. Administration recommended an OPRA exemption up to twelve (12) years beginning December 30, 2019, and ending December 30, 2031.

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

Ed Legault, Executive Director of the DDA, supports people that are willing to invest to rehab buildings that are in tough shape.

Hearing no further public comment, Mayor Tall closed the public hearing.

PH-2 “By Council Member Beauchamp, seconded by Council Member Blasier:

RESOLUTION 19-07

**RESOLUTION TO APPROVE AN APPLICATION FOR
OBSOLETE PROPERTY REHABILITATION EXEMPTION FOR
SWANEE, INC. NO. 26**

Whereas, Pursuant to P.A. 146 of 2000, the City of Escanaba is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

Whereas, The City of Escanaba Legally established Obsolete Properties Rehabilitation District No. 26 on February 21, 2019, pursuant to a public hearing held on that date; and

Whereas, The taxable value of this exemption plus the aggregate taxable value of property already exempt under PA 146 of 2000 and under PA 198 of 1974 does not exceed 5% of the total taxable value of the City of Escanaba; and

Whereas,The applicant is not delinquent in any taxes related to the facility; and

Whereas,The applicant has provided all required items to the City of Escanaba; and

Whereas,The application is for obsolete property as defined in Sec. 2(h) of Public Act 146 of 2000; and

Whereas,Rehabilitation of this facility as covered by this exemption had not begun prior to February 21, 2019, the date the district was established; and

Whereas,The application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility within the meaning of PA 146 of 2000, situated within an Obsolete Property Rehabilitation District; and

Whereas,Completion of the rehabilitated facility is calculated to, and will, at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, to create employment, to retain employment, and to revitalize an urban area; and

Whereas,The rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Sec. 2(l) of PA 146 of 2000; and

Whereas,The application was approved at a public hearing on March 21, 2019, provided by Sec. 4(2) of PA 146 of 2000, allowing a period of thirty-seven (37) months for completion of the rehabilitation;

Now, Therefore, Be It Resolved by the City Council of the City of Escanaba that Swanee, Inc. 1601 Ludington Street

Be and is hereby granted an Obsolete Property Rehabilitation Exemption for the real property located in Obsolete Property Rehabilitation District No. 26 at 1601 Ludington Street, described as Lots 1 & 2 of Blk 7 of the S H Selden Addition E ½ OF Lot 2 of Blk 80 of the Proprietors 1st Addition, City of Escanaba, Delta County, Michigan,

For a period of twelve years beginning December 30, 2019, and ending December 30, 2031.

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

Ayes: Beauchamp, Blasier, Sattem, Schumann, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.”

PH-3 Second Reading, Public Hearing and Adoption of Ordinance No. 1203 - An Ordinance to Amend Chapter 26 - Taxation of the Code of Ordinances of the City of Escanaba - Renovations and Upgrading of 223 Ludington Street.

A second public hearing on a request from Home Renewal Systems was conducted which authorizes a payment in lieu of taxes and Municipal Services Agreement on their proposed project to renovate and upgrade the property located at 223 Ludington Street. Home Renewal Systems sought funding from the State of Michigan Tax Credit Program for the renovation and upgrading of the property and approval of such an ordinance was required by the Michigan State Housing Development Authority as part of their application for funding.

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

Manager Jordan gave a brief overview on the PILOT Ordinance. Jordan stated the terms of the ordinance were designed to protect the City. Also, the PILOT would end if the complex becomes anything other than senior housing.

Ed Legault, Executive Director of the DDA, supports this project.

Hearing no further public comment, Mayor Tall closed the public hearing.

Mayor Tall stated he is glad to see this project happening and we need to save the building. Tall also stated it's been a landmark for generations in our community and we need to do what we can to help make sure it sticks around another 100 years.

PH-3 "By Council Member Blasier, seconded by Council Member Schumann;

Resolved, That Ordinance No. 1203, An Ordinance to Amend Chapter 26 – Taxation of the Code of Ordinances of the City of Escanaba, 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. 1203 adopted by title:

**"AN ORDINANCE TO AMEND CHAPTER 26 – TAXATION
OF THE CODE OF ORDINANCES OF THE CITY OF ESCANABA"**

Full text in Ordinance Record "K".

