

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

The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:01 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 Clerk Phil DeMay, Department Heads, media, and members of the public.

City Clerk DeMay led Council in the Pledge of Allegiance.

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

ADJUSTMENTS TO THE AGENDA

Mayor Tall along with Council consensus, moved to add to the agenda **NB-4** a discussion regarding a FOIA request and the destruction of the November 2016 ballots.

Blasier moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to approve the Agenda as amended.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT

- William Gasman, resident of Escanaba, discussed the proposed ordinance No. 1200 (An Ordinance to amend Chapter 18 of the Code of Ordinances to Temporarily Prohibit Marihuana Establishments within the city limits of the City of Escanaba). Mr. Gasman reached out to many residents from the City of Escanaba to get their thoughts and concerns of ordinance 1200. Mr. Gasman felt that “the proposed ordinance was moving too fast, and the Sunset Clause isn’t necessary.”

PUBLIC HEARINGS

PH-1 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 second of five (5) scheduled public hearings.

This being a public hearing, Mayor Tall asked for public comment.

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

PH-2 Obsolete Properties Rehabilitation District No. 26 – 1601 Ludington Street

The Obsolete Properties Rehabilitation Act (PA 146 of 2000) allows partial exemption of property taxes for a specified period for certain types of property improvements within a specified area. The intent of the legislation is to encourage rehabilitation of underutilized or decaying commercial or commercial/residential properties in certain designated communities such as Escanaba. The first step in the OPRA process was the establishment of a district consisting of one or more eligible properties. In accordance with program requirements, the owner of 1601 Ludington Street has submitted a request that the City establish an OPRA District, which if approved, would allow for an Obsolete Property Rehabilitation exemption in the future.

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 “By Council Member Schumann, seconded by Council Member Sattem;

RESOLUTION 19-05

**CITY OF ESCANABA, DELTA COUNTY, MICHIGAN
RESOLUTION TO ESTABLISH
OBSOLETE PROPERTY REHABILITATION DISTRICT NO. 26**

Whereas, Pursuant to P.A. 146 of 2000, the City of Escanaba has the authority to establish “Obsolete Property Rehabilitation Districts” within the City of Escanaba; and

Whereas, Swanee Incorporated, has filed a written request with the clerk of the City of Escanaba requesting the establishment of the Obsolete Property Rehabilitation District for an area in the vicinity of 1601 Ludington Street located in the City of Escanaba hereafter described; and

Whereas, The City Council of the City of Escanaba determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

Whereas, Written notice has been given by mail to all owners of real property located within the district and to the public by newspaper advertisement in the Daily Press and/or public posting of the hearing on the establishment of the proposed district; and

Whereas, On February 21, 2019, a public hearing was held and all residents and taxpayers of the City of Escanaba were afforded an opportunity to be

heard thereon; and

Whereas, The City Council deems it to be in the public interest of the City of Escanaba to establish the Obsolete Property District Rehabilitation as proposed.

Now, Therefore, Be It Resolved by the City Council of the City of Escanaba that the following described parcel(s) of land situated in the City of Escanaba, Delta County, and State of Michigan, to wit:

- Parcel #051-350-2930-333-004; LOTS 1 & 2 OF BLK 7 OF THE S H SELDEN ADDITION

Be and hereby is established an Obsolete Property Rehabilitation District pursuant to the provisions of P.A. 146 of 2000 to be known as Obsolete Property Rehabilitation District No. 26.

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

Ayes: Schumann, Sattem, Beauchamp, Blasier, Tall

Nays: None

RESOLUTION DECLARED ADOPTED.”

UNFINISHED BUSINESS – None

NEW BUSINESS

NB-1 Three Year Auditing Services Agreement – Controllers Office.

Administration sought Council approval to retain the Rehmann Group of Traverse City, Michigan, in an amount not exceed \$97,955 for audit services through year-end 2021. This item was included in the current fiscal year budget.

NB-1 Blasier moved, Beauchamp seconded, to approve to accept the Three Year Auditing Services Agreement bid received from Rehmann Group of Traverse City MI to conduct the auditing services through year-end 2021 required for the City as written in the RFP, at a cost not to exceed \$97,955.