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

Ayes: Blasier, Schumann, Sattem, Beauchamp, Tall

Nays: None

RESOLUTION DECLARED ADOPTED."

UNFINISHED BUSINESS – None

NEW BUSINESS

NB-1 Approval – Sanitation Bid – Parks and Recreation.

Administration sought Council approval to retain Stenberg Brother's, Inc. of Bark River, Michigan, for sanitation services/portable restrooms for City Recreation and Parks Facilities for the 2019-2020 season at their quoted prices through June 30, 2020.
NOTE: The bid reflects no rate change from previous year.

NB-1 Sattem moved, Blasier seconded, to approve to retain Stenberg Brother's, Inc. of Bark River, Michigan, for sanitation services/portable restrooms for City Recreation and Parks Facilities for the 2019-2020 season at their quoted prices through June 30, 2020.

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

Ayes: Sattem, Blasier, Beauchamp, Schumann, Tall
Nays: None

MOTION CARRIED.

NB-2 Approval – 2019 Summer Season - Concession Bid.

Administration sought Council approval to award Territory #1 concession area at the Escanaba Municipal Marina and Municipal Beach/Aronson Island and Territory #2 concession area in Ludington Park to Sticky Fingers Confections.

NB-2 Schumann moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve to award Territory #1 concession area at the Escanaba Municipal Marina and Municipal Beach/Aronson Island and Territory #2 concession area in Ludington Park to Sticky Fingers Confections.

NB-3 Approval – Independence Day Fireworks Bid.

Administration sought Council approval to award Great Lakes Fireworks of West Branch, Michigan, in the amount of \$10,000 for the annual 4th of July fireworks display. It was further requested Council authorize the contract amount to increase equal to community donations received for the fireworks display.

NB-3 Schumann moved, Sattem seconded, approved to award Great Lakes Fireworks of West Branch, Michigan, in the amount of \$10,000 for the annual 4th of July fireworks display and further authorized the contract amount to increase equal to community donations received for the fireworks display.

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

Ayes: Schumann, Sattlem, Blaiser, Beauchamp, Tall
Nays: None

MOTION CARRIED.

NB-4(a-c) Approval – Use of Public Spaces – Community Events.

Administration recommended Council approval of the following community events utilizing public space with the following conditions: 1. Proper insurance was provided naming the City of Escanaba and 2. The event sponsors provide all labor and material to clean up at the conclusion of the event.

NB-4a Partial Sidewalk Closure Requests for 1223 Ludington Street along South 13th Street.

Mr. Curt Spaulding, owner of Cat-Man-Do's, 1223 Ludington Street requested the City Council approve the partial closure of the City Sidewalk at 1223 Ludington Street along South 13th Street; the area of the closure would be approximately 25' x 50' located directly next to the building. This closure would be in effect from approximately 5:00 p.m. to 10:30 p.m. (Event Time: 6:30 p.m. to 10:00 p.m.) on Friday, May 31, 2019 during the Annual Fun Run Parade.

NB-4aSattlem moved, Blaiser, seconded, **CARRIED UNANIMOUSLY**, to approve a request from Mr. Curt Spaulding, owner of Cat-Man-Do's, 1223 Ludington Street, for the partial closure of the City Sidewalk at 1223 Ludington Street along South 13th Street from approximately 5:00 p.m. to 10:30 p.m. (Event Time: 6:30 p.m. to 10:00 p.m.) on Friday, May 31, 2019 during the Annual Fun Run Parade.

NB-4b Street Closure Requests for 1200 Block of Ludington Street for Classic Car and Bike Night Events.

Mr. Curt Spaulding, owner of Cat-Man-Do's, 1223 Ludington Street requested the City Council approve the closure of the 1200 Block of Ludington Street from approximately 3:00 p.m. to 10:30 p.m. (Event Time: 5:00 p.m. to 10:00 p.m.) on Wednesdays, June 12, July 10, August 14 and September 11, 2019 for a series of downtown "Bike & Classic Car Night" events.

a.) Rain Dates would take place on the Thursday after the scheduled Wednesday (June 13, July 11, August 15, and September 12).

Mr. Spaulding gave a brief overview of the events and explained the security measures that would be taking place.

NB-4bBlaiser moved, Sattlem seconded, to approve a request from Mr. Curt Spaulding, owner of Cat-Man-Do's, 1223 Ludington Street, for the closure of the 1200 Block of Ludington Street from approximately 3:00 p.m. to 10:30

p.m. (Event Time: 5:00 p.m. to 10:00 p.m.) on Wednesdays, June 12, July 10, August 14 and September 11, 2019 for a series of downtown “Bike & Classic Car Night” events.

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

Ayes: Blasier, Sattlem, Beauchamp, Tall
Abstain: Schumann
Nays: None

MOTION CARRIED.

NB-4c Street Closure Requests for 100 Block of South 13th Street to 1st Avenue South for Various Fundraising Events.

Mr. Curt Spaulding, owner of Cat-Man-Do’s, 1223 Ludington Street requested the City Council approve the closure of the 100 block of South 13th Street from Ludington Street to 1st Avenue South from approximately 10:00 a.m. to 10:30 p.m. (Event Time: 12:00 p.m. to 10:00 p.m.) on Saturday, July 27, 2019 – Car Show Fundraiser and Saturday, August 24, 2019 – Wheelin’ Sportsmen Fundraiser.

NB-4(c)Blasier moved, Beauchamp seconded, to approve a request from Mr. Curt Spaulding, owner of Cat-Man-Do’s, 1223 Ludington Street, for the closure of the 100 block of South 13th Street from Ludington Street to 1st Avenue South from approximately 10:00 a.m. to 10:30 p.m. (Event Time: 12:00 p.m. to 10:00 p.m.) on Saturday, July 27, 2019 – Car Show Fundraiser and Saturday, August 24, 2019 – Wheelin’ Sportsmen Fundraiser.

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

Ayes: Blasier, Beauchamp, Sattlem, Tall
Abstain: Schumann
Nays: None

MOTION CARRIED.

NB-5 Approval - Traffic Control Order #995 - Public Safety.

Administration sought approval of Traffic Control Order #995 to have “No Parking” signs be put on the south side of South 3rd Avenue from South 22nd Street to the entrance of the Holy Name School Parking Lot. This Traffic Control Order was approved by the Traffic Safety Advisory Board on December 21, 2018.

NB-5 Schumann moved, Sattlem seconded, **CARRIED UNANIMOUSLY**, to approve Traffic Control Order #995 to have “No Parking” signs be put on the south side of South 3rd Avenue from South 22nd Street to the entrance of the Holy Name School Parking Lot.

NB-6 Setting Community Development Block Grant Application Public Hearing – April 4, 2019 - 1601 Ludington Street.

Administration recommended the Council set a public hearing date for April 4, 2019, on a Community Development Block Grant application. The proposed application is to use block grant funds for the elimination of blight through historic preservation for a building located at 1601 Ludington Street.

NB-6 Sattem moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve to set a public hearing date for April 4, 2019, on a Community Development Block Grant application.

NB-7 First Reading of Ordinance No. 1204, - An Ordinance Amending Ordinance No. 1028, and Setting the Date of Thursday, April 4, 2019, for Second Reading, Public Hearing, and Adoption.

Administration requested the City Council to consider this the first reading of Ordinance No. 1204, An Ordinance Amending Ordinance No. 1028, by Adding Chapter 21 to Provide Provisions for the Regulation for Safe, Effective and Efficient use of Wind Energy Systems. Additionally, Administration requested that the City Council set April 4, 2019, for the second reading, public hearing and adoption of Ordinance No. 1204.

NB-7 Blasier moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to approve to consider this the first reading of Ordinance No. 1204, An Ordinance Amending Ordinance No. 1028, by Adding Chapter 21 to Provide Provisions for the Regulation for Safe, Effective and Efficient use of Wind Energy Systems and to set April 4, 2019, for the second reading, public hearing and adoption of Ordinance No. 1204.