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

Ayes: Blasier, Beauchamp, Schumann, Sattem, Tall

Nays: None

MOTION CARRIED.

NB-2 First Reading of Ordinance No. 1200, - An Ordinance to Amend Chapter 18 of the Code of Ordinances, and Setting the Date of Thursday, March 7, 2019, for Second Reading, Public Hearing, and Adoption.

Administration requested the City Council to consider this the first reading of Ordinance No. 1200, An Ordinance to amend Chapter 18 of the Code of Ordinances to Temporarily Prohibit Marihuana Establishments within the city limits of the City of Escanaba. Additionally, Administration requested that the City Council set March 7, 2019, for the second reading, public hearing and adoption of Ordinance No. 1200.

NB-2 After discussion, Sattem moved, Blasier seconded, to consider this the first reading of Ordinance No. 1200, and to set March 7, 2019 for the second reading, public hearing and adoption of Ordinance No. 1200.

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

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

MOTION CARRIED.

NB-3(a) First Reading of Ordinance No. 1201 - An Ordinance to Amend Chapter 18, Zoning Ordinance of the City Code of Ordinances, and Setting the Date of Thursday, March 7, 2019, for Second Reading, Public Hearing, and Adoption.

Administration requested the City Council to consider this the first reading of Ordinance No. 1201 to amend Chapter 18 (Site Plan and Sketch Plan Standards), Zoning Ordinance of the City Code of Ordinances. Additionally, Administration requested that the City Council set March 7, 2019, for the second reading, public hearing and adoption of Ordinance No. 1201.

NB-3(a) After discussion, Blasier moved, Schumann seconded, **CARRIED UNANIMOUSLY**, to consider this the first reading of Ordinance 1201, and to set March 7, 2019, for the second reading, public hearing and adoption of Ordinance No. 1201.

NB-3(b) First Reading of Ordinance No. 1202 - An Ordinance to Amend Chapter 19, Zoning Ordinance of the City Code of Ordinances, and Setting the Date of Thursday, March 7, 2019, for Second Reading, Public Hearing, and Adoption.

Administration requested the City Council to consider this the first reading of Ordinance No. 1202 to amend Chapter 19 (Development Standards), Zoning Ordinance of the City Code of Ordinances. Additionally, Administration requested that the City Council set March 7, 2019, for the second reading, public hearing

and adoption of Ordinance No. 1202.

NB-3(b) After discussion, Schumann moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to consider this the first reading of Ordinance 1202, and to set March 7, 2019, for the second reading, public hearing and adoption of Ordinance No. 1202.

NB-4 Council Requesting the November 8, 2016, election for the President of the United States, ballots to be destroyed.

A FOIA request in August of 2018 for the records in connection with the November 8, 2016, election for the President of the United States was requested by Council to be destroyed. Council Member Beauchamp requested the FOIA coordinator research the request to assure that it has met the deadlines and fulfilled the requirements.

NB-4 Blasier moved, Schumann seconded, to approve to destroy the ballots of the November 8, 2016 election, for the President of the United States, due to lack of payment, expired timeline, and lack of communication from the FOIA request.

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

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

MOTION CARRIED.

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

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

Appointed Susan Corwin to the Traffic Safety Advisory Committee, term expiring June 1, 2019;

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 Gasman, resident of Escanaba, referenced a website in regard to smart approaches of Marihuana. Mr. Gasman discussed the risks the use of Marihuana, especially with our youth. He felt that education was the keyword in

preventing the abuse of Marihuana. Mr. Gasman doesn't think there will be a benefit to the community or in the best interests of the city to allow establishments to sell recreational Marihuana.

- Matt Sviland, resident of Escanaba, discussed the language of ordinance 1200. Mr. Sviland said "we need to decide what is best for our community". He feels that the amount of revenue the sale of Marihuana will bring into our city will not justify the need for "pot shops."

ANNOUNCEMENTS

- Council Member Schumann – The Library has been putting on great programs for the community. She recommends checking out the Historical Society Facebook page. They have some excellent programs coming up in the near future. Also, encouraged student athletes in the community to go out and help those who are physically unable to shovel out their driveways.

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

Respectfully submitted

Phil DeMay
City Clerk

Approved: _____
Marc D. Tall, Mayor