NB-8 Approval – Resolution No. 19-08, a Resolution in Support of an Application for Conveyance of Great Lakes Bottomlands.

Administration sought Council approval of a resolution to approve an application for conveyance of Great Lakes Bottomlands from the State of Michigan DEQ.

NB-8 “By Council Member Blasier, seconded by Council Member Schumann:

**RESOLUTION NO. 19-08
RESOLUTION TO APPROVE AN APPLICATION FOR CONVEYANCE OF
GREAT LAKES BOTTOMLANDS FROM THE STATE OF MICHIGAN DEQ.**

WHEREAS, the City of Escanaba, in partnership with the County of Delta, seeks to market for sale the “old Delta County Jail” site along with adjacent shoreline property owned by the City of Escanaba for development, and

WHEREAS, the bottomlands in question have been filled in decades past for industrial and public use, but never conveyed by the DEQ, and

WHEREAS, the City of Escanaba and Delta County wish to sell the associated already-filled bottomlands for private sector development, and

WHEREAS, the filled Bottomlands in question have no recreational or conservancy value to the public.

NOW, THEREFORE, BE IT RESOLVED by the City of Escanaba hereby approves of the Application for Conveyance for Great Lakes Bottomlands by the State of Michigan to the City of Escanaba. The Bottomlands to be conveyed are fully described below:

BEGINNING AT THE NE CORNER OF BLOCK 13 OF ASSESSOR'S PLAT NO.1 OF THE CITY OF ESCANABA AS RECORDED IN LIBER "B" OF PLATS ON PAGE 47 OF DELTA COUNTY RECORDS, THENCE N.00°16'54"E. ALONG THE NORTHERLY EXTENTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH 3RD STREET A DISTANCE OF 199.02 FEET TO THE SOUTHERLY BOUNDARY OF THE FORMER C. & N. W. RAILROAD PROPERTY, THENCE N.81°53'20"W. A DISTANCE OF 164.37 FEET, THENCE N.89°19'44"W. BOTH BEING ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 138.17 FEET TO THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF WAY LINE OF NORTH 4TH STREET, THENCE S.00°05'43"W. ALONG SAID NORTHERLY EXTENDED LINE A DISTANCE OF 57.99 FEET TO THE NW CORNER OF SAID BLOCK 13, THENCE S.61°04'00"E. ALONG THE NORTHERLY LINE OF SAID BLOCK 13 A DISTANCE OF 342.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.92 OF AN ACRE.

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

Ayes: Blasier, Schumann, Sattem, Beauchamp, Tall
Nays: None

RESOLUTION DECLARED ADOPTED."

NB-9 Approval – Purchase Offer of City Property.

James Baxter, owner of J.M. Builder, Inc., sent a written offer of \$17,000 to purchase the City owned property known as 3801 19th Avenue North, Escanaba. The offer was below the presumed property value of \$15,000/acre, which would equal \$29,500 for the 1.97 acre lot.

NB-9 Schumann moved, Sattem seconded, **CARRIED UNANIMOUSLY**, to approve to have City Manager Jordan negotiate with Mr. Baxter for the

possible sale of a 1.97 acre lot located at 3801 19th Avenue North and come back to City Council with another offer.

NB-10 Discussion – Hiring of an Assistant Assessor.

Council discussed and reviewed a job posting for an Assistant City Assessor, due to an impending retirement from the Assessor’s Office.

NB-10 Blasier moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to approve to delegate the authority to Manager Jordan to hire an Assistant Assessor and bring it back to City Council for conformation.

Schumann moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to thank Kevin Dubord, Assistant Assessor, for his many years of service.

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

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

Reappointed Randy Godlewski to the Brownfield Redevelopment Authority, term expiring April 1, 2020;

Reappointed Joseph Kaplan to the Brownfield Redevelopment Authority, term expiring April 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 - None

ANNOUNCEMENTS

- Encouraged people to support local businesses;
- Ribbon cutting at Hobby Lobby, March 25, 2019.

Hearing no further public comment, the Council adjourned at 7:48 p.m.

Respectfully submitted

Tammy Weissert
City Deputy Clerk

Approved: _____
Marc D. Tall, Mayor